

Cabinet AGENDA

Monday 9th September 2019 at 7.15pm

**Council Chamber, Braintree District Council, Causeway House, Bocking End,
Braintree, CM7 9HB**

THIS MEETING IS OPEN TO THE PUBLIC

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Members of the Cabinet are requested to attend this meeting to transact the business set out in the Agenda.

Membership:-

Portfolio

Overall Vision and Strategic Direction	Councillor G Butland (Leader of the Council)
Economic Development and Infrastructure	Councillor T Cunningham (Deputy Leader of the Council)
Communities, Culture and Tourism	Councillor F Ricci
Corporate Transformation	Councillor J McKee
Environment and Place	Councillor Mrs W Schmitt
Finance and Performance Management	Councillor D Bebb
Health and Wellbeing	Councillor P Tattersley
Homes	Councillor K Bowers
Planning	Councillor Mrs G Spray

Invitees:

Representatives of the Green Party and Independent Group, Halstead Residents Association, Labour Group and Councillor R van Dulken, Chairman of the Corporate Governance Group.

Members unable to attend the meeting are requested to forward their apologies for absence to the Governance and Members Team on 01376 552525 or email governance@braintree.gov.uk by 3pm on the day of the meeting.

A WRIGHT
Chief Executive

INFORMATION FOR MEMBERS - DECLARATIONS OF INTERESTS

Declarations of Disclosable Pecuniary Interest, Other Pecuniary Interest or Non-Pecuniary Interest

Any member with a Disclosable Pecuniary Interest, other Pecuniary Interest or Non-Pecuniary Interest must declare the nature of their interest in accordance with the Code of Conduct. Members must not participate in any discussion of the matter in which they have declared a Disclosable Pecuniary Interest or other Pecuniary Interest or participate in any vote, or further vote, taken on the matter at the meeting. In addition, the Member must withdraw from the chamber where the meeting considering the business is being held unless the Member has received a dispensation from the Monitoring Officer.

Question Time

The Agenda allows for a period of up to 30 minutes when members of the public can speak. Members of the public wishing to speak are requested to register by contacting the Governance and Members Team on 01376 552525 or email governance@braintree.gov.uk by midday on the working day before the day of the Committee meeting. For example, if the Committee Meeting is due to be held on a Tuesday, the registration deadline is midday on Monday, (where there is a bank holiday Monday you will need to register by midday on the previous Friday).

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AGENDA

No	Title and Purpose of Report	Pages
1	Apologies for Absence	
2	Declarations of Interest To declare the existence and nature of any Disclosable Pecuniary Interest, other Pecuniary Interest or Non-Pecuniary Interest relating to items on the agenda having regard to the Code of Conduct for Members and having taken appropriate advice where necessary before the meeting.	
3	Minutes of the Previous Meeting To approve as a correct record the minutes of the meeting of Cabinet held on 8th July 2019 (copy previously circulated).	
4	Public Question Time (See paragraph above)	
5	OVERALL CORPORATE STRATEGY & DIRECTION	
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No	Title and Purpose of Report	Pages
13	CORPORATE TRANSFORMATION	
13a	Braintree Town Centre Regeneration Project – Manor Street Update following tender exercise and consequential matters - PRIVATE REPORT	

North Essex Garden Communities Ltd – Approval of 2019/20 Interim Business Plan and Budget		Agenda No: 5a
Portfolio	Overall Corporate Strategy and Direction	
Corporate Outcome:	<p>A well connected and growing district with high quality homes and infrastructure</p> <p>A prosperous district that attracts business growth and provides high quality employment opportunities</p> <p>Residents live well in healthy and resilient communities where residents feel supported</p>	
Report presented by:	Councillor Graham Butland, Leader of the Council	
Report prepared by:	Emma Goodings, Head of Planning and Economic Development	
Background Papers:		Public Report
<p>Cabinet Report – Establishment of the North Essex Garden Communities Local Delivery Vehicles and funding requirements– 29th November 2016</p> <p>Cabinet Report – North Essex Garden Communities- Progress to date and key developments – 5th September 2017</p> <p>Cabinet report 26th November 2018 – North Essex Garden Communities Ltd – Shareholder Approvals and update NEGC Ltd Board minutes insofar as published https://www.ne-gc.co.uk/about/</p>		Key Decision: Yes
Executive Summary:		
1.1	<p>North Essex Garden Communities Ltd (NEGC Ltd) was established in January 2017 by the Council with Colchester Borough, Tendring District and Essex County Councils (the company shareholders) and is the current strategic delivery vehicle for the North Essex Garden Communities project. The basis for this is the Councils shared ambition to promote, plan and deliver sustainable strategic growth at scale and over the long-term; providing the housing, employment and necessary supporting infrastructure required to ensure the best outcomes for current and future communities of North Essex.</p>	
1.2	<p>In the period to date NEGC Ltd has developed its strategic rationale and operational capacity with the support of both its' shareholder Councils, the Ministry of Housing, Communities & Local Government (MHCLG) and key national agencies such as Homes England. The North Essex Garden Communities project is part of the national Garden Towns Villages & Cities programme run by MHCLG, which provides direct access to other Garden Towns with associated learning and knowledge/information sharing opportunities, and</p>	

resources. NEGC Ltd is the largest and most ambitious project in the programme.

- 1.3 The role of NEGC Ltd has been successfully developed to the point where it is a fully operational company recognised by the public, private sectors, and local communities, as the focal point for the North Essex Garden Communities project. This includes developing a strategic proposition for the North Essex Garden Communities which has gained significant traction with key government departments and the development industry. This report provides an update on overall progress to date and seeks approval of key documents and resources that are required to ensure the effective operation of the company moving forward.
- 1.4 This report overall seeks the Council, as one of the 4 shareholders, to continue to support North Essex Garden Communities Ltd as the strategic delivery vehicle for the North Essex Garden Communities projects through approval of the 2019/20 Interim Business Plan and Budget.
- 1.5 The Board of NEGC Ltd has agreed an Interim Business Plan for 2019-20 for approval by its shareholders setting out the vision, objectives, workstreams and funding requirements for the company in order to continue to support delivery of North Essex Garden Communities. The primary tasks during the year are to assist the North Essex Authorities with the work required for the Local Plan Section 1 Examination in Public; undertake public engagement to increase awareness and understanding of a range of key topic areas relevant to the garden community principles; evolve the approach to economic development, masterplanning, innovation, programme funding, governance and delivery, including consideration of the transition towards a locally-led development corporation as one of a number of delivery vehicle options for the NEGC project. The potential for the establishment of a Locally- Led Development Corporation will form part of an options appraisal for future delivery of the NEGC programme.
- 1.6 The 2019-20 Interim Business Plan is a precursor to the future preparation at the appropriate time of a 5-year Business Plan, which will be progressed when further progress is made with the Local Plan Section 1. This is considered to be the best, and most prudent, approach to ensuring that NEGC Ltd continues to deliver positive outcomes on behalf of shareholders and grant funders as the overall North Essex Garden Communities project progresses.
- 1.7 At the end of March 2019 the council shareholders of NEGC Ltd agreed the following milestones:
 - Local Plan (submission of evidence) – October 2019
 - NEGC Public Engagement – October & November 2019
 - Outline Business Case for Delivery Options – initial draft in November 2019 and final draft in January for Council approval in February & March 2020
 - NEGC Business Plan 2020/21 & 2021/22 – initial draft in November 2019 and final draft in January 2020 for Council approval in February & March 2020
- 1.8 The 2019-20 Interim Business Plan includes a draft budget for 2019/20, which requires agreement of shareholders (as part of agreeing the Interim Business Plan). The draft budget for 2019/20 includes expenditure of £2.131m. The assumed income includes an additional £350,000 phased contribution from each

shareholder Council within 2019/20, which is subject to review. The budget currently assumes an additional £600,000 from Government in 2019/20. A final determination is still awaited on the exact amount of Government support; however, in the event that this support is less than is assumed, NEGC Ltd will scale back and/or cease certain activities contained within the 2019/20 Interim Business Plan so as to mitigate the budget shortfall. In these circumstances Councils will be provided with a further update. The balance of £131,000 will be funded from income received in 2018/19 and carried forward into 2019/20. This report therefore seeks agreement to commit £350,000 from the Council subject to a formal request from the NEGC Ltd Board.

- 1.9 To date the funding and spending for NEGC Ltd has mostly taken place through Colchester Borough Council's accounts. The Interim Business Plan assumes that at some point in the future a significant part of the 2019/20 budget will pass to NEGC Ltd, with the remainder of costs retained within Colchester Borough Council's accounts. The allocation of costs will be based on assumptions of which costs should be appropriately met by NEGC Ltd. It is proposed that this allocation will be determined by the shareholder council's Section 151 officers.
- 1.10 Beyond 2019/20 and assuming that Section 1 of the Local Plans has been adopted by the North Essex Authorities, it would then be an appropriate time to move away from public revenue (grant) funding and obtain securitised external finance to fund the progression of detailed planning and set-up of the preferred delivery vehicle. It is envisaged that this set-up process will begin in 2020/21 and take around two years with a budget in the range of £16m to £20m across a two-year period. Depending on the type and nature of external finance obtained it is anticipated that there would be a need for on-going financial undertakings or support from shareholders. Thereafter, it is envisaged that longer-term finance will be required to support 'on the ground' development activity from 2022/23 onwards, which would also be used to pay back the shorter-term finance required for 2020/21 and 2021/22.
- 1.11 This report also references the importance of the topic of Garden Community stewardship and how detailed consideration of this issue by the Councils will be required in the near future.
- 1.12 Note that this report does not, other than for information, address any Local Plan issues. Decisions relating to the Local Plan and any wider planning functions are dealt with separately. Any decisions made in relation to, or by, NEGC Ltd cannot predetermine or prejudice the outcome of the proper Local Plan process.

Recommended Decision:

- 1 To approve the 2019/20 Interim Business Plan and Budget (which is subject to confirmation of government funding) for NEGC Ltd as attached to this report.
- 2 To authorise the Section 151 Officers to agree any future allocation of the project funds held by Colchester Borough Council between NEGC Ltd and the North Essex Authorities;

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|---|--|
| 3 | To approve committing £350,000 from the Housing Development and Local Plan Growth reserve and the delegation to the Corporate Director (Finance) to approve phased drawdowns upon a formal request by way of a NEGC Board resolution in accordance with the agreed milestones; |
| 4 | To note that a report will be considered at a future Cabinet meeting in respect of funding requirements and financing options for 2020/21 and 2021/22. |

Purpose of Decision:

To seek Cabinet's ongoing support, working together with Tendring District Council, Colchester Borough Council and Essex County Council, to progress the concept of 'garden communities' and to approve the Interim Business Plan for 2019/20 for NEGC Ltd and specific governance arrangements for the project.

Any Corporate implications in relation to the following should be explained in detail.

<p>Financial:</p>	<p>The Council has set aside a reserve of £500,000 for Housing Development and Local Plan Growth and it is proposed that the funding requirement of £350,000 as set out in this report is met from that reserve. This funding requirement will be drawn down on a needs based approach, and delegation is proposed to the Corporate Director (Finance) to approve the payments in connection with this.</p> <p>Assuming the Local Plans are approved and then adopted, additional funding in the range of £16m to £20m will be required over the next two years (2020/21 and 2021/22) in order to progress detailed planning and set-up the preferred delivery vehicle. Whilst securitised external finance will be sought, it must be recognised that funding options may be limited until infrastructure is developed and provides an asset to underwrite the financial risk. In a worse-case scenario, if no external funding was secured in the two year period to 2021/22, the North Essex Authorities would need to fund the full estimated cost of £16m to £20m. A further report will be considered at a future Cabinet meeting in respect of funding requirements and financing options for 2020/21 and 2021/22.</p>
<p>Legal:</p>	<p>The Council has the power to pursue the indicated approaches through the Localism Act 2011. However should specific powers be sought or implemented a future report will have to consider the detailed provisions relating to that decision. The updates to the New Town Act 1981 and associated regulations summarised in the report give opportunities which should be considered fully by the Council.</p> <p>It must be recognised, that this report is considered in the context of the Council as shareholder of the North Essex Garden Communities Limited, the consideration in this context does not define or restrict the Council where it considers the Local Plan or related matters which must be considered in light of the relevant statutory frameworks.</p>
<p>Safeguarding:</p>	<p>No matters arising out of this report.</p>
<p>Equalities/Diversity:</p>	<p>No specific Equality Impact Assessment, has been prepared for this report, however impacts and issues are considered within the report and as part of the ongoing work of the project and NEGC Ltd.</p>

Customer Impact:	The proposals will enable the delivery of sustainable communities which have the delivery of infrastructure as a key requirement ensuring that they are good quality places to live and work.
Environment and Climate Change:	The design and delivery of these communities will take into account garden community principles and provides the opportunity for truly innovative design incorporating the highest standards of environmental protection and climate change mitigation. This is managed through the Local Plan process and the planning frameworks. By having a strong stake in the delivery of the communities the Council will be in a position to support suitable standards and infrastructure to mitigate impacts.
Consultation/Community Engagement:	The Local Plan process including the master planning processes for these communities enables significant public consultation and engagement. Within the Interim Business Plan there are a number of elements of engagement and consultation proposed.
Risks:	<p>The key areas of risk are detailed in the report.</p> <p>The development of the programme is dependent on the delivery of the Local Plan, this introduces two risks, firstly in relation to programme management which may mean that the timescales for future steps could be delayed, and ultimately in regard to the viability of the project if the Local Plan is not found sound.</p> <p>The budget includes presumed funding from Government, this is secured through a bidding process, and is not guaranteed; however, there is the scope for alterations in the programme if this funding is not secured to mitigate the impact. This will however have an impact on the speed and scope of delivery.</p>
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1 Background Information

- 1.1 Colchester Borough Council, Braintree District Council, Tendring District Council and Essex County Council (the North Essex Authorities) as Shareholders for NEGC Ltd have for the last four years been working on an agreed strategic approach to the allocation and distribution of large scale, mixed-use developments, including employment opportunities and infrastructure provision, in the form of Garden Communities through the Local Plan process.
- 1.2 As part of this agreed approach, the Cabinets of each of the Authorities agreed in December 2016 to establish a dedicated delivery structure and special purpose vehicle for the Garden Communities. This included:
 - The setting up of NEGC Ltd, being a corporate entity wholly owned by all the four Authorities; and
 - To approve the NEGC Ltd Shareholder Agreement, with each Authority holding an equal shareholding.
- 1.3 Since this approval, NEGC Ltd was formally established in January 2017 with Directors being appointed by each of the North Essex Authorities. The Board of NEGC Ltd is currently chaired by Essex County Councillor John Spence and has been meeting every two to three months.
- 1.4 In September 2017, the Cabinet of each Authority supported the approach of NEGC Ltd and its Directors to actively engage with Government to promote the positioning of the NEGC Ltd as a “Responsible Body” for the establishment of a single new locally controlled Development Corporation across all three of the proposed North Essex Garden Communities – subject to the consideration by Members of this approach alongside other delivery vehicle options in the form of an options appraisal.
- 1.5 In November 2018 the Cabinet of each Authority approved the 2018/19 Interim Business Plan and accompanying budget as well as Financial Procedure Rules for NEGC Ltd. Key tasks for 2018/19 were to evolve the approach to master-planning, innovation, economic development, programme funding, governance and delivery including consideration of transition towards a locally led development corporation style of approach to delivery of the NEGC project. The potential for the establishment of a Locally Led Development Corporation will form part of an options appraisal of a range of options for future delivery of the NEGC programme.
- 1.6 In order to enable NEGC Ltd to move forward it is required to adopt a further Interim Business Plan and approve its budget for the 2019/20 financial year. Under the terms of the Shareholders Agreement, NEGC Ltd is permitted to operate under an interim business plan as the board shall determine until such time as a long-term business plan is adopted.
- 1.7 The NEGC Ltd board has recently approved an Annual Review for 2018/19 which provides details of the outcomes in relation to the NEGC programme.

2 2019/20 Interim Business Plan

- 2.1 NEGC Ltd is required to have in place a Long-Term Business Plan, which is defined within the Shareholder Agreement as including a high level 5-year business plan in relation to NEGC Ltd and that such a business plan shall cover infrastructure requirements, finance, planning and such other matters as NEGC Ltd determines, and take into account the aims and requirements of the Master Plan for the garden communities.
- 2.2 The Shareholder Agreement requires the Long-Term Business Plan to be submitted to the Shareholders within three months of the full NEGC Ltd Board being appointed. The full Board was established in January 2017. However, the production of the Long-Term Business Plan has not been possible to date, due to ongoing discussions around the future delivery model.
- 2.3 However, the Board are able, in accordance with the Shareholder Agreement, to operate under an Interim Business Plan until such time as a Long-Term Business Plan is developed. Accordingly, the NEGC Ltd Board determined at its meeting on the 17 January 2019 that the Company may operate under an Interim Business Plan for 2019/20
- 2.4 The Shareholder Agreement does not require the Authorities to provide approval of the Interim Business Plan prior to its adoption by the Board. The proposed 2019/20 Interim Business Plan (appended to this report) for NEGC Ltd has been produced for the 2019/20 financial year largely to enable NEGC Ltd to provide support to the Local Planning Authorities in progressing Section 1 of their Local Plans and to develop proposals for the delivery strategy including a potential locally-led development corporation.
- 2.5 The 2019/20 Interim Business Plan provides an overview of the vision, objectives, necessary workstreams, governance, funding and actions required to deliver NEGC Ltd's scope of work and bringing forward a number of priorities during 2019/20 to move the Garden Communities towards the delivery phase. The key operational priorities include:
- Assisting the North Essex Authorities in their planning capacity by carrying out further work in relation to the Local Plan evidence base including: additional infrastructure, delivery and phasing work; employment floorspace forecasting; demonstrating the viability of the Garden Communities; input into the overall Transport evidence, including proposals for a Rapid Transit System, and supporting the Council's and presenting evidence on deliverability at the re-opened Examination in Public for Part 1 of the Local plan;
 - Continuing with high-level engagement with the existing and proposed new communities on a number of key topics to give them a strong sense of participation in and ownership of the emerging new Garden Communities;
 - Continuing to ensure that the North Essex Economic Strategy maximises benefits to Garden Communities and the area as a whole;
 - Evolving the best approach for delivery strategy including locally-led Development Corporation(s) in North Essex with Government, including the preparation of a locally – led development corporation operating structure and funding requirements for testing with funders;

- Working with the Councils to prepare a Mandate in support of a designation for a locally-led development corporation that is financed and supported by all NEGC Ltd's directors and shareholders;
 - Continuing to explore approaches to secure an interest in land either via negotiation or compulsory purchase;
 - Working with the Councils and key partners on Stewardship to identify a range of income earning and community assets together with potential management vehicles across the Garden Communities;
 - Developing Masterplans for each of the Garden Communities;
 - Designing local (e.g. transport) and social (e.g. education, health, community facilities etc.) infrastructure required to support each of the garden communities;
 - Engaging with Infrastructure and Utility providers to confirm anticipated infrastructure demand and how it may be provided (considering the benefit of public/private ownership options), over the proposed NEGC development period;
 - Exploring options available and delivering a commercial strategy to implement the supporting infrastructure and utilities required to deliver the Garden Communities;
 - Working closely with partner organisations to progress four priority areas identified for innovation (infrastructure, economy & business, living space, health & wellbeing) and develop a formal work plan to progress them;
 - Prepare a costed Business Plan for 2020/21 and 2021/22 for approval by the NEGC Board in January 2020.
- 2.6 The primary tasks during the year are to assist the North Essex Authorities with the work required for the Local Plan Section 1 Examination in Public; undertake public engagement to increase awareness and understanding of a range of key topic areas relevant to the garden community principles; evolve the approach to economic development, master planning, innovation, programme funding, governance and delivery options, including consideration of the transition towards a locally-led development corporation as one of a number of delivery vehicle options for the NEGC project.
- 2.7 NEGC Ltd will present delivery strategy options to the North Essex Authorities during 2019/20 to consider and decide upon the future operating model(s) for the delivery of the garden communities.
- 2.8 The 2019/20 Interim Business Plan followed by the subsequent 2020/21 & 2021/22 Interim Business Plan will act as a precursor to the preparation of a 'Long-Term Business Plan', which NEGC Ltd will be in a position to begin preparing following the outcome of the Local Plan Section 1 Examination in Public.
- 2.9 The 2019/20 Interim Business plan sets out the Vision, Strategic Objectives and key operational priorities for NEGC Ltd during 2019/20.
- 2.10 Key activities for each of the workstreams and activities that will be undertaken by NEGC Ltd during 2019/20 are included within the document, together with details of its Programme Management. In common with all business plans this document will be kept under review.

3 2019/20 Budget

- 3.1 The Shareholder Agreement provides that the draft Budget must be approved by the Authorities prior to its adoption by NEGC Ltd. It further provides that the Board shall submit any draft Budget to the Authorities no later than two months before the start of each financial period of NEGC Ltd.
- 3.2 The following table sets out a summary of the expenditure budget for 2019/20 by workstream which was agreed on a working basis by the North Essex Authorities at the end of March 2019. The budget includes provision for the additional work required to progress the locally-led development corporation proposition in conjunction with Government.

£000's	Q1	Q2	Q3	Q4	Total
Local Plan / DPD					
Staff	£103.8k	£119.6k	£126.5k	£120.8k	£470.7k
Overheads	£27.3k	£33.5k	£36.5k	£30.4k	£127.7k
Supporting studies	£45.5k	£65.1k	£79.5k	£10.5k	£200.6k
Planning	£79.5k	£84.5k	£71.75k	£69.75k	£305.5k
Engagement	£6.0k	£18.0k	£13.3k	£5.5k	£42.8k
Risk/Contingency	£14.0k	£14.0k	£13.8k	£29.6k	£71.4k
Total					£1,218.7k
Delivery Strategy					
Staff	£68.7k	£70.2k	£71.7k	£72.7k	£283.3k
Overheads	£20.8k	£22.3k	£21.3k	£20.8k	£85.2k
Governance	£9.0k	£4.0k	£7.5k	£54.2k	£74.75k
Delivery & Stewardship	£15.3k	£29.4k	£37.6k	£38.5k	£120.8k
Masterplan/Transport	£1.0k	£1.0k	£11.0k	£20.1k	£33.1k
Infrastructure & Utilities	£5.0k	£15.0k	£25.0k	£30.0k	£75.0k
Strategic Business Planning	£31.0k	£61.0k	£81.1k	£44.0k	£217.1k
Risk/Contingency	£6.2k	£5.0k	£5.0k	£6.3k	£22.5k
Total					£911.7k
Overall Total					£2,131k

- 3.3 There are a number of key assumptions to note in the budget forecast:

Expenditure

- The project resource and delivery team includes the managing director of NEGC Ltd and staff resources seconded to the project. This budget also includes an allowance for support services provided to NEGC Ltd such as HR, finance, ICT and accommodation.
- Provision for specialist advice and support across legal, finance and land and property matters is also included.

Income

- The budget includes a contribution of £350,000 from each of the North Essex Authorities and an additional £600,000 from Government in 2019/20. A final determination is still awaited on the exact amount of Government support and in the event that this support is less than is assumed, the Councils will be provided with a further report on the implications and any proposed mitigation. The balance of funding in 2019/20 will be from income received in 2018/19 and carried forward into 2019/20.

4 Local Authority Contributions

- 4.1 The 2019/20 Interim Business Plan and associated budget includes the assumption that the North Essex Authorities will commit additional funding of £350,000 each in 2019/20. The request from NEGC Ltd is that this funding is set aside by each authority for future drawdown from NEGC Ltd as it is required.

5 Transfer of the Project Budget

- 5.1 In February 2016 the shareholder councils agreed to commit £250,000 to support the joint work on the garden communities project. In September 2017 an additional £250,000 from each Authority was approved, followed by a further £100,000 in November/December 2018 to fund further work undertaken by NEGC Ltd in the development of the project. In addition to the contributions from the Councils, grants from the Government of £3.213m has been received to date to support the project.
- 5.2 To date project funding and spending has mostly taken place through Colchester Borough Council's accounts.
- 5.3 The 2019/20 Interim Business Plan assumes that in future part of the 2019/20 budget will pass to NEGC Ltd, with some costs retained in the Council's accounts. The allocation of costs will be based on assumptions of which costs should be appropriately met by NEGC Ltd. It is proposed that this allocation will be determined by the North Essex Authorities Section 151 officers.

6 Stewardship

- 6.1 Long-term stewardship and management of the Garden Communities is a crucial part of the successful legacy of new communities. Recognising that such arrangements need to be in place from the outset to support the delivery model chosen by the Councils, the North Essex Authorities have previously committed to undertake long-term stewardship for the Garden Communities, as detailed in the "Active Local Stewardship" principle in the NEGC Charter that was approved in 2016:

"The Garden Communities will be developed and managed in perpetuity with the direct involvement of their residents and businesses;

residents will be directly engaged in the long-term management and stewardship, fostering a shared sense of ownership and identity”.

- 6.2 Likewise, within the final draft Section 1 Local Plan, Policies SP8, SP9 and SP10 set out the detailed requirements for each of the proposed Garden Communities and include the following wording:

“Establishment at an early stage in the development of the garden community, of appropriate and sustainable long-term governance and stewardship arrangements for community assets including green space, public realm areas and community and other relevant facilities; such arrangements to be funded by the development and include community representation to ensure residents have a stake in the long-term development, stewardship and management of their community”.

- 6.3 Such large-scale new communities have significant income generating and community asset (such as green space, community buildings and public realm) opportunities and options to participate in such arrangements will be presented to the Councils for initial consideration in the coming months. For example, the Letchworth Garden Village Heritage Foundation has existed for over 100 years and provides ongoing maintenance of public open space and management of the town centres and industrial buildings, as well as supporting, funding and promoting activities for the benefit of the Garden City and its communities. As at 31 December 2018, Letchworth had an asset portfolio value of £163m with an annual income of £12.2m, a property income of £9.5m and a charitable spend of £7.6m.
- 6.4 Early next year (Q4 19/20) the Councils are scheduled to formally make a decision on the preferred delivery model for the Garden Communities, which will also provide an opportunity for Members to review and comment on the supporting investigative work that will inform the consideration of the stewardship options available to the Councils and enable a clear and collective course of action to be agreed.

7 Financial implications

- 7.1 This report set out the proposed budget for NEGC Ltd for 2019/20 and associated funding. The proposals include the allocation of a further £350,000 in 2019/20.
- 7.2 Consideration of this further funding will be made when the NEGC Ltd.'s business plan for 2019/20 is presented to the North Essex Authorities and will be considered in the context of the Council's 2019/20 budget.
- 7.3 The contribution requested from this Council can be met from the Housing Development and Local Plan Growth reserve, which was agreed by Full Council in February 2019 as part of the overall Budget for 2019/20.
- 7.4 The development of the North Essex Garden Communities is dependent upon the Local Plans being approved by the Planning Inspector and then adopted by the North Essex Authorities. The Planning Inspector's findings are expected to be received in early 2020.

- 7.5 Assuming the Local Plans are approved and then adopted, additional funding in the range of £16m to £20m will be required over the next two years (2020/21 and 2021/22) in order to progress detailed planning and set-up the preferred delivery vehicle. Whilst securitised external finance will be sought, it must be recognised that funding options may be limited until infrastructure is developed and provides an asset to underwrite the financial risk. In a worse-case scenario, if no external funding was secured in the two year period to 2021/22, the North Essex Authorities would need to fund the full estimated cost of £16m to £20m.
- 7.6 It is worth highlighting that based on current assumptions there is likely to be an ongoing commitment by the North Essex Authorities to fund the Oversight Authority arrangements required for some of the delivery vehicle options. This will be in addition to any funding required to develop the project in the medium term before potential alternative private sector funding becomes available. Therefore, the £350,000 should not be viewed in isolation as it is likely that the shareholder councils will be required to consider further financial support of the project until such time as a more clear investment opportunity is presented where long-term returns are anticipated.

8 Legal implications

- 8.1 The General Power of Competence provided for by the Localism Act 2011 was relied upon as the authority for the District/Borough/County Council to establish and subscribe to North Essex Garden Communities Limited. Consequently, a Shareholders Agreement was entered into and the relevant provisions and requirements of the agreement are referred to within the context of this report.
- 8.2 In exercising the General Power of Competence Local Authorities must do so in a way which does not contravene any pre-existing statutory limitations. The actions identified in this report do not contravene any such restrictions.
- 8.3 The New Towns Act 1981 (Local Authority Oversight) Regulations 2018 came into force in July 2018, making provision for the local oversight of new town development corporations. Guidance has been issued that outlines the way in which Locally Led New Town Development Corporations (LLNTDC) will work.
- 8.4 The 2018 Regulations apply where the Secretary of State, pursuant to section 1A(2) of the New Towns Act 1981 ("the Act") makes an order under section 1 of the Act appointing one or more local authorities to oversee ("an oversight authority") the development of an area as a new town ("locally led new town").
- 8.5 Further decisions will be required from both Cabinet and Council following consideration of an options appraisal before any request can be made to the Secretary of State for the North Essex Authorities to be appointed as oversight authorities and for LLNTDC's to be designated.

9 Risk Management Implications

Local Plan - Section 1

- 9.1 Before a Local Plan can be formally adopted by a Council, it must be examined by a government-appointed Inspector whose job it is to check that; 1) the plan has been prepared in line with various legal requirements and 2) that the policies and proposals in the plan comply with the 'tests of soundness' contained within the National Planning Policy Framework (NPPF). Examination hearings for the Section 1 Plan took place between January and May 2018; and in June 2018 the Inspector wrote to the North Essex Authorities setting out his initial findings. Whilst he confirmed the legal compliance and soundness of some elements of the plan and praised the North Essex Authorities' innovation and ambition, the Inspector found some of the evidence and justification in support of Garden Communities to be lacking and was therefore unable to pass the Section 1 Plan as sound. The Inspector's specific concerns were reported to Members in October 2018.
- 9.2 In his letter, the Inspector offered the North Essex Authorities advice and options for how best to proceed. Having considered his advice, the North Essex Authorities in October 2018 confirmed that they remained committed to using Garden Communities principles to secure the future housing requirements in North Essex and would produce additional evidence to address each of the Inspector's concerns. On 10th December 2018, the Inspector confirmed that he was satisfied that the proposals for further work on the evidence base satisfactorily responded to the points he had raised as identified issues and paused the examination until the North Essex Authorities further work on the evidence base and an Additional Sustainability Appraisal was completed. Monthly updates have been submitted to the Inspector on the programme timetable as requested.
- 9.3 The additional evidence has now been completed and the findings are detailed within the reports which have been presented to the Local Plan Committee and Council.
- 9.4 The findings of the Additional Sustainability Appraisal indicate that many of the site proposals and alternative spatial strategy options are closely matched when assessed against the sustainability objectives. However, none of the alternative spatial strategies stand out as performing notably stronger than the current strategy in the submitted Section 1 Local Plan. There is consequently nothing arising from this new evidence that would suggest that the current spatial strategy is not justified or needs to change to make way for an alternative approach. The North Essex Authorities have decided to continue promoting the current spatial strategy involving the creation of three new Garden Communities in the locations currently proposed.
- 9.5 The additional evidence requested by the Inspector, supports the current proposals within the Section 1 Local Plan are sound and, when presented to the Planning Inspector, will address his previous concerns.
- 9.6 As well as producing the above evidence in response to the Planning Inspector's concerns about Garden Communities, the North Essex Authorities

have also compiled a table of proposed amendments to the Section 1 Plan. These amendments are aimed at addressing certain issues identified by the Inspector, partner organisations and objectors to the Plan and ensuring the plan meets the tests of soundness. Many of the proposed amendments arose from suggestions and discussions at the examination hearings in 2018 and the Inspector's interim findings whereas others arise from the findings of the additional evidence base.

- 9.7 It will be the Inspector's choice whether or not to accept the proposed amendments to the Local Plan through the resumed examination process, in determining whether it satisfies the necessary statutory requirements and is sound.
- 9.8 The additional new evidence base documents and the table of proposed amendments are published for six weeks public consultation between 19th August and 30th September 2019 before they are submitted, along with any representations received, to the Planning Inspector to enable him to resume the examination. It is expected that the further examination hearings will take place in late 2019 or early 2020.

Delivery Mechanisms Options Appraisal:

- 9.9 The Section 1 Local Plan explains that the North Essex Authorities are committed to ensuring that the new garden communities are as sustainable and high quality as possible and that the infrastructure needed to support them is delivered at the right time. This will require the Councils to work very closely with the relevant landowners using a robust delivery mechanism that ensures a fair and equitable distribution of the costs and land requirements needed to secure the ambitions for the Garden Communities and create a long term legacy appropriate to the scale of the ambition. Given the scale of complexity of the proposed Garden Communities, it is envisaged that 'Local Delivery Vehicles' (LDVs), with both private and public sector representation, will be used to oversee these developments.
- 9.10 Whilst, in his letter, the Inspector acknowledged that this approach was generally compatible with national planning policy and deploying new models of delivery was a legitimate aspiration, he questioned if other delivery mechanisms could be adopted – suggesting that there was no substantial evidence to show that only new models of delivery were capable of delivering Garden Communities in the way envisaged.
- 9.11 In response to this, the Councils' legal advisors Dentons have produced a specific paper entitled 'Delivery of the Garden Communities' which explains that since the submission of the Local Plan in 2017, the government has placed greater emphasis on local authorities taking a more pro-active role in the delivery of new homes and the delivery of Garden Communities. It also explains that new statutory provisions have been put in place promoting 'Locally Led New Town Development Corporations' (LLNTDCs) as a mechanism by which new development can be delivered. It is proposed that modifications to the Local Plan are made to reflect the potential for Garden Communities to be delivered via LLNTDCs but that it will ultimately be for the

Councils to decide whether this is the most appropriate means by which to proceed.

- 9.12 The paper also explains that if LLNTDCs are not used as a vehicle to deliver the Garden Communities and landowners and developers are left to bring the development forward on their own, they will be expected to meet all costs associated with their delivery in accordance with both the policies in the Local Plan and any more detailed requirements set to be included in the new Development Plan Documents (DPDs) for each of the schemes. It also explains that if landowners were unwilling to release their land at a reasonable price which allows for these costs to be met, the NEAs would be willing to use 'Compulsory Purchase Order' (CPO) powers to acquire the land – something that is supported by national planning policy, where necessary.
- 9.13 Dentons' paper will help to explain to the Inspector that whilst a Local Delivery Vehicle or a LLNTDC is the preferred means by which to deliver the Garden Communities, other delivery mechanisms are available and could be employed to ensure that the developments come forward in the way envisaged. When the detailed delivery mechanisms for the Garden Communities are discussed and decided, State Aid issues will be addressed.
- 9.14 A full options appraisal of the Garden Communities delivery options will be prepared to enable members to take future decisions on potential locally-led development corporation proposals, with linked oversight arrangements between the North Essex Authorities. The options appraisal will consider the key priorities for the North Essex Authorities, the delivery routes available, risks and the potential scale of any financial commitments and liabilities.

10 Equality and Diversity Implications

- 10.1 The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
 - Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 10.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).
- 10.3 The proposals are for the approval of a range of key documents which will enable NEGC Ltd and its Shareholders to create an inclusive community which meets the needs of all residents regardless of whether or not they have a protected characteristic. The differing needs of people, including those with

different protected characteristics, will need to be considered during the design and planning stage of the development and kept under review as the project progresses.

List of Appendices

Appendix – NEGC Ltd 2019/20 Interim Business Plan

North Essex Garden Communities Ltd

Interim Business Plan

2019/20, 2020/21 & 2021/22

(agreed by NEGC Board in June 2019;
to be approved at Local Authority Cabinets & Full Councils by October 2019)

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1. Executive Summary

Strategic Context

North Essex is a key location in the UK, well related to London, with international sea and air connections, as well as links to wider growth corridors across the South East.

Braintree District Council, Colchester Borough Council, Tendring District Council and Essex County Council have developed a shared vision for the future across North Essex, as set in their emerging Local Plans, The North Essex Garden Communities Charter and Prospectus.

The Councils have a shared desire to promote, plan and deliver sustainable strategic growth at scale and over the long-term; providing the housing, employment and necessary supporting infrastructure required to ensure the best outcomes for current and future communities of North Essex.

The centrepiece of the Programme is the creation of three new Garden Communities. These new settlements will act as the catalyst for economic growth and address the aspirations of the wider UK's population, making North Essex an attractive place to live, work and spend time for future generations to come.

These proposed Garden Communities will be key to creating a more prosperous North Essex through inclusive economic growth, with new businesses able to compete successfully in national and international markets. The intention is for North Essex to have a diverse and thriving economy, a great choice of job opportunities across many sectors, growing prosperity and improving life chances for all its citizens, today and into the future.

The Councils have come together to create 'North Essex Garden Communities Ltd' (NEGC) as a private company wholly owned by The Councils with an overall mission to "lead, create, inspire and develop exemplar self-sustaining Garden Communities across North Essex through working proactively and effectively in partnership with local communities and key stakeholders."

This Plan

This is the second Business Plan that has been produced for NEGC Ltd and is a key step on the journey to delivering the Garden Communities. As such, it builds on the work that was delivered through the revised 2018/19 Interim Business Plan, which included work on revising evidence for the Local Plan together with preparatory work on a potential North Essex Locally-Led Development Corporation to deliver the three Garden Communities. This document sets out a three-year Business Plan for NEGC from 2019/20 to 2021/22.

The first year 2019/20 contains a detailed work programme that focuses on building upon the foundations laid in 2018/19 to deliver the major outcomes for the year and for the programme as a whole, which are obtaining adoption of Section 1 of the Local Plans as well as enabling the shareholder Councils to reach a decision regarding governance and oversight authority arrangements, which could lead to the submission to Government of an application for a mandate for a North Essex Locally-Led Development Corporation as per the proposed direction of travel that was formally supported by the NEGC Board in November 2018. 2019/20 is therefore a crucial year for the programme as without the achievement of those major outcomes it will increase the risk of the Garden Communities not being delivered in the years that follow. Indeed, the delivery of those major

outcomes by the end of 2019/20 would mean that the programme could move to being externally financed and the Councils would then not need to provide further revenue grant contributions.

It also sets out a high-level programme and milestones for 2020/21 and 2021/22 as there are a number of key aspects that will need to be considered during 2019/20 that are anticipated to influence or be dependencies on the approach over the latter two years. As well as delivering the major outcomes, the work programme for 2019/20 will also provide the building blocks for the programme to move into the delivery phase and begin to mobilise during 2020/21 and 2021/22. In particular, the Engagement & Economy as well as the Masterplanning & Transport work elements in 2019/20 will enable the programme to undertake the more detailed design work during the following two years in a manner that ensures the residents and communities can provide input and participate. The Delivery & Finance, Legacy & Stewardship and the Infrastructure & Utilities work elements in 2019/20 will provide the structure for the programme to mobilise and implement the public/private financed development vehicles and structures to deliver the programme during the following two years. In addition, the cross-cutting Innovation work element during 2019/20 and beyond will enable the delivery of the programme to be undertaken in a manner that has a focus on quality and being future-proofed.

Taken together, the elements of this Business Plan will enable the programme to deliver the first homes in the first half of 2023. As such, this Business Plan acts as a precursor to the preparation of a 'Long-Term Business Plan' as defined within the NEGC Shareholders Agreement, which will underpin the operation of the preferred delivery model approach from April 2022 onwards.

2. Introduction

2.1 Introduction to North Essex

North Essex is a key location in the UK; it is well connected to London, includes close proximity to the country's largest deep sea freight port at Felixstowe together with its sister port at Harwich and the third-largest air bound freight gateway at London Stansted Airport, as well as being related and linked to the growth areas of Cambridge and the economic growth corridors of Cambridge – Stansted – M11 and Cambridge – Milton Keynes – Oxford.

As a result, the area around the key existing towns and settlements is already a vibrant hub for innovation and creativity and has seen significant growth in housing, a burgeoning multi-sector economy and highly-skilled employment over recent years and is well-placed for providing further desirable opportunities to live and work in the future.

However, statistically North Essex is a part of the UK economy that is currently underperforming in the context of the South East of England. Initial research has identified that the current GVA for North Essex is 0.8% pa compared to the UK national level of 1.3%. Furthermore, the North Essex area lags behind comparable GVA per capita in the South East with North Essex currently at £18k compared to at least £25k for comparator areas in the Greater South East which includes £44k for Milton Keynes.

The North Essex Councils (Essex County Council, Braintree District Council, Colchester Borough Council and Tendring District Council – thereafter referred to in the remainder of this document as 'The Councils') are determined to work together to not only reverse this trend but to put North Essex on the international map using the collective 'North Essex Opportunity' identity launched at MIPIM UK in October 2018. The Councils have developed plans to provide a roadmap for its economic ambition by creating what is currently the largest scale housing, employment and infrastructure programme in the UK.

2.2 The North Essex Garden Communities Programme

The North Essex Garden Communities (NEGC) programme comprises a coalition of The Councils, established because of their shared desire to promote, plan and deliver sustainable strategic growth at scale and over the long term; providing the housing, employment and necessary supporting infrastructure required to ensure the best outcomes for current and future communities of North Essex.

The centrepiece of the NEGC Programme is the creation of three new Garden Communities. Subject to examination through the Local Plan process, these new settlements will act as the catalyst for economic growth and address the aspirations of the wider UK's population, making North Essex an attractive place to live, work and spend time for future generations to come. This growth will require an appropriate response from The Councils to ensure that a broad range of new homes, employment opportunities, and supporting social and other infrastructure are provided in an effective and timely manner.

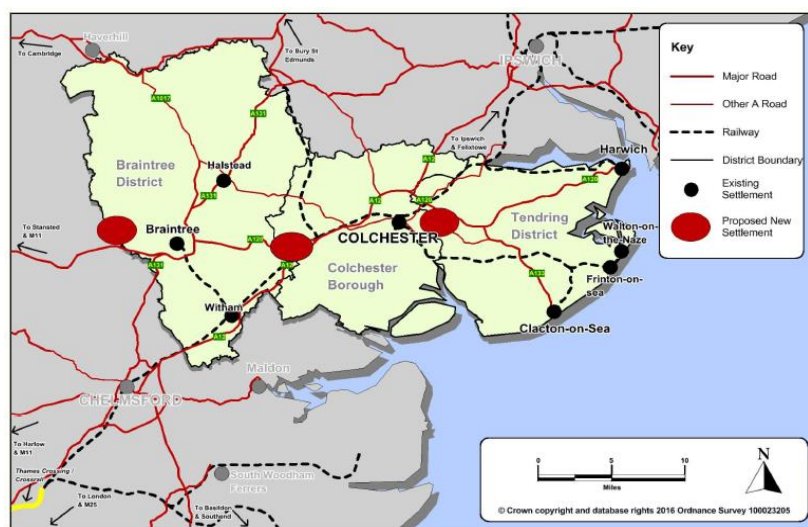
The Garden Communities concept is ideally suited to deliver on this local ambition because it can:

- Respond positively to the context of North Essex – providing the best of town and country;
- Be planned comprehensively with timely delivery of infrastructure;
- Provide a key role in promoting local economic development, both within the Garden Communities and across the wider North Essex corridor, creating and attracting new jobs and businesses into the area;
- Place the concept and function of community at the heart of place making with active local engagement and long-term stewardship of community assets;
- Enable the provision of integrated and sustainable transport options, reducing reliance on the private car;
- Enable public sector leadership and a long-term approach to investment and community development; and
- Create a great place to live, work and spend leisure time overall.

Figure 1 shows the location of the three new Garden Communities that are proposed in the North Essex Authorities' Local Plan (2013 – 2033) Section 1, which has been submitted to the Planning Inspectorate and is undergoing the due process, with an Examination anticipated to take place in December 2019. These will accommodate a substantial amount of the housing and employment growth planned for North Essex within the Local Plan period and well into the future (the ranges are taken from the North Essex Authorities' Local Plan (2013 – 2033) Section 1):

- Tendring Colchester Borders, a new garden community will deliver between 7,000-9,000 homes (with at least 2,500 homes within the Local Plan period to 2033).
- Colchester Braintree Borders, a new garden community will deliver between 15,000-24,000 homes (around 1,400 homes within the Local Plan period to 2033).
- West of Braintree in Braintree DC, a new garden community will deliver between 7,000-10,000 homes (with at least 2,500 homes within the Local Plan period to 2033).

Figure 1: North Essex and locations of proposed Garden Communities



Each of the Garden Communities will be holistically planned new settlements that respond directly to their regional, local, and individual site context and opportunities, to create developments

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underpinned by a series of interrelated principles which are based on the Town and Country Planning Association (TCPA) Garden City Principles, adapted for the specific North Essex context through the NEGC Charter and NEGC Prospectus.

The Garden Communities will be designed and delivered to attract residents and businesses who value innovation, community cohesion and high-quality environment, and who will be keen to take an active role in managing the garden community to ensure its continuing success. Residents will live in high quality innovatively designed, contemporary homes, accommodating a variety of needs and aspirations. These will be set within a network of leafy streets and green spaces, incorporating and enhancing existing landscape features, and providing areas for leisure and recreation. The level of ambition is set out comprehensively in the ‘North Essex Garden Communities Charter’, produced in 2016 as part of initial work to inform and support the preparation of Local Plans. A North Essex ‘Strategic Narrative’ has also been produced by The Councils to set out the strategic approach and rationale.

2.3 North Essex Garden Communities Ltd

In order to progress the delivery of the programme’s key objectives and ensure the delivery of the three Garden Communities, a new dedicated delivery structure has been put in place to take the proposals forward.

This delivery structure was approved by The Councils’ respective Cabinets and Council Committees in November and December 2016 with North Essex Garden Communities Ltd (NEGC) formally established on 30 January 2017 (Company No: 10319743).

In addition, site specific ‘Local Delivery Vehicles’ (LDVs) were also created on 30 January 2017 to potentially act as separate operating companies tasked with the delivery of each individual Garden Community.

NEGC was established as a wholly owned public entity between The Councils to act as the body to guide the proposed Garden Communities through the design process and into implementation, providing ultimate oversight and scrutiny of the delivery.

The Shareholders of NEGC are Essex County Council (Essex), Braintree District Council (Braintree), Colchester Borough Council (Colchester) and Tendring District Council (Tendring) (together referred to as “The Councils”) with each holding a 25% shareholding.

As approved by each of The Councils (as shareholders of the Company), the Directors of NEGC are currently nominated as:

- Cllr David King (representing Colchester Borough Council);
- Cllr Neil Stock OBE (representing Tendring District Council);
- Cllr John Spence CBE (representing Essex County Council); and
- Cllr Graham Butland (representing Braintree District Council).

In addition to the Directors, there are nominated Alternate Directors in place for each of the shareholders as follows:

- Cllr Carlo Guglielmi (representing Tending District Council in the absence of Cllr Neil Stock OBE);
- Cllr Julie Young (representing Colchester Borough Council in the absence of Cllr David King);
- Cllr David Finch (representing Essex County Council in the absence of Cllr John Spence CBE); and
- Cllr Gabrielle Spray (representing Braintree District Council in the absence of Cllr Graham Butland).

Cllr John Spence OBE currently acts as the Chairman of the NEGC Board, a position that the Board has agreed should continue until the end of the 2019/20 financial year, or until such point as a Development Corporation is established in North Essex. There will therefore be a need for the NEGC Board to formally elect a Chairman for the 2020/21 financial year.

The Purpose of NEGC is set out in Schedule 1 of the NEGC Shareholders Agreement as follows:

The purpose of the Company is to coordinate the funding of the LDVs and to oversee and hold to account the LDVs in order to develop each of the Properties as Garden Communities, being self-sustaining communities which secures the future stewardship of public assets for community benefit, the design, development and delivery of which is underpinned by local public sector leadership, a strong vision and long term planning and effective engagement.

In addition to the above, and in August and September 2017, all four councils approved the ability for NEGC to explore with Government the potential for creating a locally-led development corporation for North Essex as one potential delivery mechanism. This is currently the primary focus of the work that NEGC will undertake ahead of progressing the Local Delivery Vehicles.

Alongside the Purpose, Schedule 1 of the NEGC Shareholders Agreement also sets out key objectives that a Garden Community should achieve, which are detailed in Section 4.4 of this Business Plan.

NEGC will operate to deliver its services in a commercial way, while maintaining high standards of integrity and social purpose. As a private limited company, it is controlled by Board Members who have a duty to promote the success of the company for the benefit of its shareholders as a whole.

The Board has an overall responsibility for overseeing the successful delivery of the Garden Communities across the area in accordance with its Business Plans and masterplanning frameworks, which will acknowledge and complement the North Essex Authorities' Local Plans.

The Board meets at least quarterly to carry out this work and receives regular reports on progress against operational matters and programme budgets.

2.4 Progress so far

The Councils have been successfully collaborating over the last few years to effectively plan for long-term growth across the area. NEGC has developed its strategic rationale and operational capacity with the support of its shareholder Councils, the Ministry of Housing, Communities & Local Government (MHCLG) and key national agencies such as Homes England. The role of NEGC has also been developed to the point where it is a fully operational company recognised by the public, private

sectors, and local communities, as the focal point for the North Essex Garden Communities programme. This includes developing a strategic proposition for the North Essex Garden Communities, which has gained significant traction with key government departments and the development industry. Details of the considerable progress NEGC Ltd has made since it was formally established on 30 January 2017 to deliver the garden communities include:

Government Support

- Becoming part of the Garden Towns Villages & Cities programme run by the Ministry of Housing, Communities & Local Government (MHCLG). North Essex Garden Communities is the largest and most ambitious proposition in the programme. Being part of this programme provides direct access to other Garden Towns with associated learning and knowledge/information sharing opportunities.
- Securing over £3m of Government capacity funding up to and including 2018/9 to support in bringing forward the project management, design, planning, delivery and technical work necessary to evolve and bring forward the proposals. This is in addition to £2.4m of capacity funding that the partner Councils have also contributed to the programme.
- North Essex Garden Communities has to date received more funding than any other Garden City proposal in the UK, and there has been clear recognition by Government of the ground-breaking work that NEGC is undertaking on bringing forward large new communities, and an appreciation for the economic opportunity offered by the North Essex corridor.
- This has also been seen in the officer support with a senior MHCLG officer attending NEGC Steering Group and working group meeting, regular government civil servant site visits and ongoing support from Homes England.

Local Plan

- Coordinating the Council's approach to Local Plans, including the confirmation, publication and Examination in Public of a joint 'Section 1' of the Local Plans, which sets out a shared strategy for growth in North Essex and preferred locations for new Garden Communities.
- Work to support the Councils to provide further evidence for the ongoing Examination in Public process, including liaison with Homes England, Highways England and other key Government bodies.
- Council preparation and publication of Issues and Options for each Garden Community and support of the consultation events.

Delivery Approach

- Successful influencing of and high-level engagement with Government to enable the 1981 New Towns legislation to be amended and Guidance to be produced in 2018 to enable locally-led development corporations to be implemented.
- Developing the approach and structure for a locally-led development corporation in North Essex, including strategic masterplanning work to identify a phasing and costings plan, financial modelling, discussions with Institutional Investors and Government over long-term funding.

- Building relationships with land owners and promoters in order to develop necessary structures and commercial agreements to enable delivery to be progressed potentially through a locally-led development corporation.
- Undertaking initial property cost estimate work to identify the overall land and disruption cost for acquisition through CPOs under ‘no scheme’ by a locally-led development corporation.
- Identifying stewardship arrangements for the long-term maintenance of public amenities and potential participation in income earning asset portfolios.

Infrastructure & Utilities

- Working with ECC to support the initial feasibility and design work for the expansion and realignment of the A12 and A120 schemes in/around Colchester to provide the necessary highways infrastructure to support the garden communities.
- Identifying and enhancing plans in conjunction with ECC for a Rapid Transit Scheme to be implemented across the North Essex corridor to support future economic growth including the garden communities.
- Supporting two Forward Funding Housing Infrastructure Funding bids that were submitted by ECC for approximately £165m in total have made it through to Round 2 which is a period of co-development of a potential business case.
- Undertaking strategic masterplanning work that has identified the key local transport and social (e.g. education, health, community etc.) infrastructure required to support each garden community and developed a high-level phasing plan to ensure that infrastructure is delivered either ahead or alongside the delivery of homes and commercial assets.
- Identifying the scope and nature of the work required to upgrade utilities provision to support the delivery of the garden communities which now enables an option appraisal analysis to be undertaken to establish commercial relationships with the various utility companies.

Economic Growth

- Developing the key components of a long-term economic strategy for North Essex that is capable of leveraging the future benefits of the garden communities in a manner that would enable North Essex to begin to match the performance of its comparator areas in the Greater South East.
- Identification of the principal workstream elements to put in place the key ‘enablers’ (e.g. future workforce skills development and Research & Development) as well as the inward investment proposition.
- Attendance at MIPIM UK 2018 under the ‘North Essex Opportunities’ banner to promote the future economic growth opportunities in the area and begin to put North Essex on the map, both nationally and internationally with employers and investors. This brought together both public sector bodies and the private sector, supported by the University of Essex and Bosch.

Innovation

- Holding an Innovation event in May 2018 involving key partners and stakeholders, which has enabled the development of a framework and identification of initial priority workstreams to be progressed to ensure that the garden communities have a focus on quality and are future-proofed from a technological perspective.

- Establishment of a Strategic Health & Wellbeing group led by the local Clinical Commissioners to ensure that best practice can be applied from the national Healthy New Towns programme and from NHS-sponsored research establishments.
- Successfully organised an Innovation in Health & Wellbeing event, hosted by the Hothouse facility at BT and involving public, private and voluntary sector stakeholders, to identify the key local challenges and holistic interventions on which the emerging strategy will be based.

NEGC Ltd Structure

- Established NEGC Ltd as a separate body to The Councils, resourcing the company with the appropriate expertise to deliver the programme, and undertake the developer work required to bring large-scale developments to fruition.
- Developed operational and employment policies to enable NEGC to function as a company and ensure that it complies with applicable legislation.
- Held the first NEGC Ltd AGM in July 2018, which was open to the public to attend.

Kerslake Review

A peer review of the programme was undertaken by a team of experts led by Lord Kerslake in 2017. The report's recommendations can be found [here](http://www.essex.gov.uk/News/Documents/Garden_Communities.pdf) [http://www.essex.gov.uk/News/Documents/Garden_Communities.pdf].

Since the review was conducted, NEGC and The Councils have responded as follows:

- Preparing individual 'concept frameworks' for each community and a 'Prospectus' that sets out the vision and strategic narrative for the programme as a whole.
- Appointed a full-time Group Managing Director for NEGC and a dedicated programme team has been appropriately resourced.
- Strengthened engagement with Government leading to a number of high-profile visits from Government officials to North Essex, including the MHCLG Permanent Secretary, Melanie Dawes, and adding Homes England representation to the NEGC Board.
- Further evidence work for the Local Plan Examination in Public has been undertaken and will be presented to the Inspectorate in Autumn 2019.
- Undertaken informal dialogue with key local stakeholders and developed a three-stage public engagement programme to commence prior to the next Local Plan Examination in Public.

Progress has been made in respect of the delivery strategy including identifying the key phases for each of the three sites and an exploration of key delivery and finance partners.

2.5 The Local Plan Process

The Local Plan process is clearly relevant to the work that NEGC will be undertaking in 2019/20. For the sake of clarity, it is therefore worth setting out the different roles that the North Essex Authorities (NEAs) have in their function as planning authorities and their roles with respect to the operation and ownership of NEGC.

The three NEAs (Colchester, Tendring and Braintree) are responsible for taking forward their respective Local Plans and are currently promoting the allocation of the Garden Community sites

through their Draft Local Plans. The soundness of the Local Plans will ultimately be determined by an independent Inspector appointed by the Secretary of State.

However, it is clear that the work undertaken by NEGC to help to deliver the Vision is consistent with, and will not pre-judge, the outcome of the Local Plan processes. Indeed, the work of NEGC does not propose to adjust or alter the approach to the Local Plan provisions regarding these communities.

Following the conclusion of the Section 1 Local Plans Examination in Public (EiP) hearing sessions, the NEAs received the Inspector's interim findings in June 2018. The Inspector raised a number of issues with the soundness of the Local Plans and the accompanying Sustainability Appraisal. The Inspector also set out options for proceeding with the Examination, including: removing the Garden Communities from the Local Plan; proceeding with the Garden Communities in the Local Plan but with a revised evidence base and Sustainability Appraisal; or withdraw the Local Plan from Examination (and effectively start the process again).

Each of the NEAs considered the three options and agreed to proceed with the Garden Communities in the Local Plan (albeit with additional caveats relating to infrastructure delivery, viability and local engagement), and they are committed to rectifying the evidence base and carrying out an additional Sustainability Appraisal. The timetable for carrying out this work is currently anticipated to result in submission of the evidence base and Sustainability Appraisal in Autumn 2019 following on from public consultation on the documents. This would allow for EiP hearing sessions to recommence by the end of 2019 and Local Plan adoption in Summer 2020.

The planning, transport/infrastructure and viability/delivery work that NEGC will need to do to support the NEAs with progressing the evidence base as well as providing support at the EiP of the Section 1 Local Plans therefore forms a significant part of the 2019/20 Business Plan for NEGC.

On 24 July 2018, the New Towns Act 1981 (Local Authority Oversight) Regulations 2018 came into force. In June 2018, MHCLG issued Guidance for the implementation of locally-led development corporations. Taken together, these Regulations and Guidance enable Local Authorities to present a proposal to Government for the creation of a locally-led development corporation in their area(s). As part of the delivery mechanism options NEGC is undertaking work to evaluate and develop a proposal for a locally-led development corporation to deliver the three garden communities in North Essex. This delivery work therefore forms a significant part of the 2019/20 Business Plan for NEGC. The aim is to prepare options for consideration by the Board and the Shareholder Councils during 2019.

2.6 Role & Purpose of this document

This document has been produced to set a Business Plan for NEGC for the 2019/20 financial year to enable it to undertake technical work that will be relevant to the statutory work that the North Essex Authorities are doing in relation to the Local Plan process, appearing at the Examination in Public as a potential delivery body for the Garden Communities, and to develop proposals for a locally-led development corporation in accordance with the NEGC Board's support of the proposed direction of travel for the company. It has been prepared in accordance with the NEGC Shareholders Agreement.

This Business Plan provides an overview of the vision, objectives, necessary workstreams, governance, funding and actions required to deliver NEGC scope of work and bring forward a number of priorities for the next three years to move the Garden Communities towards delivery phase. The

focus for 2019/20 is to work with The Councils to enable Section 1 of the Local Plans to be adopted as well as progressing proposals for delivery of Garden Communities including a potential locally led development corporation. The programme of work identified for the second and third years will enable NEGC to begin to identify and secure external (i.e. non-Council) funding for April 2020 onwards. Given the early stage of the full three-year programme, including a continual evolution of the delivery approach, it is recommended that this document is kept under regular review.

This Business Plan will act as the first precursor to the preparation of a 'Long-Term Business Plan' as defined at Section 5.2 of the NEGC Shareholders Agreement. It is envisaged that this Long-Term Business Plan, including proposals to secure external finance for NEGC, will be submitted to the Board for approval in January 2020 (noting that this may need to be reviewed should a decision be made on whether to proceed with a locally-led development corporation).

3. Strategic Outline Case

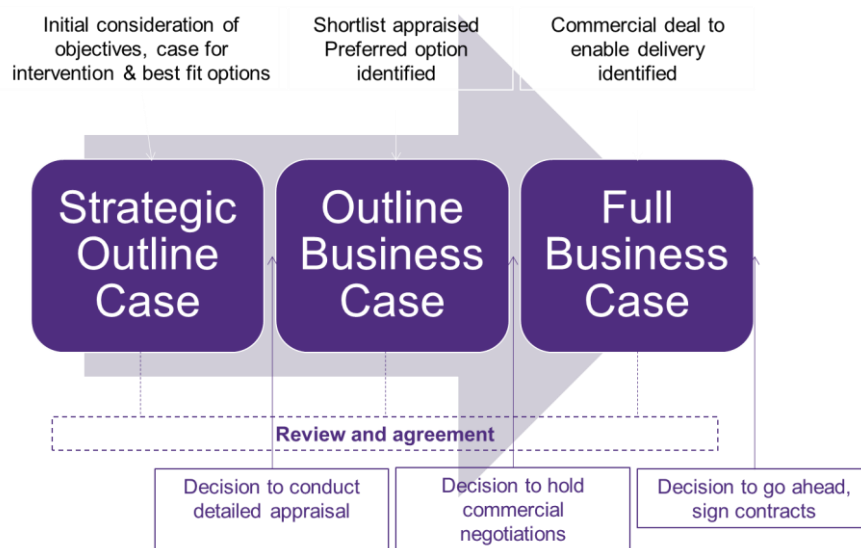
3.1 Introduction

The Councils have been evolving the approach to the NEGC programme for some time, including detailed consideration of the spatial approach to development across the local area (through the preparation of Local Plans), and associated consideration of delivery and implementation mechanisms.

Given the scope and scale of the anticipated public sector role in delivery, potential financing and the wider achievement of garden community ambitions, the approach that is adopted will need to accord with the process of preparing an appropriate ‘Business Case/s’ in line with the HM Treasury Green Book. This will be separate to but closely associated and aligned with wider business planning activity related to the operations of NEGC as set out in this document, and as required by the Company’s Articles of Association.

The overall process map relating to the preparation of such HM Treasury Green Book Business Case/s is set out at Figure 2, providing an overview of how the programme progresses from outline to full detail stages.

Figure 2: Business Case Development Process Map



Activity undertaken by The Councils to date has advanced work pertaining to several key components of the Strategic Outline Case stage of the process, most notably in defining the strategic need and partner objectives, and beginning to consider the associated management, commercial, financial and economic considerations. In essence the programme has effectively completed this stage of the process.

The approach going forward through 2019/20 will further evolve and refine the way forward and lead to the preparation of a subsequent Outline Business Case/s in line with the Green Book methodology. This will enable The Councils and other partners (as appropriate) to make decisions on the scope and scale of public sector direct involvement in the delivery process. This will focus on the planning (pre-

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procurement) phase to better define the preferred option, value for money assessment, affordability and achievability. It will set out further information across:

- the Strategic Case – further evolving the business strategy aims and objectives;
- the Economic Case – a full review of business options, their economic appraisal (including consideration of benefits, risks and sensitivities);
- the Commercial Case – outlining the envisaged structure/s, key contractual terms/operational and implementation considerations;
- the Financial Case – a detailed analysis of funding needs, affordability and net impacts on income/expenditure and balance sheets; and
- the Management Case – setting out how the scheme will be delivered with an outline of the proposed programme management plan and procurement.

It is anticipated that the final elements of the work on the Outline Business Case/s would be complete sometime during Year 2 (2020/21) of this Business Plan period.

The final stage will be to draw together the approach into a Full Business Case/s, which will define and select the preferred service solution, fully define the implementation arrangements and funding requirements. This can follow relatively quickly from the Outline Business Case stage with the main Full Business Case/s (i.e. Locally-Led Development Corporation and initial Delivery Vehicles) anticipated to be complete during Year 3 (2021/22) of this Business Plan period.

Appendix B provides an overview of the key rationale for intervention and decision making to date, including the strategic context to the proposal, the case for change and an indication of the proposed way forward. It sets out information pertaining to several key components of the ‘Strategic Outline Case’ as per the HM Treasury Green Book and forms the basis of subsequent work in 2019/20, which will feed into the development of the ‘Outline Business Case/s’.

4. NEGC Vision & Strategic Objectives

4.1 Introduction

A mission statement, a vision and a set of objectives provides the strategic framework within which the company will operate and which emerging proposals can be evaluated over time. The strategic context will continue to evolve over time and new influences will undoubtedly emerge.

4.2 Mission Statement for North Essex Garden Communities Limited

The overall Mission Statement for NEGC sets out in high level terms what the company will do:

To lead, create, inspire and develop exemplar self-sustaining Garden Communities across North Essex through working proactively and effectively in partnership with local communities and key stakeholders.

4.3 Vision for North Essex Garden Communities Ltd

The overall Vision Statement for NEGC sets out in high level terms why and how the company is pursuing its mission statement.

There have been a number of vision statements prepared for the three individual North Essex Garden Communities projects, including those set out in the Local Plan and NEGC Prospectus. The overall Vision Statement for NEGC detailed on the next page is consistent with both documents as well as the NEGC Charter.

Our vision is to establish an area for growth across North Essex that is of strategic national importance. At the heart of our vision is the creation of new Garden Communities where people want to live, work and play.

Our vision has three interconnecting strands: sustainable communities, jobs and a supportive infrastructure:

- ***Communities:*** sustainable development principles will be at the core of the Garden Communities, balancing social, economic and environmental issues. The garden communities will attract residents and businesses who value innovation, community cohesion and a high quality environment, and who will be provided with opportunities to take an active role in managing the garden community to ensure its continuing success;
- ***Jobs:*** to achieve our vision, we will strive to make North Essex an area of inclusive economic growth and prosperity, of strategic importance to the economy of the UK, with businesses capable of competing on a national and international stage. To make this happen we will help North Essex create a diverse and thriving economy, with a great choice of job opportunities across many sectors, and growing prosperity and improving life-chances for all its citizens, today and into the future; and
- ***Infrastructure:*** within the new garden communities, there will be a focus on providing the right level of infrastructure (roads, utilities, education, health, green areas, community and leisure centres etc.) at the right time to in a manner that supports the development of substantial new growth whilst ensuring that the countryside and heritage assets are protected and enhanced. Surrounding the garden communities, there will be a focus on ensuring that improvements to the supporting strategic infrastructure will be planned and implemented alongside the development of the new garden communities.

4.4 Strategic Objectives for North Essex Garden Communities Ltd

The following strategic objectives have been derived from the objectives as set out in Schedule 1 of the NEGC Shareholders Agreement. They have been designed to deliver the mission statement and vision for NEGC. They have not been set in any order of priority on the basis that the delivery of Garden Communities requires an holistic approach that ensures the key strands are delivered in an inter-connected manner.

The NEGC Ltd overarching mission is to make North Essex a place where people want to live, work and play by delivering new Garden Communities. We will achieve that goal by delivering the following objectives:

- Undertaking consistent and meaningful engagement with existing and proposed communities to ensure they are at the heart of the Garden Communities' evolution.
- Fostering economic development within the Garden Communities in order to create a resilient and self-sustaining economy, and also offering access to a strong, local jobs offer in North Essex in order to help achieve a better balance between the location of jobs and housing.
- Providing connectivity to and within the new Garden Communities to be achieved through the timely provision of physical and social infrastructure in an integrated manner to ensure ease of access and movement across the North Essex area.
- Focusing on innovation within the Garden Communities to future-proof them by securing the delivery of a smart and sustainable approach to the design and management of services, infrastructure and utilities through the application of the highest standards of technology.
- Ensuring that the quality and design of place in the Garden Communities are seen to be exemplar and can create great places to live, work and play with access to great green spaces; in a manner that attracts both existing and future residents in North Essex as well as those from further afield, including the provision of different types of tenure (e.g. a range of affordable and rented housing for all ages and income levels to exist alongside outright market sale housing).
- Establish and implement suitable models for the long-term stewardship of community and place-making assets that are structured and funded in a manner that provides long-term management and governance of those assets.
- Achieve sustainability in its widest sense, not only because the new Garden Communities are places that excel in their environmental quality and performance including healthy living, but also because the places are commercially sustainable in a manner that supports delivery and is capable of providing ongoing revenue receipts for reinvestment by the respective shareholders.

4.5 The North Essex Garden Communities Prospectus

A prospectus has been produced to set out and illustrate the strategic potential, with an ambition to establish North Essex as a key corridor of growth of national significance. The prospectus focuses on two key strands:

- creating a corridor of economic growth and prosperity, with North Essex having a diverse and thriving economy; and
- securing investment in supportive infrastructure, ranging from transport through to green infrastructure, innovation, skills, social and community development.

The prospectus also sets out 10 strategies that will ensure that the objectives are delivered, and these are listed below:

Strategy 1: “Community Engagement”

Strategy 2: “Employment Opportunity” – growing the productive economy of North Essex

Strategy 3: “Green Infrastructure” – blue and green spaces all

Strategy 4: “Integrated and Sustainable Transport” - mobility for all

Strategy 5: “Smart and Sustainable Living” – community infrastructure

Strategy 6: “Living Environment” – new homes to support growth

Strategy 7: “Good Design” – the very best in Garden Community planning and design

Strategy 8: “Active Local Stewardship”

Strategy 9: “Strong Corporate and Political Public Leadership”

Strategy 10: “Innovative Delivery Structure”

These strategies are consistent with NEGC mission statement, vision and objectives outlined in sections 4.1 – 4.4 above.

5. NEGC Strategy

5.1 Overarching Strategy

The delivery of this ambitious vision of the Garden Communities will require a positive and active approach by both the public and private sectors.

Notably, and different from standard development approaches, The Councils are taking a proactive approach to delivery of the Garden Communities through their masterplanning, promotion and development.

The approach reflects an anticipated need for strong public-sector leadership, but with flexibility to integrate appropriate partnership approaches and sharing of project risk and reward where these can deliver on the programme's objectives.

The active involvement of the public sector in supporting the delivery of the Garden Communities will be rewarded not just by the creation of great places for the residents of North Essex to live, work and play in, but also through unlocking a share of the value created through this endeavour.

For the delivery structure to succeed, deliver on the vision and realise the potential, there will need to be close working between The Councils, Government, landowners, developers, funding and delivery partners as well as local communities.

From the outset NEGC has been established to oversee and coordinate this activity.

It is also recognised that the delivery structure will need to adapt to local circumstances and adopt the most appropriate structure to deliver on the vision and objectives.

The Councils have agreed that NEGC should explore the establishment of a locally-led Development Corporation (as enabled by the Neighbourhood Planning Act 2017 and the establishment of the formal Regulations in 2018) as one of the delivery mechanism options available. A locally-led Development Corporation has great potential to provide a strong and focused body responsible for delivery with wide ranging powers in terms of land acquisition, funding and planning.

- Secure appropriate control and/or take ownership of the land through whatever means necessary (via negotiation or compulsory purchase);
- Bring forward proposals in line with an approved masterplan and secure necessary approvals);
- Undertake pre-development and facilitating works;
- Deliver infrastructure works to meet requirements of the masterplan, planning application/s and conditions;
- Create serviced development plots that are designed to deliver the planned communities;
- Either market the development sites and seek the best price achievable in the open market or work in partnership with developers/contractors to build out the plots, both options would be consistent with the achievement of desired design and quality standards, including a range of different tenures of housing (i.e. mix of affordable and market rent and for sale);

- Arrange development agreements including licences with the successful developers/contractors;
- Supervise the construction to ensure the desired design and quality standards are achieved;
- Distribute the receipts in accordance with the terms of and associated land, funding or delivery partner agreements; and
- Ensure that public facilities and assets are adopted and/or transferred to appropriate bodies to secure their long-term stewardship.

Funding arrangements would be agreed for each operational delivery body in liaison with NEGC. The operational delivery bodies would be responsible for identifying and securing appropriate funding to enable the provision of services and infrastructure at the time when it is needed by the community.

5.2 Approach to Masterplanning & Infrastructure

The proposed Garden Communities will need to be planned carefully, be appropriately located, and accessible by a wide range of sustainable forms of transport. Provision will need to be made to provide the full range of supporting services and facilities. Job creation would need to go hand in hand with population growth to provide new and enhanced economic opportunities for existing and new residents.

Future growth at scale will undoubtedly create demand for additional road and rail use with the associated need for new and upgraded infrastructure, both within and outside the Garden Communities. The education needs of a growing population must also be addressed, requiring careful planning to assess future pupil numbers and address further education needs. Opportunities must be provided for local affordable housing (with a range of rental and partial sale options), helping all on to the property ladder. The ageing profile of residents also requires a proactive response to provide the right type and mix of homes, including independent living and supporting services; as well as sufficient healthcare facilities to support both older residents and the population as a whole. It will also be important to ensure a housing mix that encourages older people to live in the Garden Communities from day one.

To facilitate this, NEGC will need to lead a programme of masterplanning work to enable progression once Section 1 of the Local Plan has been agreed. This masterplanning will enable the local Planning Authorities to progress further iterations of the Development Plan Documents for the three sites, a process that could evolve into the preparation of Local Development Order(s) should a Development Corporation designation be forthcoming.

In relation to Infrastructure, the timely delivery of this will be a central element of the work that NEGC will need to undertake in order to ensure effective delivery of well-planned Garden Communities. Infrastructure includes onsite (e.g. roads, utilities, energy, green spaces, education, health, community centres etc.) and off-site (e.g. roads, public transport etc.). The benefit of this 'infrastructure-led' approach is that there can be more confidence by existing communities that the appropriate level of supporting infrastructure is planned, delivered and financed at the right times during the phasing of the future development of the Garden Communities.

5.3 Approach to Delivery & Finance

NEGC Ltd will continue to investigate a Development Corporation-based delivery strategy across the three Garden Communities alongside an Options Appraisal of other delivery structures.

The options appraisal will include consideration of a public/private sector-led delivery structure, with responsibility for bringing the Garden Community projects forward through further design and planning stages, and into implementation through the direct delivery of infrastructure alongside the generation of income from serviced-land sales. Such a structure could facilitate the delivery of infrastructure and disposal of serviced plots to house builders/commercial developers potentially in combination with the public/private sector-led delivery structure who could be responsible for physical building construction costs and property sales, within approved design and quality standards. Such an approach would not preclude the opportunity for public sector stakeholders to directly deliver development should they wish; however, it would enable The Councils and the delivery project vehicles to manage their risks.

In accordance with approved Cabinet decisions across The Councils, ‘in principle’ commitment has been given to consider funding options. Subsequent business cases will determine a detailed set of funding requirements; including the scale of funding required and the timescales which will be relevant to each block of funding. This further work will be presented back to The Councils and will include consideration of an appropriate future funding mix, including opportunities for leveraging in private sector and other sources of funding.

5.4 Approach to Engagement & Communications

As NEGC moves more to the delivery phase, it will also need to focus on its PR and Communications activity. In particular, the masterplanning work (including infrastructure aspects as a key theme) will require a more in depth and sophisticated public engagement programme than has taken place to date – moving it away from being a statutory and Local Plan issue. In addition, the North Essex economic strategy will need to be communicated and ‘marketed’ both across the region and internationally.

5.5 Approach to Economy

The development of three substantial Garden Communities of up to 43,000 homes requires an ambitious economic strategy for North Essex to ensure that the new settlements don’t just become dormitory towns but more importantly have a catalytic effect in the wider economy. At the heart of the economic offer for the Garden Communities will be the creation of an ambitious economic strategy for North Essex involving The Councils, the University of Essex, economic partnerships and NEGC. As this work progresses, key business representatives will also play an important role, ultimately becoming advocates for the strategy.

5.6 Approach to Innovation

Given the long-term nature and overall scale of the ambition, it will be important to ensure that the Garden Communities embed a forward-thinking approach, including full and active consideration across new and innovative aspects of community life and place management. It will also be important to ensure that opportunities for innovation across the Garden Communities should support Garden City Principles and improve the quality of life for both new and existing residents.

Following an NEGC Innovation event in May 2018, a number of priority areas were identified to be explored and developed across the North Essex Garden Communities to ensure they can accommodate and make full advantage of new and modern approaches that can add value. The priority areas or opportunities include: infrastructure, utilities & connectivity; integrated & sustainable transport; place making & economy; promoting healthy lifestyles; stewardship, participation & governance; research & development. Essentially these opportunities range from new forms of transport, including accommodating future anticipated trends in movement, through to implementing the 'Smart City' agenda such as via technology and sensors to ensure the new places and associated utility infrastructure are run effectively and efficiently to achieve sustainability gains.

The approach will continue to draw from the very best innovators from local, national and international realms. It will consider key opportunities and involve horizon scanning to ensure that NEGC is at the forefront of both thinking and implementation.

A key part of the approach will be the need to define the inter-relationships and pre-conditions needed to encourage and facilitate innovation across a variety of topics and themes and ensure these are embedded in all aspects of the delivery of the Garden Communities.

5.7 Approach to Legacy & Stewardship

Some elements of the Garden Communities will be developed and managed in perpetuity with the direct involvement of their residents and businesses. The initial work undertaken on Legacy & Stewardship has identified two categories or types of assets in the Garden Communities that will require future management – incoming earning and community.

The principal purpose of the income earning assets portfolio will be to provide on-going revenue streams to support the community assets to deliver high levels of quality of place. A range of potential income earning assets will need to be explored and could include: commercial; private rental; affordable housing; older age living; energy & utilities. These income earning assets might be part of management vehicles that include private as well as public investors.

The principal purpose of the community assets portfolio will be to ensure that they support high levels of quality of place in the Garden Communities. A range of potential community assets will need to be explored and could include: parks; allotments; community & local centres; other forms of communal space; schools; health facilities; opportunities for formal and passive recreation. It is likely that residents will be directly engaged in the long-term management and stewardship of the community assets, fostering a shared sense of ownership and identity.

Organisations such as a community trust, Parish/Town Council or similar, could be set up and funded to maintain and develop community assets over the long term.

6. NEGC - Priorities & Deliverables for 2019/20

6.1 Operational Priorities for 2019/20

The major outcomes for 2019/20 and for the project as a whole are obtaining adoption of Section 1 of the Local Plans and enabling the shareholder Councils to submit to Government an application for a Mandate for a North Essex Locally-Led Development Corporation. Delivery of those major outcomes by the end of 2019/20 would mean that the programme could move to being externally financed and the Councils would then not need to provide further revenue contributions.

In order to achieve those major outcomes in 2019/20, the key operational priorities for NEGC will be:

1. Local Plan
 - Continuing to assist the North Essex Authorities (NEAs) with the work required to progress their Local Plans, including: additional infrastructure, delivery and phasing work; employment floorspace forecasting; demonstrating the viability of the Garden Communities; and input into the overall Transport work, including the Rapid Transit System project.
 - Supporting the NEAs and presenting evidence on the deliverability of the Garden Communities at the reopened Examination in Public for the Section 1 Local Plans.
 - Appear at Uttlesford District Council (UDC) Examination in Public on delivery and viability of the West of Braintree Garden Community site.
2. Engagement
 - Continuing with a high-profile level of engagement with the existing and proposed new communities to give them a strong sense of ownership of the emerging Garden Communities.
3. Economy
 - Active liaison with the North Essex Economic Board to ensure that the North Essex Economic Strategy maximises the benefits to the Garden Communities and the area as a whole, with a particular focus on developing strategic approaches to local upskilling and inward investment.
4. Delivery & Stewardship
 - Evolving the best approach for delivery of Garden Communities in North Essex with Government, including the preparation of operating structures and financing requirements for testing with funders. This will be achieved by undertaking an Options Appraisal and producing an Outline Business Case.
 - Subject to the decisions by The Councils to prepare a Mandate in support of a designation for a locally-led Development Corporation in North Essex that is supported by all NEGC directors and shareholders.
 - Continuing to explore approaches to secure an interest in land, either via negotiation or compulsory purchase.

- Work with The Councils and key partners on Stewardship to identify a range of income earning and community assets together with potential management vehicles for each of these across the Garden Communities.
5. Masterplanning & Transport
 - Developing the masterplans for each of the Garden Communities.
 - Designing the local (e.g. transport) and social (e.g. education, health, community facilities etc.) infrastructure required to support each of the Garden Communities.
 6. Infrastructure & Utilities
 - Engaging with Infrastructure and Utility providers to confirm anticipated infrastructure demand and how it may be provided (considering the benefit of public/private ownership options), over the proposed NEGC development period.
 - Exploring the options available and developing a commercial strategy to implement the supporting Infrastructure and Utilities required to deliver the Garden Communities.
 7. Innovation
 - Work closely with partner organisations to progress the four priority areas that have been identified for Innovation (Infrastructure, Living Space, Health & Wellbeing, Economy & Business) and develop a formal work plan to progress these.
 8. NEGC Strategic Business Planning
 - Preparing a costed Business Plan for 2020/21 and 2021/22 for approval by the Board by January 2020 (noting that this may need to be reviewed should a decision be made on whether to proceed with a Locally-Led Development Corporation).

These operational priorities, along with the key Council dates, are set out in the table below. It should be noted that these dates are contingent on the Local Planning Authorities continuing to prepare evidence to support the proposed Garden Communities and that the Garden Communities continue to be included within the respective Local Plans. The milestones are also reliant on the Local Plan process and associated timings as set out below. Should the Local Plan process be delayed then these dates would need to be reviewed.

Similarly, the milestones have also assumed that NEGC continues to consider and investigate delivery models, including a Development Corporation-based delivery strategy across the three Garden Communities. This approach doesn't prejudice the shareholders from needing to formally consider and approve any decision to apply for Development Corporation status but assumes that NEGC continue to lead the necessary preparatory work with Government and the partner Councils on a Development Corporation delivery strategy if that option is decided upon.

	Q1 (Apr-Jun 19)	Q2 (Jul-Sep 19)	Q3 (Oct-Dec 19)	Q4 (Jan-Mar 20)
1. Local Plan / DPD			October – main milestone	
NEA support	Apr: NEA other evidence May: NEA SA evidence ¹ Jun: NEA committees briefs	Jul: NEA committees Jul/Aug: NEA consultation Sep: NEA revised evidence	Oct/Nov: reopened EIP Dec: review Inspectors report	Jan-Mar: modifications
NEGC evidence	Apr-Jun: NEGC evidence	Jul: NEGC UDC EIP Jul/Aug: NEGC submissions	Oct/Nov: reopened EIP Nov/Dec: DPD prep + HIF	Jan-Mar: begin DPD masterplan work for Sequence 2 Q1 2020
Council Decision Making		Jul: Evidence considered by LPCs/Councils & approval to consult		Jan: Approval of consultation for modifications
2. Engagement			October – main milestone	
Sequence 1	Apr-Jun: preparing material	Jul: detailed Board approval Sep: commence programme	Oct: complete programme	
Sequence 2				Jan-Mar: preparing material
3. Delivery Models			December – main milestone	March – main milestone
(i) Options appraisal	Apr/May: Councils debate			
(ii) Outline Business Case	Jun: begin drafting	Jul/Aug: initial draft for review Sep: initial NEGC Board paper	Oct/Nov: further Board paper Oct/Nov: Councils briefing	

¹ Included for completeness as NEGC is not supporting the NEA Sustainability Appraisal workstream
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	Q1 (Apr-Jun 19)	Q2 (Jul-Sep 19)	Q3 (Oct-Dec 19)	Q4 (Jan-Mar 20)
(iii) Mandate submission	Jun: begin drafting	Jul/Aug: initial draft for review Sep: initial NEGC Board paper	Oct/Nov: Councils briefing Nov: next NEGC Board paper	
Council Decision Making		Jul/Aug: Delivery Vehicle options and Stewardship key questions		Jan: Councils approval Mar: Councils submission
4. Business Plan				Jan/Mar – main milestones
Medium Term Funding	Apr-Jun: funding options	Jul-Sep: funding proposals	Oct-Dec: detailed proposals	Jan: NEGC Board approval
Interim Business Plan 20/21 & 21/22		Jul-Sep: initial draft of IBP Sep: initial NEGC Board paper	Oct: revised draft of IBP Nov: next NEGC Board paper	Jan: Board to recommend IBP for Council approval
Council Decision Making	Jun: Approval of Interim Business Plan 2019/20	Jul: Approval of Interim Business Plan 2019/20	Oct: Initial budget conversations	Feb: Councils budget approval Feb/Mar: Councils approve Business Plan

Further detail on the sequencing of these milestones and the NEGC priorities is set out in **Appendix A** of this Business Plan.

Clearly, the creation of the Garden Communities is a long-term programme. During the first few years of operation NEGC will be engaging and working with partners and local communities to further evolve the vision for the area, develop the forward strategy and agree longer term delivery plans.

6.2 Key Workstreams & Activities for 2019/20

The workstream elements and deliverables for each of the NEGC operational priorities are set out below:

1. Local Plan

NEGC has an important role to play in supporting the NEAs to secure the approval of Section 1 of their Local Plans during 2019/20. In particular NEGC can assist in the preparation of specific

evidence that relates to the viability, delivery, employment and infrastructure aspects of the Garden Communities as well as appearing and presenting complementary evidence at the reopened Examination in Public in a developer capacity.

During 2019/20 NEGC will:

- Continue to assist the NEAs with the work required to progress their Local Plans, including: additional infrastructure, delivery and phasing work; employment floorspace; demonstrating the viability of the Garden Communities; and input into the Transport work, including the Rapid Transit System project.
- Presenting evidence on the deliverability and viability of the Garden Communities at the reopened Examination in Public for the Section 1 Local Plans.

2. Engagement

Once the revised Sustainability Appraisal has been approved by the NEAs, NEGC can move from the informal engagement strategy that it began in 2018/19 to implement its formal three-sequence engagement plan, which is designed to ensure that residents, businesses and other key partners have the opportunity to play a central role in the development of the masterplanning proposals for the Garden Communities. This will be distinct and separate to The Councils engagement and consultation processes associated with the statutory Local Plan process.

During 2019/20 NEGC will:

- Deliver the first sequence of the formal public engagement programme with the existing and proposed communities to enable stakeholders and other interested parties to provide input and information on the issues and opportunities that the Garden Communities present.
- Continue to lobby the main areas of Government, including MHCLG, Homes England, Department for Transport, Highways England and HM Treasury.
- Create a communications plan to launch the proposed Delivery Model for the North Essex Garden Communities.

3. Economy

NEGC, The Councils and key economic Partners (e.g. University of Essex and Haven Gateway) will need to progress the work that was begun in 2018/19 to implement the North Essex Economic Strategy, in particular the key ‘enabling’ workstreams of education & skills development and inward investment. This will enable the North Essex economy to leverage the potential that the Garden Communities provide and attract major businesses and organisations to locate to the area such that North Essex can begin to match the performance of comparator regions across the Greater South East. During 2019/20 NEGC will:

- Work with The Councils and key economic partners to deliver the high-level work plan, including education & skills, to deliver the North Essex Economic Strategy, ensuring that it can leverage the benefits of Garden Communities.

- Work closely with partner marketing and communications teams to ensure that the North Essex Economic Strategy is communicated and marketed using the recently created North Essex Opportunity branding across the region, nationally and internationally as part of the NEGC's approach to inward investment.

4. Delivery and Stewardship

The Councils agreed (through Cabinet resolutions in late 2017) that NEGC should explore the potential for creating a Locally-Led Development Corporation(s) in North Essex. Since that time, NEGC has identified a potential operating/delivery structure and financing arrangements for a Locally-Led Development Corporation in North Essex. This now enables NEGC to begin to work with The Councils to prepare a Mandate submission to Government, which will include a request for those powers to be devolved as part of any designation. Included in that Mandate would be a long-term approach for Stewardship across the Garden Communities. The submission of this Mandate would be subject to Section 1 of the NEAs Local Plans being found sound.

The delivery workstream will also need to consider whether commercial deals that meet the Development Corporation's objectives can be agreed with the existing landowners across the Garden Community sites or, alternatively, whether there is sufficient evidence to progress Compulsory Purchase Orders to gain control of the land once the Development Corporation is in place.

During 2019/20 NEGC will:

- Undertake an options appraisal and produce an Outline Business Case.
- Draft a Mandate submission for a potential Development Corporation(s) on behalf of The Councils that sets out the operating/delivery structure and high-level financing arrangements.
- Continue to engage closely with Government to consider the scope and scale of potential Government support for a Locally-Led Development Corporation in North Essex.
- Continue to liaise with the existing landowners and potential developers to establish whether commercial deals can be agreed that accord with the Development Corporation's objectives.
- Identify a range of income earning and community assets together with potential management vehicles and develop a long-term approach to Stewardship across the Garden Communities.

5. Masterplanning & Transport

The creation of NEGC-led masterplans for each Garden Community will enable the Local Planning Authorities to progress further iterations of the Development Plan Documents for the three Garden Community sites. This masterplanning work will also provide the basis for Local Development Order(s), should the Locally-Lead Development Corporation designation be forthcoming.

Equally extensive work has already been undertaken and will continue to be progressed by Essex County Council, working with Highways England, on the strategic transport infrastructure (e.g. the A12 and A120 enhancements) and also by all four councils on the North Essex Rapid Transit proposals. It is envisaged that this work will be connected to the Masterplanning workstream.

During 2019/20 NEGC will:

- Begin the preparation of masterplans and LDO(s) for each of the new Garden Communities so that work on detailed layout options can commence once the outcome of the Section 1 Examination in Public has been released.
- Prepare key additional evidence base and technical studies necessary to support the masterplans and the progression of the site-specific Development Plan Documents.
- Continue to work with Essex County Council, Highways England, the Department for Transport, Government, and other relevant stakeholders to advocate for, and assist in, the delivery of the A12 and A120.
- Engage with Network Rail and other relevant stakeholders to consider and evolve wider transport opportunities including those presented in relation to the Greater Anglia network.
- Progress the feasibility work for the implementation of the North Essex Rapid Transit System proposals in partnership with The Councils.

6. Infrastructure & Utilities

Some initial scoping work has already been undertaken by NEGC to establish the onsite infrastructure and utilities requirements to support the delivery of the Garden Communities. This has provided a baseline of information that will now enable commercial discussions to begin with infrastructure and utility providers and provide significant input to the Masterplanning. Consequently, it is envisaged that this work will be connected to the Masterplanning and Transport workstream outlined above.

During 2019/20 NEGC will:

- Engage with infrastructure and utility providers to ensure their best co-operation and wherever possible the inclusion within their capital programmes of the relevant infrastructure demand from the proposed NEGC development.
- Produce a commercial approach to the delivery of the on-site infrastructure and utilities based on the outcome of an options appraisal.

7. Innovation

Work is currently underway and will continue throughout 2019/20 to develop an approach to Innovation for the Garden Communities in North Essex. This work will be led by NEGC and involve The Councils as well as other key partners, including education and health research organisations as well as businesses. The approach will aim to ensure that the design and delivery of the Garden Communities embrace leading edge innovative techniques and that the Garden Communities deliver high levels of quality of place.

During 2019/20 NEGC will:

- Develop business plans to progress the four priority areas that have already been identified for Innovation, namely Infrastructure, Living Space, Health & Wellbeing and Economy & Business.
- Facilitate innovation networking events to develop a further understanding of the opportunities for the Garden Communities.

8. NEGC Strategic Business Planning

This Business Plan acts as a precursor to the preparation of a financed Long-Term Business Plan as defined at Section 5.2 of the NEGC Shareholders Agreement that will be developed during years 2 and 3 (i.e. 2020/21 and 2021/22) to support the ‘on the ground’ delivery of the Garden Communities.

During 2019/20 NEGC will:

- Prepare a costed Business Plan for the period 2020/21 and 2021/22 that will be submitted to the Board for approval in January 2020 and thereafter to The Councils for their approval.
- Secure external finance to fund the Business Plan for the period 2020/21 and 2021/22.

It is envisaged that the NEGC operating structure will continue to be reviewed through 2019/20 and informed by a number of workstreams, to ensure that an appropriate approach is in place to deliver on the programme’s vision and objectives, and level of local ambition.

For NEGC to achieve the objectives, deliverables and targets set out in this document, there will need to be sufficient resources in place to take proposals forward and these are outlined in Section 9.

6.3 Programme Timeline & Key Milestones

This 2019/20 period reflects the current position of the NEGC as a relatively new organisation and the detailed programme set out above includes the workstreams that are required to be developed with engagement with key partners and stakeholders in order to develop longer-term detailed plans. Future business plans will then be able to provide more detailed information on those workstreams, activities, outputs, performance measures and outcomes.

7. Strategic Milestones for 2020/21 & 2021/22

7.1 Strategic Milestones for 2020/21 & 2021/22

Section 6 of this document sets a Business Plan for NEGC for the 2019/20 financial year, which also includes key milestones for the 2020/21 and 2021/22 financial years. The reason for this approach of including 2020/21 and 2021/22 in the key milestones is to set out the future route map should The Councils decide to pursue a Development Corporation to deliver the Garden Communities, given that the approval of NEGC's role in any potential Development Corporation to deliver the Garden Communities would not be known until later in 2019. In addition, there is considerable reliance on the adoption of the Section 1 Local Plan in relation to NEGC activities from the end of 2019 onwards.

Whilst it is standard practice for a private company to prepare a fully detailed three-year Business Plan, it seems prudent given the uncertainty around various key elements of the NEGC programme and its associated dependencies, to set out a detailed plan for 2019/20 and then the key milestones only for the 2020/21 and 2021/22 financial years.

The priorities for 2020/21 and 2021/22, along with the key Council dates, are set out in the table below. As with the priorities for 2019/20, it should be noted that these dates are contingent on the Local Planning Authorities continuing to prepare evidence to support the proposed Garden Communities and that the Garden Communities continue to be included within the respective Local Plans. The milestones are also reliant on the Local Plan process and associated timings as set out in Paragraph 6.1 being met. Should the Local Plan process be delayed then these dates would need to be reviewed.

Similarly, the milestones have also assumed that NEGC continues to consider and investigate a Development Corporation based delivery strategy across the three Garden Communities. This approach doesn't prejudice the shareholders from needing to formally consider and approve any decision to apply for Development Corporation status but assumes that NEGC continue to lead the necessary preparatory work with Government and The Councils in moving forward with a Development Corporation delivery strategy.

Finally, and as with the priorities for 2019/20, these dates also assume that NEGC would have a long-term role in the setting up, implementing and subsequent structure of any such Development Corporation(s). Again, should this not be the case, then the Business Plan would need to be reviewed accordingly.

Date	Organisation	Planning Activity	Delivery Model Activity
20/21 Q1	NEGC	<ul style="list-style-type: none"> Preparation of masterplan layouts for each Garden Community NEGC Sequence 2 Public Engagement 	<ul style="list-style-type: none"> Preparatory phase for establishment of preferred delivery model
	NEAs	<ul style="list-style-type: none"> Inspector's final report on Section 1 Local Plans LDO preparation 	<ul style="list-style-type: none"> Should the Development Corporation model be preferred, Local authorities to submit the request for the appointment of the

Date	Organisation	Planning Activity	Delivery Model Activity
			Oversight Authority and designation of Development Corporation for each development corporation, as appropriate
20/21 Q2	NEGC	<ul style="list-style-type: none"> • Delivery of draft masterplan layouts for each Garden Community 	
	NEAs	<ul style="list-style-type: none"> • Adoption of Section 1 Local Plans • LDO preparation 	
20/21 Q3	NEGC	<ul style="list-style-type: none"> • NEGC Sequence 3 Public Engagement 	<ul style="list-style-type: none"> • Designation of Development Corporation, if the preferred delivery vehicle • Appointment by Oversight Authorities of agent • CPO made
	NEAs	<ul style="list-style-type: none"> • Preferred Options DPD consultation • LDO preparation 	<ul style="list-style-type: none"> • Designation of Development Corporation, if the preferred delivery vehicle • Formal appointment of Dev Corp Board by Oversight Authority and initial financial and governance controls, if the preferred delivery vehicle
20/21 Q4	NEGC		
	NEAs	<ul style="list-style-type: none"> • LDO preparation 	
21/22 Q1	NEGC		<ul style="list-style-type: none"> • CPO Inquiry
	NEAs	<ul style="list-style-type: none"> • Draft DPD consultation 	
21/22 Q2	NEGC		
	NEAs	<ul style="list-style-type: none"> • DPD Examination in Public hearing sessions 	
21/22 Q3	NEGC		<ul style="list-style-type: none"> • CPO confirmed
	NEAs	<ul style="list-style-type: none"> • Inspector's interim findings on DPD • DPD modifications consultation 	
21/22 Q4	NEGC		
	NEAs	<ul style="list-style-type: none"> • Inspector's final report on DPD 	

8. Programme Management

8.1 Operating Model

For NEGC to achieve the objectives, deliverables and targets set out in this document, there will need to be sufficient structures and staff resources in place to take proposals forward.

The NEGC operating model is based on a small core team which has responsibilities for:

- Programme and project leadership and vision.
- Business strategy and structure.
- Programme and project management, including the coordination of workstreams and commissioned work.
- Concept development through the evolution of site-specific masterplans.
- Planning for infrastructure, identifying and lobbying for funding.
- Evolving the economic strategy and exploring opportunities for innovation.
- Community outreach and engagement to make resources available to local Parish Councils and interest groups to help engagement in the process.
- Communications, engagement and marketing to ensure proposals evolve with local community involvement and are understood by wider audiences.

The operating structure will become more self-sufficient as time goes on but will continue, where appropriate, to draw on the support of a range of specialists across the partners, including on planning, legal and financial officers within each of The Councils. A service level agreement has been put in place with Colchester Borough Council to provide support services for NEGC such as accommodation, ICT, human resources and payroll. Other specialist services like Planning, Engineering, Architects, Strategic Finance, Tax, Commercial Delivery, and Property Agents will be provided by external consultants.

8.2 Staffing Structure

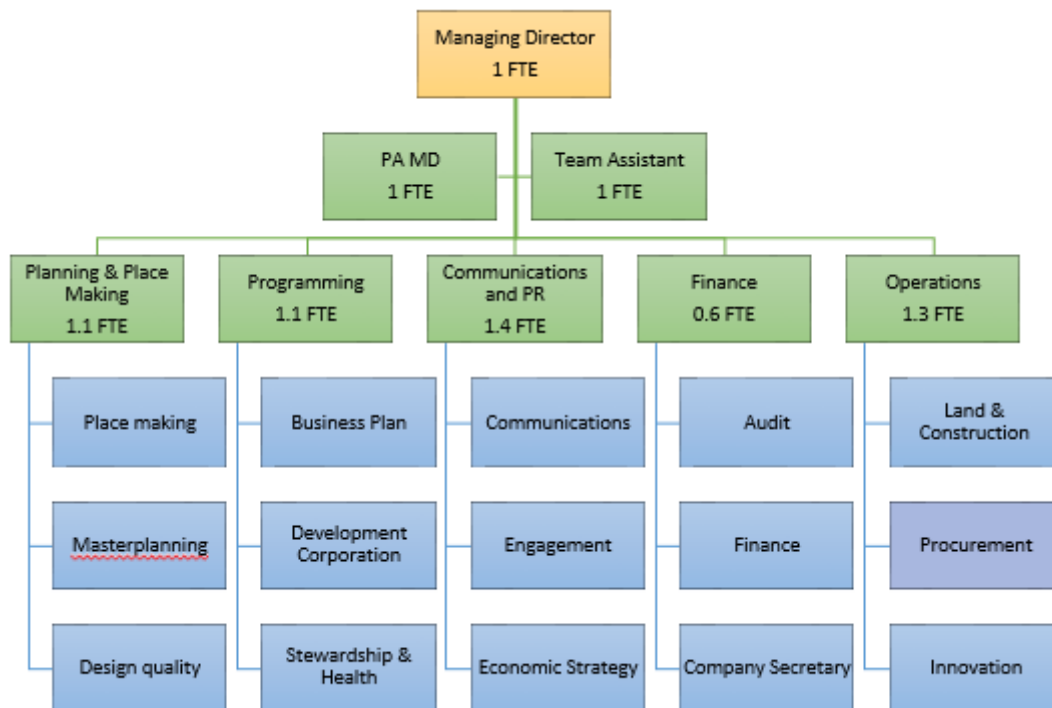
The team scope and remit will evolve and expand as necessary over the next few years as the preferred delivery model structure and individual project vehicles require more detailed support in terms of design and planning, including the need for multi-disciplinary technical inputs.

During the course of 2019/20, the current staff at NEGC (see organisation chart in Figure 3) are likely to remain in place and be supplemented (if required) by specific expert contractors:

- Employees: Group Managing Director (currently directly employed by NEGC); Programme Manager (seconded from Colchester Borough Council); and Communications Manager (seconded from Essex County Council).
- Expert contractors: Operations, Commercial; Procurement; MMC/Construction; Finance; Engagement & Marketing; Place Making & Masterplanning; Administration.
- Consultants: Economic Strategy; Delivery & Financial; Tax; Planning & Property; Legal; Land & Valuation; Masterplanning & Transport; PR & Communications; Company Secretary.

Figure 3: NEGC Programme Team– Total 8.5 FTE)

Note: The orange/green boxes denote the number of positions required and the blue boxes are topic areas



8.3 Governance & Workstreams

The NEGC Board oversees and provides strategic direction to the overall programme.

The day-to-day working of NEGC is overseen by the company's Group Managing Director and supported by a dedicated Programme Delivery Team (employees and expert contractors) who coordinate all work and programme-related activity, including overall programming and budget management.

The work of the core NEGC team will also involve some close joint working with a range of internal and external stakeholders, including officers from The Councils and key partners across a number of specialist areas.

The Programme workstreams will focus on the following specific areas:

- **Engagement & Economy:** to evolve the economic strategy and manage programme-wide external engagement, communications and public relations activity.
- **Masterplanning & Transport:** to assist the NEAs with their Local Plan Section 1 and to advance masterplanning and transport requirements and dependencies, including the Rapid Transit proposals.
- **Infrastructure & Utilities:** to engage with infrastructure and utility providers to ensure effective partnership working and commercially-focused delivery.

- **Commercial & Delivery:** to evolve the commercial delivery and land model, financial analysis, legal and corporate financing and tax considerations, including input to the evolution of associated Business Cases.
- **Stewardship & Innovation:** to evolve an appropriate approach to innovation and a local approach to long term stewardship, including the management and governance of local community assets.

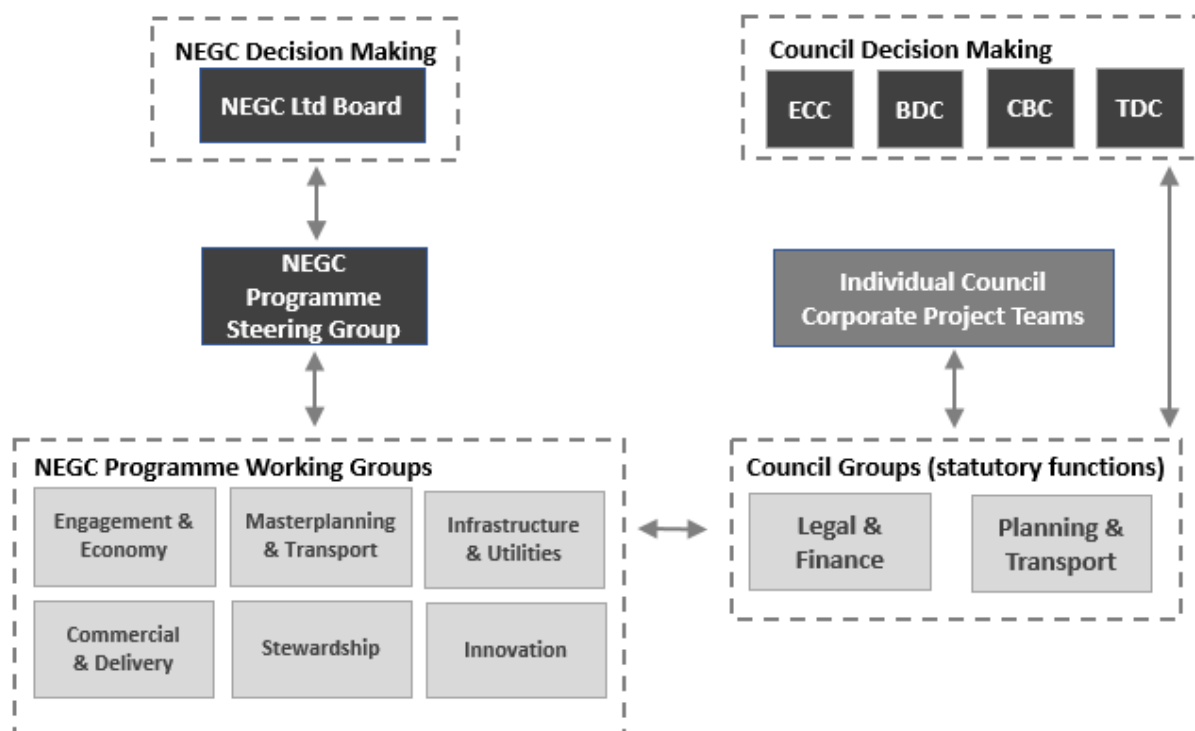
It is anticipated that Task & Finish project groups will be set up, as appropriate, and will report into the workstreams to take forward specific pieces of work. An overarching Steering Group oversees and monitors the outcomes from across the workstreams, including the NEGC business planning and the budget, enabling input into the Board. This is led by the Group Managing Director of NEGC and comprise of Senior Officers from The Councils, together with key staff in NEGC and external stakeholders, including representatives from Homes England and the University of Essex.

Additionally, a number of specialist groups are in place formed by the Council leads on key statutory functions to ensure there is close working between the NEGC programme and the wider statutory functions of The Councils. This approach ensures that there is distinction between the operational activities of NEGC, such as in relation to the evolution of land use proposals and its business model, and the statutory functions/duties and wider roles of The Councils. The statutory function groups will enable close communication, regular structured liaison and effective joint working between NEGC and The Councils across the following themes:

- **Finance:** to establish regular liaison between the programme and Council finance representatives (Section 151 Officers).
- **Legal:** to establish regular liaison between the programme and Council legal representatives (Monitoring Officers).
- **Planning:** to consider the approach alongside statutory planning functions of The Councils with respect to plan making and development management.
- **Transport:** to consider the approach alongside statutory transport functions and initiatives.

Each Council will also draw together specific inputs to the programme via internal project groups to ensure coordination across separate Council officers who are working with NEGC.

Figure 4: Workstreams & Governance



8.4 Outcome Resourcing

The following table sets out how each of the NEGC key priorities will be delivered by the programme workstreams, the anticipated outcomes of these projects and the resourcing they will require.

Priorities	Workstreams	NEG Outcomes	Resourcing	
			NEG Team	Consultancy
1. Local Plan	Statutory Planning & Transport	<ul style="list-style-type: none"> Adopted Section 1 	Place Making, Planning, Programming	Planning, Transport, Delivery & Viability
2. Engagement	Engagement, Stewardship Health	<ul style="list-style-type: none"> Improved 2-way communication with communities Informed stakeholders 	Comms & PR	Masterplanning, Comms & Engagement
3. Delivery & Stewardship	Commercial & Delivery Stewardship Statutory Legal & Finance	<ul style="list-style-type: none"> Mandate for appropriate delivery mechanism Funding options Stewardship strategy Construction strategy (including consideration of a Modern Methods of Construction proposition) 	Operations, Programming, Asset Management	Delivery, Legal, Finance, Cost, Design & Construction

Priorities	Workstreams	NEGC Outcomes	Resourcing	
			NEGC Team	Consultancy
		in partnership with Homes England) <ul style="list-style-type: none"> Asset Management Strategy 		
4. Economy	Economic North Essex Economic Board	<ul style="list-style-type: none"> Skills and Education strategy Inward investment strategy using “North Essex Opportunity” Input into wider North Essex Economic Corridor Strategy 	Comms & PR	Economic & Employment
5. Masterplanning & Transport	Masterplanning & Transport Statutory Planning & Transport	<ul style="list-style-type: none"> Rapid Transit Business Case HIFs implementation Opportunities & Issues for the Masterplans of Garden Communities Forecast Demand Report (including types of demographics & affordability) 	Place Making & Planning, Programming	Strategic Place Making & Masterplanning, Housing Demand, Transport
6. Infrastructure & Utilities	Infrastructure & Utilities	<ul style="list-style-type: none"> Utilities Capacity Report Commercial discussions with Utility providers 	Operations	Cost, Infrastructure & Utilities
7. Innovation	Innovation	<ul style="list-style-type: none"> Infrastructure report – “digital backbone” and future proofing assets for stewardship Living Space report – optimising design for a Construction strategy and delivering high quality & smart homes Health & Wellbeing report – innovations to deliver Healthy Garden Communities Economy & Business report – attract new organisations to locate to North Essex and encourage existing organisations in North Essex to grow 	Operations, Programming	Industry/Business partners
8. Strategic Business Planning	NEGC Board Steering Group	<ul style="list-style-type: none"> Long-Term Business Plan Medium and Long-Term Funding 	Managing Director, Programming, Finance, Operations	N/A

9. Finance

9.1 Overview

The programme to date has been supported through a combination of MHCLG capacity funding (grant) and additional equal revenue (grant) contributions from each of the four shareholder Councils.

As set out in this document, taking the programme forward during 2019/20 is resource intensive as the workload steps up to fund all necessary technical and design work to progress the Local Plan (Section 1) process, including beginning a three-sequence programme of public engagement whilst also developing a Delivery approach, including a potential Locally-Led Development Corporation proposition, so that the schemes to delivery-ready status. As such, the work during 2019/20 will ensure that the programme is able to get on site as soon as is practically possible after the adoption of the Local Plan progress. Essentially the work in 2019/20 will be a precursor and so enable the more detailed masterplanning work including further public engagement and site-specific infrastructure/utilities planning that will need to be progressed in 2020/21 onwards. In addition, the further supporting work on transport infrastructure and economic growth work plan across the North Essex area during 2019/20 will provide the surface access and employment foundations for the programme to be progressed in 2020/21 onwards. It should be noted that whilst this Business Plan reflects the work that needs to be done by NEGC during 2019/20, The Councils will continue to resource work associated with the Local Plan process and documentation.

9.2 2019/20 Budget

In the light of the need to progress the Local Plans (Section 1), it is deemed appropriate that this budget is funded by a mix of council and government funding (subject to a successful bid for grant funding). The level of funding required to deliver the programme workstreams contained in 2019/20 is £2.1m. It is proposed that the £2m is comprised of £1.4m Councils contribution (£350k for each of the four Council shareholders) and the remaining funding from a combination of Government funds (£0.6m) and funds carry forward from 2018/19 (£0.1m). North Essex Garden Communities is the largest programme in the MHCLG Garden Towns and Villages scheme. As at the end of 2018/19, the NEGC programme had received £3.2m Government funding from the MHCLG scheme and £2.4m funding from the Council shareholders. Once the proposed funding splits for 2019/20 are added to those historic amounts it would mean that there would be an equal split of Government MHCLG and the Councils funding for the NEGC programme by the end of 2019/20.

The programme for 2019/20 has been structured to ensure that the Local Plan and Engagement elements are prioritised especially during the first part of the year. During the second part of the year, the Delivery and Business Plan elements are prioritised in order to enable the project to progress the delivery of new homes and employment in the Garden Communities as quickly as possible after the conclusion of the Local Plan EIP. The table below provides an analysis of the main expenditure budget categories for 2019/20 and **Appendix C** sets out further detail on the budget for 2019/20 under each of the main budget categories:

2019/20 - £k	end Jul	end Oct	end Jan	end Mar
Expenditure				
Local Plan	400	723	1,050	1,220
Delivery	200	460	730	911
Total	600	1,183	1,780	2,131

The progress of the activity to deliver the 2019/20 element of this Business Plan, together with a reconciliation of spend against budget, will be monitored monthly via a programme report and presented as a standing item at future NEGC Board meetings. In addition, there will be three formal review milestone dates (end of July, end of October, end of January) where the NEGC Board will receive a report from the Group MD setting out the remaining budget requirements and corresponding expenditure together with a recommendation of how much of the total £1.4m Councils contribution should be drawn down to enable NEGC to progress to the next review milestone date. Consequently, the 2019/20 Interim Business Plan is not predicated on a need to receive the full £1.4m Councils contribution upfront in the year and allows a profile of Councils contributions that can be phased in accordance with the needs of the project.

9.3 2020/21 and 2021/22 Budget

Once Section 1 of the Local Plans has been adopted by The Councils, it is considered an appropriate time to move away from public revenue (grant) funding and obtain securitised external finance to fund the progression of detailed planning and the set-up of the delivery vehicle (potentially a locally-led development corporation) for the Garden Communities. In financial terms, the opportunity to prepare planning applications once the Local Plan is adopted means that there is a reduced level of development risk which in turn would lead to a more acceptable external financing risk for The Councils. These risks are reduced further when land is acquired and/or planning permission obtained.

It is envisaged that the set-up process will begin in 2020/21 and take around two years with a budget in the range of £16m to £20m (£4m-£5m each Council) across that two-year period, which is benchmarked on similar large-scale development projects and a range of funding options will be explored during 2019/20. Thereafter, it is envisaged that longer-term finance will be required to support the Long-Term Business Plan to begin the ‘on the ground’ development activity from 2022/23 onwards. This longer-term finance would be used to pay back the shorter-term finance required for 2020/21 and 2021/22.

Consequently, on the basis that the major outcomes are delivered by the end of 2019/20, it would mean that the programme could move to being externally financed and The Councils would then not need to provide further revenue (grant) contributions. Depending on the type and nature of external finance obtained for the two years 2020/21 and 2021/22, it is anticipated that there would be a need for on-going financial undertakings or support from The Councils.

Should Section 1 of the Local Plans not be adopted in the timescales envisaged in this Business Plan, the NEGC Board will undertake a review of the business plan and supporting budget for 2020/21 onwards.

10. Risk

10.1 Overview

To support the successful delivery of the NEGC Programme, the Programme Team maintains a high-level Strategic Risk Register for the NEGC Board.

The Strategic Risk Register focuses on the key risks the Board have identified as the most significant areas that need to be monitored and reported to them on a regular basis. These risks are set out in accordance with the Treasury Green Book approach to risk appraisal and are categorised as follows:

- Strategic;
- Economic;
- Commercial;
- Financial Case; and
- Management.

The Register uses a RAG (red, amber, green) rating system to highlight the total score of the recommended probability and impact of these strategic risks and also details the mitigation that has been put in place to manage these concerns. The programme's workstreams have contributed to the validity of these ratings to ensure they reflect the current position.

These key risks will continue to be monitored and updated as the programme progresses and will reflect the impact of the key workstreams and activities of NEGC. Any changes to the status of each of the risks will be reported to the Board in a timely fashion, as appropriate.

APPENDIX A: NEGC PRIORITIES AND MILESTONES 2019/20

NEGC PROGRAMME (19/20)														
	PRIORITY	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	
1	Local Plan	Assist the NEAs and UDC with the work required to progress their Local Plans							Appear and present evidence at the EIP for the Section 1 Local Plans					
2	Engagement	Engage closely with and lobby Government to consider the scope/scale of their involvement/support for a LLDC in North Essex												
								Sequence 1 engagement with communities						
3	Economy				Work with The Councils and key economic partners to deliver the high level work plan to deliver the North Essex Economic Strategy									
					Work with partner marketing and communications teams to ensure North Essex Economic Strategy is communicated and ‘marketed’ using the North Essex Opportunity branding									
4	Delivery & Stewardship				Consideration of preferred operating structure and funding requirements for the future delivery of Garden Communities under a Locally-led Development Corporation (Outline Business Case)									
				Initial legal & delivery analysis work	Prepare a draft Mandate for approval of proposed Oversight Authority/Local Authorities				Draft Mandate and outline Business Plan to Board			Final Mandate and Business Plan to Board for approval	Recommendation of Mandate & Business Plan to Councils for approval	
					Evolve corporate delivery and financing structure to best achieve the aims/objectives of The Councils									
		Liaise with the existing landowners and potential developers to establish whether commercial deals can be agreed that accord with the Development Corporation’s objectives										Initial work on CPO (subject to progress with negotiations)		
		Task and Finish working to progress identification of income earning and community assets, and potential management vehicles, developing a long-term stewardship approach												
							Stewardship Vision & update to Board				Completion of Stewardship content for Mandate			
5	Masterplanning & Transport					Prepare for Sequence 1 engagement to support masterplans and DPDs						Prepare key evidence base / technical studies to support the masterplans and DPDs		
						Masterplanning engagement with Stewardship group							Commence the preliminary work for the preparation of masterplans and LDO(s) for each of the new Garden Communities	
		Work with local government & Highways England partners and other relevant stakeholders to advocate for, and assist in, the delivery of the A12 and A120												
		Feasibility work for the implementation of the North Essex Rapid Transit System proposals in partnership with The Councils												
		Engage with Network Rail and other relevant stakeholders to consider and evolve wider transport opportunities including those presented in relation to the Greater Anglia network												
6	Infrastructure & Utilities	Evolve demand and capacity studies for strategic onsite infrastructure works, engaging with Utility providers as required							Produce a commercial approach to the delivery of the on-site infrastructure and utilities based on the outcome of an options appraisal					
7	Innovation	Task and Finish working to progress priority areas and develop topic work plans												
							Infrastructure Workshop				Economy & Business Workshop	Health & Wellbeing Report		
8	NEGC Strategic Business Planning	Work with Councils to consider their ‘hard’ and ‘soft’ ambitions and wider objectives for GCs												
					Prepare a costed Business & Finance Plan for the period 2020/21 and 2021/22							Board to approve 2020/21 & 2021/22 Business Plan		
		Undertake Options Appraisal / Commence Outline Business Case			Evolve Outline Business Cases for funding needs and financing proposals and secure external finance to fund the Business Plan for the period 2020/21 and 2021/22									
NEGC Board Meetings			▲		▲		▲		▲		▲		▲	

APPENDIX B: RATIONALE AND STRATEGIC BUSINESS CASE CONTEXT

This Appendix sets out information pertaining to several key components of the ‘Strategic Outline Case’ as per the HM Treasury Green Book and forms the basis of subsequent work in 2019/20 which will feed into the development of the ‘Outline Business Case/s’.

The Rationale: Key Issues – Opportunities and Challenges

North Essex will be an area of significant growth over the period to 2033 and beyond, embracing positively the need to build well-designed new homes, create jobs and improve and develop infrastructure for the benefit of existing and new communities.

Future growth at scale across North Essex will need to address a number of key issues. It will be challenging and require a robust response to ensure proposals come forward that can meet the overall scale of ambition, vision and a clear set of defined local objectives. Sustainable development principles will be at the core of the strategic area’s response to its growth needs, balancing social, economic and environmental issues.

The future response will need to address the following key components.

Meeting the need for new housing

The North Essex authorities are committed to plan positively for new homes and to significantly boost the supply of housing to meet the needs of the area. To meet the requirements of national policy to establish the number and type of new homes, the authorities commissioned an Objectively Assessed Housing Need Study.

The study has identified the objectively assessed need across the Housing Market Area (which includes Braintree, Colchester, Tendring and Chelmsford) and sets a challenging context to The Councils in needing to plan positively for future growth in a sensible and sustainable manner.

The Councils are also taking a long-term approach to ensure that new development can be planned in a thorough and holistic way to set the basis for future growth and infrastructure planning across North Essex for many years into the future. This in turn helps to consider and define appropriate strategic infrastructure needs in response to the overall scale of growth.

Providing for Employment

A key objective for the area is to strengthen and diversify local economies to provide the capacity and opportunity to enhance and diversify local employment; and to achieve a better balance between the location of jobs and housing, which will reduce the need to travel and promote sustainable growth.

Braintree District’s employment is relatively focused on industrial-type sectors, including construction and manufacturing. London Stansted airport plays a significant role in not only employing residents of the District, but through the indirect economic benefits associated with proximity with such a large employment hub. Retail is the second largest sector by employment and plays an important role in sustaining the District’s three key town centres. The financial and insurance sector, where Braintree District traditionally has a relatively small proportion of employment, has seen some strong employment growth in recent years.

Colchester is the dominant town within the Essex Haven Gateway and will accommodate much of the future growth in the sub-region. It is one of the UK's fastest growing towns and has developed a strong economy, linked to the town's historic character, cultural activities, and its university.

Tendring District has a diverse economy with local employment across a range of activities. Health, retail and education are the largest sectors in terms of the number of jobs and together represent 45% of the District's total employment.

The employment offer will need to provide new opportunities, taking care to ensure that it supplements and complements existing employment areas, settlement hierarchies, and the role and function of existing centres of activity.

Infrastructure and Connectivity

A growing economy requires good accessibility and has impacts on travel demand. The challenge is to provide a sustainable transport system, while providing good access to jobs and services, to support economic growth.

The new Garden Communities will need to be supported by appropriate transport infrastructure. Braintree, Colchester and Tendring will continue to work closely with Essex County Council, Highways England, and other partners to improve roads and public transport and to promote cycling and walking, and to better integrate all forms of transport.

The A12 is set to have major improvements as part of the Government's Roads Investment Strategy (2015-2020) (RIS), with the aim of improving capacity and relieving congestion. The plans were announced in December 2014 and will represent the largest investment in road infrastructure received by Essex.

The A120 is a key east-west corridor across Essex providing access to London Stansted Airport in the west to Harwich Port in the east and serving the economies of Colchester, Tendring and Braintree, with links to Chelmsford via the A130. The road is dualled between the M11 and Braintree, but the section from Braintree to the junction of the A120/A12 is of a low standard with heavy congestion, high accident risk and poor journey reliability. Highways England and Essex County Council are working together to study options for dualling the A120 between Braintree and A12 junction, with the County Council taking the lead.

The aim is to ensure that the work on both the A12 and A120 are directly linked and informed by the planned growth across North Essex through partnership working between all parties. In addition, such projects are essential in enabling planned growth to come forward supported by the necessary strategic infrastructure. The scale of new development envisaged will also need to deliver public transport improvements, including improved rail infrastructure and potential for rapid transit services.

The rail network is heavily used by passenger trains and through freight from the Haven Ports. The Great Eastern Main Line provides services to London Liverpool Street. The Anglia Route Study shows that while capacity varies along the line, capacity to accommodate growth is limited and is particularly constrained in peak times from Chelmsford to London. Improvements are required along the line to accommodate growth and provide a faster more competitive service across the region. A package of improvements will be necessary to respond to the need for increased capacity, which are seen as priorities to enable growth, improve services and journey reliability.

Promoting sustainable transport opportunities

Alternative forms of transport to the private car (walking, cycling and public transport, including rapid transit) to travel will be key to managing congestion and to accommodating sustainable growth. By promoting travel by sustainable modes there are wider benefits to local people such as personal health, less pollution and using less resources (including land), and they are cost effective.

The levels of growth will require proactive travel planning and management. Travel planning and smarter choices initiatives will be promoted to ensure that all residents have good access to local jobs, services and facilities, preferably by either walking or cycling. For longer trips and in rural areas where there are fewer local services and employment opportunities, public transport will be promoted.

Education and Healthcare

New development must provide for the educational needs of new communities. A range of educational opportunities will need to be addressed as part of a sustainable growth strategy, including practical vocational training and apprenticeships.

NEGC will need to work with the NHS and key local health providers to ensure the provision of healthcare facilities to support new and growing communities. This will be particularly important given the ageing profile of existing and future residents. There is already a need for more and better quality health care facilities across the region.

Broadband

High quality communications infrastructure is crucial for sustainable growth. The availability of high speed and reliable broadband is a key factor in unlocking new development opportunities and ensuring that people can access services online and work from home. Fast broadband connections and telecommunications are an increasingly important requirement to serve all development. The priority is to secure the earliest availability for universal broadband coverage and fastest connection speeds for all existing and new developments.

Creating Quality Places

New development must reflect high standards of urban and architectural design. It must also be functional and viable. The new Garden Communities will be planned carefully with the use of masterplans and design codes, and potentially independent design panels, to further evolve the approach set out in Local Plans and emerging Concept Frameworks.

This requirement for high design standards will apply to public and private buildings across all scales of development as well as to infrastructure projects. Enhancements to the public realm, landscaping measures and attention to architectural detail will be important features that the authorities will wish to see included in new developments.

At new Garden Communities, there will be a particularly strong emphasis on strategic scale and local green infrastructure, creating a strong natural environment for living, working and leisure whilst also making a vital contribution to quality of place, biodiversity and health outcomes.

The Councils Response: Spatial Planning for North Essex

Local authorities are required to set out the strategic priorities for the area and be ultimately responsible for ensuring such plans come to fruition. The Councils through Local Plans, a North Essex Garden Communities Charter, and Prospectus have come together to establish a strategic context which establishes the case for change and starts to inform a potential way forward.

The approach is being evolved to enable a joined up and effective approach that can:

- Deliver the homes and jobs needed in the area over the long term;
- Secure the provision of infrastructure for transport and telecommunications, education, health, community and cultural infrastructure; and
- Ensure the creation of quality places including the conservation and enhancement of the natural and historic environment, including landscape, together with an affective long-term approach to effective local stewardship.

Braintree, Colchester and Tendring have all been evolving new Local Plans which have been brought forward through separate decision-making structures within the respective Councils. Alongside this and in accordance with the Duty to Cooperate, The Councils have worked closely to plan effectively for the long term.

The Local Plan making processes have considered the most appropriate spatial approach to future development, including formal consideration and consultation on initial issues & options, and identification and consultation on preferred options, leading to the proposed joint approach being agreed and submitted to the Planning Inspectorate for examination.

The approach has evolved into the consideration of cross boundary strategic matters (including the potential location of 3 proposed Garden Communities) through a joint “Section 1” component of the plan, together with separate “Section 2” components which address local matters for each separate Council. The Plans are accompanied by a broad evidence base which has informed decision making, have included formal stages of public and stakeholder consultation and strategic environment assessment, which included evaluation of potential alternatives.

The vision for North Essex at a strategic level has been set out by the local planning authorities within Section 1 of the Preferred Option Local Plans. This addresses both an agreed joint spatial vision for the wider area together with the role and significance of the proposed Garden Communities. The vision sets out a clear statement of local ambition and establishes a strategic basis from which to move forward. It enables The Councils to plan positively for the future homes and jobs needed across the area, the provision of high quality infrastructure (transport, telecommunications, education, health, community and cultural infrastructure); and the creation of quality places including the conservation and enhancement of the natural and historic environment, including landscape.

Corporate Consideration of the Delivery Approach

The Local Plans have been brought forward through respective plan making committees and decision-making structures, which has considered the spatial approach and evidence underpinning the consideration of options leading to a preferred spatial scenario including the 3 proposed Garden Communities.

Cabinet Meetings for each of the NEAs in January/February 2016 specifically considered the progress of joint work relating to Local Plans, with specific reference to the potential for cross-boundary sites to come forward, and the NEAs' role in their further consideration and potential delivery.

The Councils agreed to formalise the joint working into a joint working governance structure including representation on a Shadow Joint Delivery Board, programme Steering Group and topic based working group structures. Initial advice had been provided in respect of potential delivery options and implications, and further advice was to be commissioned. The Shadow Delivery Board was established to provide overall direction in respect of the programme and an appropriate delivery structure should the partners decide to progress with strategic cross boundary Garden Communities, subject to the plan-making process.

At the meetings, The Councils agreed to the continued joint working and further consideration of proposals including scope to take an active role in the development and construction of the new proposal Garden Communities. Following this the Council committed resources both in relation to officer time and a financial contribution to support the joint work alongside grant funding secured from the Department for Communities and Local Government to support the evolution of further feasibility studies.

Reports were subsequently brought back to respective Council Cabinets in November/December 2016 to seek approval for The Councils to enter into joint arrangements with the other Councils to create an overarching body to be known as North Essex Garden Communities Limited (NEGC) to coordinate the development of the sites and establish further companies (Local Delivery Vehicles (LDVs) for each proposed garden community. The Councils were asked to give in principle agreement to provide proportionate funding to enable the initiative to proceed.

Further papers were considered at Council Cabinet meetings in August/September 2017, which provided an update on the general approach, and secured endorsement to promote the positioning of NEGC with respect to the potential establishment of a single new locally-led development corporation as one of several delivery model options, as well as support to the principle of using compulsory purchase orders to secure control of land if voluntary agreements could not be achieved in a reasonable time. The Councils committed further revenue contributions to continue working on the initiative.

Importantly, the decisions made clear that the corporate decision relating to delivery did not commit any council to allocate any sites within the Local Plan, as this has been subject to separate decision-making processes in accordance with the statutory requirements and material considerations at the relevant time.

The Commercial Case & Options Considered

The Councils have considered a wide range of alternative delivery mechanisms and structures.

The principal alternative options would be to allow for the development of the settlements, namely:

1. by the private sector under traditional approaches to such development;
2. via some form of public/private partnership/joint venture; or
3. via a public sector led delivery structure.

Current and past experience provides evidence of the difficulty of relying upon a solely private sector approach, and weaknesses in relying purely on planning policy to secure suitable outcomes. Multiple issues have hindered the progress of such large-scale sites, be it due to the nature of land promoters/developers, their ability to deliver and raise suitable finance, and often a reliance on the public sector to ultimately intervene and/or provide some form of funding support. In addition, planning policy can be open to interpretation and a degree of flexibility, most notably in respect of viability concerns, meaning that full policy objectives have potential to not be achieved.

Given the level of local policy and place-making ambition and choice that has been made to bring forward schemes along true ‘Garden City’ principles, their scale and timescale of delivery, complexity and landownership position of the sites being considered, it was considered that neither private sector led or joint public/private approaches (whereby the private sector retains a controlling stake) would offer the same level of confidence that over a development programme of 30 years that the garden community objectives would be met throughout different economic cycles.

The approach has therefore focussed on adopting a positive and proactive public sector leadership role from the outset, with a strong planning policy basis and direct role in delivery. This was considered to offer sufficient certainty about ambition and eventual delivery.

The projects will take in the order of 30-40 years to deliver; infrastructure which supports the development of the whole programme will necessarily have a long payback period, the public sector is well placed to act as a patient investor taking a long-term approach to payback enabling higher levels of investment at early stages.

It was originally envisaged that land would be acquired via the LDV’s in the governance structure created by The Councils and through successful negotiations with existing landowners, or via a CPO made by the planning authorities if necessary. Negotiations have as yet not been able to conclude to a satisfactory outcome.

Changes to the law made by the Neighbourhood Planning Act 2017 has meant that the prospect of a New Town style, Locally-Led Development Corporation (LLDC) with local accountability has emerged as a realistic option for the onward development of the programme. Whilst this would change the currently formulated delivery model, it would be based on the same vision and delivery principles as outlined above; particularly early development of infrastructure and it being public sector led.

If a LLDC was created, the use of LLDC planning powers would be supported by land ownership to provide a stronger mechanism than traditional planning agreements or Community Infrastructure Levy (CIL) for the recovery of investment and a safeguard against opportunistic planning applications that are contrary to the agreed plans.

Initial consideration of the key issues indicated that speedy establishment of an LLDC could provide major advantages, both in terms of ensuring effective delivery in line with the aspirations of The Councils through the Vision, and in respect of delivering effective funding arrangements.

The programme was reviewed by Lord Kerslake in January 2017, which identified a series of recommendations that had an influence over programme resourcing, risk management and appropriate timescales. This has informed the approach. The proposals will enable the Council to have a significant role in ensuring that there is a sustainable environment with strong community facilities,

including green spaces. This focus on a sustainable community with strong infrastructure will also include both education and health facilities, which meet the needs of all sectors of the community.

Clearly within the proposals there is the potential for a significant investment by The Councils. This would need to be managed in such a way as to ensure that this is viable. The Council's will be looking at this as a long-term investment and therefore there may need to be careful consideration of the details of future funding agreements and their impacts on The Council's budgets, while also recognising affordability within budget envelopes.

Such matters will evolve further and be encapsulated into the progression of related Business Cases, prepared to align with HM Treasury Green Book approaches. This Business Plan sets out information aligned to elements of the initial scoping and Strategic Outline Case stage of the process.

Working with Stakeholders

The existing stakeholder picture is a complex one. NEGC is currently working together with The Councils, along with a number of statutory organisations and local business groups such as the Haven Gateway and South East Local Enterprise Partnership. In addition, the future delivery at the scale envisaged through the NEGC programme interfaces with the expansion plans for many key bodies such as the University of Essex, Stansted Airport, Harwich/Felixstowe ports, and the opportunity and ambition for economic growth as set out in the NEGC Prospectus.

The focus will need to be placed on NEGC having a key focus on delivery, distinct from the wider roles of the founding Councils. This refocussing will provide an opportunity for a wider discussion with key individuals / groups and an emphasis on aligning the work to achieve broader aims and objectives across the North Essex area.

Having a structured approach to stakeholder management will help to identify quick wins to progress or where there are stakeholder issues that may take longer to fix. It can also help to identify issues, where there are gaps in relationship management or where additional support is needed to facilitate new relationships.

An initial list of stakeholder groups is set out below. All will need to continue to be effectively engaged in the programme for it to be a success, and deliver on wider ambitions:

- Political (national/local MPs / Members / parish and town councils)
- Officials (key Government Departments and organisations, Civil Servants / Senior Officers)
- Local Interest & Pressure Groups (national/local)
- Social & Community Groups (local authority area)
- Business Groups (national/local)
- Education & Skills (sub region/local authority area)
- Health (sub-region/local authority area)
- Statutory groups (Police/Fire, Transport, Utility, Environment, Heritage etc.)
- Housing & Construction sector (national/local)
- Economic (national/regional (LEPs & corridors)/local)

NEGC will need to continue to interface with key stakeholder groups so that joint initiatives can be progressed and delivered. To do this successfully, responsibilities need to be refined between the key partners and then allocated accordingly.

It is important to recognise that stakeholders directly (or indirectly) interface across a number of relationship owners. For example, they may have an interest in multiple issues or areas of control. Their influence may change over time. Stakeholders can ‘wear different hats’ for different scenarios and issues (and may behave differently with different situations or audiences). Continuing to be aware of these interfaces and multiple interests is important, plus knowledge of stakeholder networks and cross- connections will be key.

It will be important for NEGEC to consider how it expands its existing engagement programme and continues to raise its profile in the future. Further detailed analysis, building on the work done to date, will be undertaken on comprehensive stakeholder mapping as part of a wider approach to publicity and & communications and as work on a North Essex Economic Strategy and site-specific masterplans begin to take shape.

Stakeholders and relationships will change over time and any stakeholder analysis can only provide a snapshot in time. Therefore, it will be important to continue to regularly monitor and measure stakeholder views, interfaces and associated influencing factors.

APPENDIX C: NEGC BUDGET FORECAST 2019/20

£000's	Q1	Q2	Q3	Q4	Total
Local Plan / DPD					
Staff	£103.8k	£119.6k	£126.5k	£120.8k	£470.7k
Overheads	£27.3k	£33.5k	£36.5k	£30.4k	£127.7k
Supporting studies	£45.5k	£65.1k	£79.5k	£10.5k	£200.6k
Planning	£79.5k	£84.5k	£71.75k	£69.75k	£305.5k
Engagement	£6.0k	£18.0k	£13.3k	£5.5k	£42.8k
Risk/Contingency	£14.0k	£14.0k	£13.8k	£29.6k	£71.4k
Total					£1,218.7k
Delivery Strategy					
Staff	£68.7k	£70.2k	£71.7k	£72.7k	£283.3k
Overheads	£20.8k	£22.3k	£21.3k	£20.8k	£85.2k
Governance	£9.0k	£4.0k	£7.5k	£54.2k	£74.75k
Delivery & Stewardship	£15.3k	£29.4k	£37.6k	£38.5k	£120.8k
Masterplan/Transport	£1.0k	£1.0k	£11.0k	£20.1k	£33.1k
Infrastructure & Utilities	£5.0k	£15.0k	£25.0k	£30.0k	£75.0k
Strategic Business Planning	£31.0k	£61.0k	£81.1k	£44.0k	£217.1k
Risk/Contingency	£6.2k	£5.0k	£5.0k	£6.3k	£22.5k
Total					£911.7k
Overall Total					£2,131k

Recommendation from the Corporate Governance Group – 25th July 2019 – Treasury Management Annual Report 2018-19		Agenda No: 6a
Portfolio Corporate Outcome:	Finance and Performance Management A high performing organisation that delivers excellent and value for money services Delivering better outcomes for residents and businesses and reducing costs to taxpayers	
Report presented by:	Councillor David Bebb, Cabinet Member for Finance and Performance	
Report prepared by:	Phil Myers, Financial Services Manager	
Background Papers:		Public Report
Treasury Management Strategy Statement 2018/19 approved by Cabinet on 5th February 2018 and Full Council 19th February 2018 . Council Budget and Council Tax 2018-19 and Medium Term Financial Strategy 2018-19 to 2021-22 Corporate Governance Group Report and Minutes 25th July 2019		Key Decision: Yes
<u>DRAFT MINUTE EXTRACT</u>		
CORPORATE GOVERNANCE GROUP – 25th July 2019		
9	<u>TREASURY MANAGEMENT ANNUAL REPORT 2018-19</u>	
INFORMATION: Members considered a report on the Council’s Treasury Management Annual Report 2018-19. The Council’s Treasury Management Strategy Statement (TMSS) for 2018/19 was approved by Full Council on 19 th February 2018 as part of the overall Budget and Council Tax Setting report. A mid-year report was considered by Full Council on 10 th December 2018. Both of these reports were first reviewed by the Governance Committee (now the Corporate Governance Group).		
Members were informed that actual capital spend was £11.409m, which was higher than originally anticipated in TMSS. The increase was largely attributed to a number of decisions made on projects under the District Investment Strategy (DIS), including the acquisition of land for the proposed Horizon 120 employment site		

It was noted that the Council's Capital Financing Requirement (CFR) had increased in the year from £8.791m to £12.215m, although the Council's borrowing and other debt liabilities had reduced from £9.861m to £8.499m. The difference between the CFR and debt represented the extent of "internal borrowing" being undertaken to finance capital expenditure in the short-term. The reduction in external borrowing was due to annual repayments made on finance leases, and the repayment of £1m to Essex County Council. Members were advised that a consequence of internal borrowing was a reduction in the Council's cash balances and therefore investments.

Across the financial year the Council's investment balances averaged £58.343m, with a range of between £42.259m and £68.267m. The total amount invested at 31st March 2019, was £46.527m and the report provided further details of the sources of cash for these investments.

The report contained details of the Council's long-term pooled fund investments, which were increased by the addition of two new diversified funds and a placement of £1m in each. This took the total amount invested in long-term pooled funds to £18m as at 31st March 2019. The total market valuation (or fair value) of the Council's pooled funds was £19.308m, which represented an unrealised gain of £1.308m on the amounts invested, which was £373,000 higher than the valuation at 31st March 2018.

With regard to investment activity, the Council's treasury management advisors, Arlingclose, benchmarked this on a quarterly basis. As at 31st March 2019, the Council's position compared favourably on a number of indicators, including income and total returns which were both higher, whilst also maintaining a relatively high level of credit quality on short-term investments.

Total investment income was £1.158m (an overall return of 1.98%) which was £343,000 over budget due to a combination of higher cash balances and increased market interest rates. Dividends from long-term pooled funds were £866,000, a 5.24% return, whereas short-term investments contributed £292,000 of interest, which equated to a return of 0.70%.

It was reported that the Council held direct property investments with a market value of £36.304m as of 31st March 2019, which largely comprised industrial land and units, shops, offices and other commercial property. The net rental income of properties leased to third parties was £2.234m, which represented a return of 6.3% on the value of assets. A new investment property in Silver End was acquired by the Council during the year, and the overall market value of investment property increased by £1.05m, due mainly to rent reviews and changes to lease terms that resulted in improved yields.

The Council also had a number of loans and deposits made for service reasons. The amount outstanding on these was £327,000 at 31st March 2019. The largest single loan outstanding of £200,000 was due to be repaid in 2019/20, and a mortgage loan of £47,000 had since been redeemed early by the borrower at the end of April 2019.

Finally, it was reported that the Corporate Director for Finance had confirmed that all treasury management activities undertaken during 2018/19 were in full

compliance with the CIPFA Code of Practice and the Council's approved TMSS. It was also noted that the Council continued to employ Arlingclose Ltd as its treasury management advisors.

DECISION: That acceptance of the Treasury Management Annual Report 2018/19 be recommended to Cabinet, prior to its submission to Full Council.

REASON FOR DECISION: The Council has adopted the CIPFA Code of Practice for Treasury Management in Public Services, which requires that the Council receives an annual report on the treasury management function. This report is to be considered first by the Corporate Governance Group in order to exercise its responsibility for scrutiny over treasury management activities. The report will then be considered by Cabinet before submission to Full Council with the benefit of any proposed changes and/or comments of the Corporate Governance Group.

Recommended Decision:

That Cabinet accepts the Treasury Management report, and recommends that Full Council accepts the Treasury Management Report.

Purpose of Decision:

The Council has adopted the CIPFA Code of Practice for Treasury Management in Public Services, which requires that the Council receives an annual report on the treasury management function. This report is to be considered first by the Corporate Governance Group in order to exercise its responsibility for scrutiny over treasury management activities. The report will then be considered by Cabinet before submission to Full Council with the benefit of any proposed changes and/or comments of the Corporate Governance Group.

First Quarter Performance Management Report 2019/20		Agenda No: 6b
Portfolio	Finance and Performance Management	
Corporate Outcome:	A high performing organisation that delivers excellent and value for money services	
Report presented by:	Councillor David Bebb, Cabinet Member for Finance & Performance Management	
Report prepared by:	Tracey Headford, Business Solutions Manager	
Background Papers:		Public Report
First Quarter Performance Management Report 2019/20		Key Decision: No
Executive Summary:		
<p>The purpose of the attached report is to summarise the performance of the Council at the end of the first quarter (April 2019 to June 2019).</p> <p>As at the end of June 2019, two projects are complete and a further 50 projects are on track and progressing well. Two projects have an amber status in respect of the Local Plan and the project to develop a digital platform for health.</p> <p>Ten performance indicators have met or exceed target and four performance indicators have missed their target of which three missed by less than 5% and one missed by more than 5%. The areas where performance has missed target are in relation to recycling rates (>5%) and collection rates for council tax and business rates and percentage of invoices paid within 30 days (<5%). Outturns in these areas are being monitored closely.</p> <p>As we enter the last year of our corporate strategy, we will continue to monitor our performance and focus our resources accordingly to deliver and achieve our corporate objectives.</p>		
Financial Performance		
<p>This part of the report provides an updated review of the financial position for the year up to the end of June 2019. It examines the latest forecast for spending on day-to-day service provision compared to the budget for the year. Also included is a summary of treasury management activities; projected movements on the General Fund balance; and a summary of spending to date on capital projects.</p>		
<u>Summary</u>		
<ul style="list-style-type: none"> An overall positive variance is projected for the year of £642,000 (-4.4%) against budget. 		

- Across all services staffing budgets are forecast to be underspent by £191,000; and after allowing for the corporate efficiency target of £200,000, this results in a projected variance of +£9,000.
- Other expenditure is projected to be underspent by £72,000.
- Income is projected to be overachieved by £579,000.
- The projected variances will be reviewed to assess whether or not they are likely to be ongoing into future years so that necessary adjustments can be made as part of the initial planning for the Council's 2020/21 budget.

For a detailed explanation of the financial performance, please refer to page 17 onwards of the full report.

Recommended Decision:

Cabinet is asked to note and endorse the Council's performance as at the end of the year, as detailed in the attached report.

Purpose of Decision:

To inform the Cabinet of the performance of the Council.

Any Corporate implications in relation to the following should be explained in detail	
Financial:	An assessment of the Council's financial position against the agreed budget for the year is provided and is based on income and expenditure during the year.
Legal:	There are no legal issues raised by this report.
Safeguarding	There are no safeguarding issues raised by this report.
Equalities/Diversity	Equalities and diversity issues are considered fully in the Council's key projects, where appropriate.
Customer Impact:	Performance of front line services, including Customer Services, Housing Benefits and Council Tax, for the quarter is provided. A summary of complaints received each quarter, analysed by outcome (justified, partially justified or not justified) is provided.
Environment and Climate Change:	The report provides details of progress in the delivery of the Council's key projects. This will include supporting residents and businesses in lowering the cost of their energy bills and energy consumption, anti-litter campaigns, campaigns encouraging recycling and responding to the consultations on the new Government Resource and Waste Strategy for England.
Consultation/Community Engagement:	Consultation is considered fully in the Council's key projects, as appropriate.
Risks:	Risks regarding the assumptions used in determining the predicted financial outturn for the year are identified.
Officer Contact:	Tracey Headford
Designation:	Business Solutions Manager
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FIRST QUARTER **PERFORMANCE MANAGEMENT REPORT**

1st April 2019 to 30th June 2019

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Section 1: Introduction and Summary






Purpose of the Report

The purpose of the report is to demonstrate the performance of the Council at the end of the first quarter in relation to the publication of the 'Annual Plan 2019/20'. This sets out the key activities and measures used to check our performance for the year and along with the Corporate Strategy 2016-20 sets out the priorities we are working towards. We have also signed up to 'The Future of Essex' which is a vision shared by more than 100 partners, all dedicated to improving the county over the next 18 years. The projects that are supporting this vision are marked with **(E)**. Further detail is given in relation to a set of business performance indicators covering finances, customer focus, our people and health and safety.






This report does not contain details of the numerous activities ongoing in each service area that also contribute to delivering what is important and will make a difference to all in the District. Full details of all projects and performance indicators used to measure the outcomes are available upon request.

Summary of the Corporate Projects current position for the end of the first quarter

The following table provides updates for the end of the first quarter in relation to the key activities in the 'Annual Plan 2019/20'




Corporate Priorities	Status of projects and actions				
					
Environment and Place	0	7	0	0	0
Strategic Growth and Infrastructure	0	9	1	0	0
Economic Development	0	10	0	0	0
Heath and Communities	1	12	0	0	0
Finance and Performance	1	6	1	0	0
Overall Strategy and Direction	0	6	0	0	0
TOTAL	2	50	2	0	0

KEY:




-  Project completed
-  Project on target
-  Project scope/target date requires attention
-  Project requires amendment
-  Project aborted/closed

Summary of the Performance Indicators position for the end of the first quarter

The following table shows the performance for the end of the first quarter in relation to the quarterly and annually reported Performance Indicators that have targets set as defined in the 'Annual Plan 2019/20'.

Corporate Priorities	Status of indicators			
				Data Only
Environment and Place	2	0	1	0
Strategic Growth and Infrastructure	2	0	0	0
Health and Communities	2	0	0	0
Finance and Performance	4	3	0	0
TOTAL	10	3	1	0

KEY:

-  Performance Indicator has achieved target
-  Performance Indicator is up to 5% below target
-  Performance Indicator is 5% or more off target

Summary Position

We have seen a good start to the first quarter of the year with two projects completed and the majority of the remaining projects progressing well. Two projects have an amber status in respect of the Local Plan and the project to develop a digital platform for health. The Local Plan is marked as amber as decisions of neighbouring authorities and the Planning Inspector continue to be a major risk to this project. The project to develop a digital platform enabling resident's access to health information and initiatives to support their health is amber as the bid to fund this project was unsuccessful and we are investigating what we can do to deliver this using existing resources.

Ten performance indicators have met or exceed target and four performance indicators have missed their target of which three missed by less than 5% and one missed by more than 5%. The areas where performance has missed target are in relation to recycling rates (>5%), collection rates for council tax and business rates and percentage of invoices paid within 30 days (<5%). Outturns in these areas are being monitored closely.

As we enter the last year of our corporate strategy, we will continue to monitor our performance and focus our resources accordingly to deliver and achieve our corporate objectives.



Environment and Place

Project description and comments	Target Date	Status
Respond to the consultations on the new Government Resource and Waste Strategy for England and consider proposals in relation to the Council's refuse and recycling service		
The Council has provided a response in May 2019 to the consultation published by the Department for Environment, Food and Rural Affairs (DEFRA) outlining the Governments proposal on plastic packaging tax. We are currently awaiting the outcome of the consultation to understand the potential implications for the Council's waste collection service	March 2020	▶
Continue to promote and raise awareness of the importance of minimisation, reuse and recycling to both residents and businesses to reduce the amount of waste sent to landfill		
A number of promotional activities including talks to community groups have taken place in the last quarter and we continue to doorstep in new blocks of flats to inform residents what can be recycled	March 2020	▶
Refurbish the four play areas at St Mary's Road in Rivenhall, Ashpole Road in Bocking, Mill Chase in Halstead and Clare Road in Braintree		
The refurbishment of the play areas is currently in the planning stage	December 2019	▶
Continue to protect our larger open spaces from illegal encampments by creating earth bunds and ditches to prevent disruption and inconvenience to local residents		
Additional security fencing at Bramble Road in Witham is now complete and works are currently being planned at Rickstones Recreational Ground in Witham, Marshalls Park in Braintree and Millennium Way in Braintree	September 2019	▶
Replace the benches in parks and open spaces ensuring they are fit for purpose allowing residents and visitors to enjoy recreational time		
Arrangements to replace three benches in Halstead public gardens and four benches in Halstead cemetery are underway	August 2019	▶
Continue to investigate and enforce littering, dog fouling and fly-tipping offences to help keep the district looking clean and tidy		
In the first quarter of the year, 25 fixed penalty notices have been served for littering and the Council has successfully taken legal action against 2 people for fly tipping and associated offences	March 2020	▶
Deliver a car litter campaign to support the introduction of new legislation		
Braintree District Council will be participating in a district wide 'Love Essex' campaign to reduce car litter which is expected to go live in September	March 2020	▶



Strategic Growth and Infrastructure








Project description and comments	Target Date	Status
(E) Continue to work towards completing the examination and adoption of the Local Plan		
The North Essex Authorities have been carrying out additional work on the evidence base and additional sustainability appraisal to address the Inspectors concerns regarding the new Garden Communities proposed as part of the Section 1 Local Plan for North Essex. The findings of the revised and new Local Plan evidence will be considered by Local Plan Committees across the three authorities, through July, and then by full council meetings in Braintree and Tendring ahead of a period of consultation. The project is marked up as amber as the decisions of neighbouring authorities and the Planning Inspector continue to be a major risk to this project	December 2020	
(E) Formally adopt the first Neighbourhood Plan in the district		
The examination on the Bradwell with Pattiswick Neighbourhood Plan has been completed and the document approved for referendum by Cabinet. The referendum took place on the 27th June 2019 and was passed with 90% of voters in favour. The plan will be adopted by Full Council in July	July 2019	
(E) Continue to work with partners to provide housing, employment and supporting infrastructure to address our long term housing and community needs		
Work continues with partners on the Garden Communities looking at a long term strategy which will contribute to meeting the needs of North Essex's growing population ensuring that new developments come with the infrastructure, affordable homes, schools, doctor's surgeries and facilities needed for new communities. Part 1 of the Local Plan will be considered by Local Plan Committees and by full Council meetings in July and August	March 2020	
(E) Develop Council owned sites to deliver additional mixed tenure homes across the district and consider establishing a Council owned Housing Development Company		
Approval will be sought at a future Cabinet meeting for funds to develop up to five Council sites to submit planning applications in a twin track approach to run alongside the development of the Business Case for the Development Company	March 2020	
(E) Commence construction of the regeneration of Braintree Town Centre enhancing the appeal of the town to residents and visitors		
Planning consent was granted on the 12th March 2019 and tender documents were issued on 25th March with three tenders received, Officers are now working with the Council's employer's agent in negotiation with the three contractors regarding costs and it is anticipated that a further report and recommendations will be submitted to Cabinet in September 2019	December 2019	
(E) Continue to work with Essex County Council to reduce congestion on the local road network in Braintree		
Essex County Council is looking at different options and working with our Planning Department on the works required to the roundabout as part of the S106 for land West of Panfield Lane, which should be granted planning approval subject to S106 in July 2019. In the interim Essex County Council have relined the 'keep clear' markings on the roundabout which had been requested by the businesses based on the estate	March 2020	
(E) Work with Essex County Council and Highways England to secure planning consent and commence construction of new slip roads linking the A120 to Millennium Way alleviating congestion		

at Galleys Corner		
A planning application was submitted to Essex County Council in May 2019 with construction due to commence Spring/Summer 2020. Essex County Council will lead the project and a project team has been established and design works commenced	March 2020	▶
(E) Continue to work with Essex County Council on securing improvements to the strategic highway network including the A120 and A12		
The favoured route option for the A120 was announced in June 2018 which has been recommended to Highways England and the Department of Transport for inclusion in the Road Investment Strategy 2, which is the next funding period for the strategic road network. An announcement as to whether this has been included is expected later this year	March 2020	▶
(E) Commence construction of an improved bus interchange as part of the Manor Street regeneration		
Planning consent for the regeneration of Manor Street has been agreed and discussions have started with Essex County Council around leasing the bus interchange	March 2020	▶
(E) Create a high quality business community through the development of the Horizon 120 business and innovation park		
A website (www.Horizon120.com) has been launched and the site is now being advertised to businesses interested in relocating to the site. The Marshgate Group, a commercial property developer, has announced plans to develop up to 20 acres of land to deliver the vision for Horizon 120. The park will offer a multitude of commercial uses for a number of sectors including professional services, research, digital and development, distribution and advanced manufacturing. Details of the proposal will be subject to formal consideration and approval at Cabinet in July 2019	March 2020	▶



Economic Development

Project description and comments	Target Date	Status
(E) Complete the acquisition of strategic employment land in Witham supporting business creation and growth		
A suitable site has been identified and will be acquired at nil capital cost to the public purse through the prudent use of the planning system. The site is due to transfer early 2020. This commitment is underpinned by an allocation of £500,000 of funding to support the project via the District Investment Strategy	July 2021	▶
Complete physical improvements to key industrial estates including new signage and branding		
The planning application for the improved signage on the Springwood Industrial Estate has now been submitted and is out for consultation. Comments can be submitted up until 24th July. Details of this planning application have been distributed by email to the Springwood Industrial Estate businesses and publicised on the Springwood Industrial Estate Facebook Group	March 2020	▶
Work with existing and form new partnerships to increase levels of targeted business and skills support		
A Business Support Roadshow was delivered at Springwood Industrial Estate in April supporting over 20 businesses by providing relevant updates and information. As a result of this event, monthly updates will be emailed to	March 2020	▶

businesses and further roadshows will be scheduled bi-annually. A fully funded workshop was delivered in June by Invest Essex to businesses on maximising their web presence and meetings have been held with Halstead and Witham Chambers of Commerce to explore delivering the next Business Support Roadshows and to identify other partnership opportunities. Officers are working with several new partners to support and deliver the countywide Essex 2020 initiative to celebrate Science, Technology, Engineering, Arts and Maths		
Secure planning consent and commence construction of the I-construct Innovation in Construction Hub at the Braintree Enterprise Centre		
A planning application has been submitted in June for construction of the I-construct Innovation Hub which will support businesses and create jobs across the Greater South East region	December 2019	
(E) Work with the Braintree Education and Skills board to secure funding and develop projects to increase skills across the district providing a workforce that meets employers' needs		
To celebrate International Women in Engineering Day officers arranged for Alec Hunter and Maltings Academy's female students to visit Stansted Airport. In total 40 girls attended the event where they met women working in STEM related roles at the airport. The interactive event was held at the Aerozone and created to celebrate women who work in engineering careers to inspire more young women to consider a future in the sector	March 2020	
(E) Deliver physical improvements to the town centres of Braintree, Witham and Halstead		
An on-site survey of the street furniture in Halstead and Witham has been carried out in conjunction with Essex County Council and plans will be drawn up following the results of the survey	December 2020	
(E) Establish a Tourism Partnership to promote the district, support businesses and increase tourism		
The Tourism Partnership was launched in June with 25 external stakeholders and was well received. The next meeting is scheduled for September with ongoing engagement until that date	March 2020	
Supporting markets across the district including continuing to develop the street market concept		
Street Markets are planned for each month in Braintree, and three have been run so far. Street Markets are also planned for Witham in July, August and September, with one having been run so far. The Street Markets in Braintree continue to attract a high level of trader, business and public acclaim	March 2020	
Working through the Town Centre Partnership, deliver schemes to improve the vibrancy of Braintree Town Centre		
Braintree District Council is providing support to the Braintree Town Centre Partnership which now has a logo, website and a draft version of the organisation structure and annual objectives and is moving towards agreeing a formal type of organisational constitution. The meetings of the partnership will be taking place on the first Tuesday of each month	March 2020	
A programme of events is being planned for Braintree Town Centre including preparations for Christmas and discussions are being held with stakeholders to ensure a co-ordinated town wide event	March 2020	



Health and Communities

Project description and comments	Target Date	Status
(E) Continue to deliver the Livewell child project working with families with young children providing support and advice on nutrition and healthy activities in an attempt to locally halt the rise in childhood obesity		
The Play Champions scheme in Richard de Clare School has now finished and a presentation made at the school to congratulate the efforts the children had put into the training. A potential food partner has been identified for the 'Meal Time' initiative to provide school parents with a healthy meal for all the family at pick-up times. This is to help those parents who don't have time to cook, can't afford to buy ingredients, children enjoy takeaways or the parents don't know how to cook	March 2020	▶
Improve the play experience at Great Notley Country Park and Halstead Leisure Centre by replacing the artificial pitches		
Planning permission has been granted to replace the artificial pitch at Halstead Leisure Centre and the Football Foundations have agreed the funding for the project	March 2020	▶
The replacement of the artificial grass pitch at Great Notley Country Park is out for tender, closing in July when the tenders will be evaluated and a contract awarded	August 2019	▶
(E) Work in partnership with local GP surgeries, the NHS and Mid Essex Clinical Commissioning Group (MECCG) to develop a new modern healthcare facility in Sible Hedingham		
The Council is working with the NHS and MECCG to develop a modern healthcare facility, which will provide a new combined premises for existing surgeries in Castle Hedingham and Sible Hedingham. The design team have met with GPs and a final scheme design has been costed, and a pre-app meeting held with the Planning Department	September 2019	▶
(E) Work with partners to improve emotional health and wellbeing and identify improvements to access mental health services for residents		
A Mental Health workshop will be taking place in July to discuss the action plan and to receive presentations around Health in Mind, Emotional Wellbeing, First Stop and Horizons. A mapping exercise is also underway to identify the services already available in our district	March 2020	▶
Develop a Rough Sleeping Strategy setting out how we will provide specialist support for vulnerable people on the street		
The Council's Homelessness Strategy addresses rough sleeping and has been renamed as the Homelessness and Rough Sleeping Strategy to comply with Government requirements. We are currently working in partnership with local authorities across Essex and CHESS to help prevent rough sleeping	May 2019	✓
(E) Continue to raise awareness of child exploitation through the 'spot-it, stop-it' campaign		
We are working alongside Essex Police and the Licensing Team to organise and attend Pubwatch meetings in Braintree, Halstead and Witham to promote the scheme and identify those that wish for their staff to receive training	March 2020	▶
(E) Continue to promote events and provide opportunities that would benefit those living with dementia and their carers		
A number of events have taken place across the district in the last quarter	March 2020	▶

including the dementia cinema in Halstead which had 263 attendees and the walk & talk group had 30 attendees. A seated exercise run by Sport for Confidence has begun with 8 attendees so far. The Braintree District Dementia Alliance has been relaunched and is now led by Community 360		
In partnership with Fusion, encourage inactive over 60's to become active again by developing the Age well sessions at our local sports centres		
A meeting has been arranged with Fusion to look at the age well sessions at the local sport centres. Seated exercise classes have started in Witham	March 2020	▶
(E) Continue to support community groups to deliver local projects and activities through the Councillor Community Grant Scheme		
Four grants have been made to date to the value of £2,250. Grants could not be made in April and May due to local and European elections	March 2020	▶
(E) Work with partners to raise awareness and identify ways to combat social isolation and loneliness		
We continue to attend the Essex Social Isolation and Loneliness Forum. Essex County Council have recently commissioned Provide as a strategic partner and the Rural Community Council of Essex (RCCE) as the delivery partner for Mid Essex. We have met with RCCE, Community360 and Greenfields Community Housing to gain an understanding of the work commissioned by Essex County Council, what partners are doing relating to this agenda and how we can work together moving forward. Four businesses are currently providing a venue for Meet Up Mondays	March 2020	▶
Continue to work with key local groups to develop plans for a community facility in Witham		
Meetings have taken place with two organisations interested in being the anchor tenant to discuss the development, how they would like to be involved and the next steps	March 2020	▶
Promote volunteering opportunities to work with young people and promote activities and clubs available to young people in our district		
The annual volunteer awards took place on 6th June with 84 people in attendance including award winners and their guests, dignitaries and sponsors	March 2020	▶



Finance and Performance

Project description and comments	Target Date	Status
Review our services and processes to ensure they continue to provide value for money		
An organisation wide review is taking place as part of our ongoing commitment to ensure all our services deliver value for money to our customers, preparing the Council for the financial challenges anticipated over the next few years. Each department has identified a number of projects with the aim to improve efficiency and reduce operating costs. These will shortly be considered and prioritised by the Authority's leadership team, before moving forward	March 2020	▶

Develop our commercial programme to generate income that can be reinvested in front line services		
We continue to develop the Council's commercial approach and in the first quarter of the year, a catering offer has been introduced to the Essex Enterprise Centre, we have embedded the shared payroll service into the organisation and developed a growth strategy and increased advertising and sponsorship revenue to £40k. An Essex Commercial Network has been developed which will identify opportunities to explore in sharing resource including an agreement to continue with a shared sales resource	March 2020	
Identify and progress investment opportunities that help us to deliver our corporate strategy whilst providing a return on investment to strengthen our financial independence		
We are currently working with Marshgate to develop 20 acres of the site at Horizon 120. As and when investment opportunities are identified, further information will be provided which may include opportunities at Horizon 120	March 2020	
Respond to the anticipated Government consultation on its proposed 75% Business Rate retention scheme and the Fair Funding Review which will impact on the Council's finances from April 2020		
We are currently awaiting consultation from Government on the proposed scheme, although timescale are unknown at this time	March 2020	
Continue to identify improvements in customer focused services using the Customer Service Excellence Standard as a framework		
The Customer Service Excellence assessment will be taking place on the 5th, 6th and 7th November looking at consultation and engagement, satisfaction surveys, customer service standards, how we improve our written, verbal and web based information, benchmarking and best practice and how we improve our delivery of service	December 2019	
Implement the Council's discretionary Business Rate relief scheme for independent retail businesses		
The new retail rate scheme approved by Full Council in February 2019. The new relief was awarded to eligible retail businesses and included in the business rate bills for 2019/20. Any further businesses meeting the criteria will be assessed throughout the year and the reduced rate applied	May 2019	
Expand our online booking and payment systems enabling residents to book and pay for more services through our website.		
Online bookings are being developed and testing of the system will be taking place over the summer	March 2020	
Develop a digital platform enabling residents to access health information, initiatives and support to improve their health and wellbeing		
The bid to fund this project from the Government "Trail Blazer" programme was unsuccessful and we are currently investigating what we can do to deliver this using existing resources	March 2020	

















Overall Strategy and Direction

Project description and comments	Target Date	Status
(E) Continue to deliver projects under the District Investment Strategy to achieve better outcomes for the district and a return for the taxpayers' purse by: <ul style="list-style-type: none"> • Working in partnership to improve health provision across the district • Facilitating the need for housing by providing homes and supporting infrastructure • Improving our most congested roads and journeys across the district • Planning for growth by providing jobs delivering increased opportunities for new business and employment • Delivering investment opportunities that support growth and provide a return for the District Council 		
The Council continues to work with the NHS, Mid Essex Clinical Commissioning Group and other healthcare partners to develop modern healthcare facilities in Sible Hedingham, the Newlands Centre in Witham and Braintree Town Centre as part of the Manor Street regeneration	March 2020	
The Manor Street regeneration includes the provision of 35 new homes and approval is being sought at a future Cabinet meeting to develop up to five Council owned sites. Pre-app meetings have taken place in May to provide four temporary accommodation units in Braintree	March 2020	
Work continues on a number of projects reported under the Strategic Growth and Infrastructure section such as the A120 Millennium Slip roads and improvements to Springwood Drive roundabout	March 2020	
A number of projects and actions are underway to ensure delivery of the Braintree Plan for Growth to provide jobs such as working with developers to bring forward strategic employment land at Witham, developing the first 20 acres of Horizon 120 and submitting a planning application for a Construction Innovation Centre. Five businesses have also moved into the office suites at Osier House, the recently built rural business hub in Sible Hedingham supporting new and existing businesses to develop	March 2020	
There are a number of projects reported on throughout this report that provide an update on current investment opportunities under the District Investment Strategy. As and when new opportunities arise, projects will be set up accordingly	March 2020	
Work with partner authorities (Tendring District Council, Colchester Borough Council and Essex County Council) and other public and private sector organisations to plan for and enable sustainable growth in homes and jobs in the north Essex area		
Work with Tendring and Colchester continues on the Joint section 1 Local Plan and a meeting has taken place between senior executives in the lead up to Uttlesford Local Plan. We have also been working with Essex County Council on Housing Infrastructure Bids (HIF) to support the development of Garden Communities and are awaiting outcomes. Essex wide work is underway on a number of evidence documents and guidance including the Essex wide Recreational Avoidance Mitigation Strategy (RAMS) study	March 2020	

Section 3: Managing the Business

Our Performance Indicators in Detail

	2019/20						Comments
Performance Indicator	Q1 Outturn	Q2 Outturn	Q3 Outturn	Q4 Outturn	Target for the Quarter	Status at the end of the Quarter	
Environment and Place							
Percentage of land that falls below cleanliness standards for litter	n/a				n/a	n/a	Recorded three times a year – July, November and March
Percentage of household waste sent for reuse, recycling and composting	52.26%				60%		The annual recycling target of 60% is a target adopted by the Essex Waste Partnership to be achieved by 2020. The tonnage of residual waste has met target this quarter and the Council continues to focus on waste minimisation and recycling initiatives throughout the year as well as actively engaging in the consultation on the Government's new Resources and Waste Strategy.
Tonnage of residual household waste not recycled	114kgs				117kgs		
Number and percentage of non-hazardous fly tips on public land cleared within 24 hours of being reported	100% (211)				100%		
Number of fuel poverty and domestic energy reduction installations carried out	Annually reported indicator					n/a	
Strategic Growth and Infrastructure							
Number of affordable homes delivered	13				13		
Number of homes granted planning permission	1,103				250		
Health and Communities							
Average waiting time for applicants on the Disabled Facilities Grant	78 days				90 days		
Achieve a 2% increase on the contract baseline in participation levels across all our sports centres	238,842				231,981		
Achieve at least a 1% increase in adults being active for 150 minutes per week	Annually reported indicator					n/a	
Finance and Performance							
Average call answer time in the Customer	14 seconds				15 seconds		

Performance Indicator	2019/20						Comments
	Q1 Outturn	Q2 Outturn	Q3 Outturn	Q4 Outturn	Target for the Quarter	Status at the end of the Quarter	
Service Centre							
Time taken to process housing benefit/council tax benefit new claims	16.25 days				20 days		
Time taken to process housing benefit claim changes	5.28 days				6 days		
Percentage of Stage 1 complaints responded to within target	94.07%				90%		
Collection rate for Council Tax	30.46%				31.06%		<i>Collection rates are slightly down in the first quarter of the year and are being monitored closely.</i>
Collection rate for Business Rates	31.13%				31.40%		<i>Collection rates are slightly down in the first quarter of the year and are being monitored closely.</i>
Percentage of invoices paid within 30 days of receipt	98.82%				99.25%		<i>Performance is slightly below target. The relevant sections have been reminded of the importance of passing invoices for payment in a timely manner.</i>

Complaints

The quarterly complaints analysis for the first quarter of 2019/20 is detailed below. This is compared with 2018/19 figures shown in brackets. The figures represent all three stages of the complaints process.

Complaint Category	Q1 2019/20	Q2 2019/20	Q3 2019/20	Q4 2019/20	TOTAL
Justified	45 (110)	(92)	(61)	(60)	(323)
Not Justified	54 (76)	(88)	(59)	(54)	(277)
Partially Justified	22 (24)	(26)	(21)	(28)	(100)
Not known	0 (0)	(1)	(0)	(0)	(1)
Total	121 (210)	(207)	(141)	(142)	(701)

Comments

The number of complaints received in the first quarter of 2019/20 is lower than previous quarters. This is due to a reduction in the number of complaints within the Operations service and the Planning service.

Around 45% of the complaints received are not justified. For the complaints that are justified, the main reasons are missed waste collections. The waste crews endeavour to return to collect the missed waste within 48 hours of being reported and the service continues to monitor issues with missed collections.

In the first quarter of 2019/20, of the 121 complaints received:

- 118 are stage one complaints
- 1 is a stage two complaint
- 2 are stage three complaints

A summary of Local Government Ombudsman (LGO) cases:

In the first quarter of 2019/20, the LGO has received two new complaints both of which the LGO have declined to investigate.

Three investigations from previous quarters are still being looked into and a final decision has been issued on a complaint submitted in the previous quarter where the LGO have decided not to go through the formal complaints process.

Our Organisation

The following is a selection of our people performance measures:

People: Indicators of Performance	Q1 19/20	Q2 19/20	Q3 19/20	Q4 19/20	Change on previous period	Yearly Target
Total headcount	480				- 1	-
Number of temporary staff	28				-	-
Total staff FTE	435.42				+ 0.38	-
Level of employee turnover	2.5%				+ 0.63%	-
Number of leavers	12				+ 3	-
Number of starters	11				- 1	-
Working days lost to sickness per employee	1.83 days				- 0.82 days	8.0 days
Percentage of staff with nil sickness	79.8%				Cumulative	-
Number of learning hours	1748				New calculation	-
Number of delegates	63				New calculation	-
Number of apprentices **	18				- 2	-

Year on Year Headcount Analysis	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
	466	478	472	470	464	466

** BDC's apprenticeship programme runs from September each year. The figures reflect level 2 and level 3 apprenticeships.

Health & Safety

The following is a selection of our health and safety performance measures. The data is for information purposes only.

Health and safety is a crucial responsibility of everyone within the organisation. This information is used to improve the management of health and safety of staff, our customers, residents and other non-employees we come into contact with. Monitoring is undertaken by the corporate health and safety committee and action plans will be put in place where necessary.

Health & Safety: Indicators of Performance	Q1	Q2	Q3	Q4	
	(2019/20 figure in brackets)				
Total number of reported accidents/ incidents, calculated from:	11 (10)	(6)	(9)	(13)	
<i>Accidents/ incidents to employees</i>	9 (6)	(6)	(9)	(11)	<i>Main injury this quarter was hand injuries</i>
<i>Accidents/ incidents to contractors</i>	1 (0)	(0)	(0)	(1)	
<i>Accidents/ incidents to non-employees</i>	1 (1)	(0)	(0)	(1)	<i>A member of public fainted in the Town Hall WC and hit her head on the toilet door</i>
Time lost in days due to employee accidents/ incidents	6 (85)	(19)	(48)	(24.5)	<i>Number of days lost are due to back injuries and hand injuries</i>
Number of reported verbal/ physical incidents to employees	1 (2)	(1)	(1)	(1)	<i>Altercation between a waste driver and car driver</i>
Number of near miss incidents	1 (1)	(1)	(0)	(1)	<i>Contents of a bin caused a small fire in the back of one of the waste vehicles which was immediately put out by the crew</i>
Number of Accidents/ incidents registered resulting in insurance/ compensation claim	1 (1)	(3)	(1)	(1)	
Number of claims settled	1 (0)	(0)	(0)	(0)	

Financial Performance

This part of the report provides an updated review of the financial position for the year up to the end of June 2019. It examines the latest forecast for spending on day-to-day service provision compared to the budget for the year. Also included is a summary of treasury management activities; projected movements on the General Fund balance; and a summary of spending to date on capital projects.

Background

Full Council approved a net budget of £14.540 million for the 2019/20 financial year. This included planned spending across all services totalling £13.247 million; corporate items amounting to £1.493 million; and an overall efficiency target to be achieved in-year of £200,000.

Financing of the budget was to be from a combination of: general government grants (£22,000); business rates (£4.965 million); and Council Tax (£9.553 million).

During the year individual budgets may be updated in accordance with the Council's Budget and Policy Framework Procedure, and against which quarterly performance is monitored.

During the quarter, virements totalling £171,680 were approved by Cabinet Member delegated decision between the Development Management and Planning Policy income budgets and staffing budgets for these service areas.

Summary Financial Position at the First Quarter (Q1)

- An overall positive variance is projected for the year of £642,000 (-4.4%) against budget.
- Across all services staffing budgets are forecast to be underspent by £191,000; and after allowing for the corporate efficiency target of £200,000, this results in a projected variance of +£9,000.
- Other expenditure is projected to be underspent by £72,000.
- Income is projected to be overachieved by £579,000.
- The projected variances will be reviewed to assess whether or not they are likely to be ongoing into future years so that necessary adjustments can be made as part of the initial planning for the Council's 2020/21 budget.

Revenue Spending

Service	Updated Budget £'000	Projected Spend £'000	Adverse (Positive) variance against budget				RAG Status
			Staffing £'000	Other Expenditure £'000	Gross Income £'000	Total £'000	
Asset Management	(2,387)	(2,406)	(6)	12	(25)	(19)	G
Community Services	362	348	2	(20)	4	(14)	G
Corporate Management	1,385	1,468	94	0	(11)	83	R
Economic Development	187	184	0	0	(3)	(3)	G
Environment & Leisure	904	824	(30)	(12)	(38)	(80)	G
Finance	1,412	936	(136)	(121)	(219)	(476)	G
Governance	1,026	1,090	34	38	(8)	64	R
Housing Services	889	835	(25)	(17)	(12)	(54)	G
Human Resources	346	337	(1)	(8)	0	(9)	G
ICT & Facilities	1,576	1,568	(8)	0	0	(8)	G
Marketing and Communications	529	506	12	(24)	(11)	(23)	G
Operations	5,736	5,683	(34)	116	(135)	(53)	G
Strategic Investment	11	11	0	0	0	0	G
Sustainable Development	1,247	1,060	(93)	19	(113)	(187)	G
Service Total	13,223	12,444	(191)	(17)	(571)	(779)	G
Corporate Financing	1,517	1,454	0	(55)	(8)	(63)	G
Efficiency target	(200)	0	200	0	0	200	
Total	14,540	13,898	9	(72)	(579)	(642)	G

RAG Status: G = favourable or nil variance, A = up to 5% adverse variance or <£50k, R = > 5%
Budget = controllable expenditure budget net of direct service income

Staffing

Staffing budgets include both directly employed staff, and bought-in/ agency staff, the latter being used where additional resources are required to meet increased service demands and/ or the need for specialist skills; to provide cover in cases of absence (e.g. vacancies, holidays, sickness, maternity etc.); or where in-house staff are assigned to work on other projects and priorities.

Further detail of the projected staffing budget variances is provided in the following table:

Service – Staffing Budgets	Updated Budget	Projected Spend	Adverse/ (Positive) variance	RAG Status
	£'000	£'000	£'000	
Asset Management	296	290	(6)	G
Community Services	374	376	2	A
Corporate Management	1,370	1,464	94	R
Economic Development	194	194	0	G
Environment & Leisure	1,623	1,593	(30)	G
Finance	2,785	2,649	(136)	G
Governance	636	670	34	A
Housing Services	966	941	(25)	G
Human Resources	308	307	(1)	G
ICT & Facilities	784	776	(8)	G
Marketing & Communications	394	406	12	A
Operations	5,686	5,652	(34)	G
Strategic Investment	564	564	0	G
Sustainable Development	1,795	1,702	(93)	G
Service Total	17,775	17,584	(191)	G
Corporate Financing	0	0	0	G
Efficiency	(200)	0	200	
Total	17,575	17,584	9	A

RAG Status: G = favourable or nil variance, A = up to 5% adverse variance or <£50k, R = > 5%

Commentary on staffing variations:

Based on information known at the end of Q1, and across all service areas there is a projected underspend on staffing budgets of £191,000.

The largest service with a projected underspend is **Finance** (-£136,000). These savings are expected to be achieved from a combination of vacant posts in Local Tax and Systems Control; along with other reductions in contracted hours and appointments being made at lower grades/ scale points. Efficiencies have also been made where staff have been able to undertake additional activities around tax collection and fraud initiatives where the budget originally assumed additional staff would be required.

Sustainable Development is showing an overall projected net underspend of £93,000. The service continues to face challenges in appointing and retaining staff within its Development Management service to meet the current demands on this service. Agency/ contracted staff are being used to maintain capacity; however, these arrangements are more costly than directly employed staff. Part of the additional cost associated with these temporary arrangements is being met from funds brought forward from the previous financial year. Changes have also been made to contracts for some directly employed staff in order to help future recruitment and retention.

Recent changes in senior management responsibilities along with the requirement for an interim director means that there is currently a net additional cost forecast for **Corporate Management** for the year of £94,000.

Governance is forecasting overspends on staffing of £34,000 due to a combination of agency staff being used to cover a vacancy and maternity leave. An unsuccessful attempt has been made to recruit a permanent Major Projects and Planning Lawyer, the recruitment of which is now not expected until January 2020.

The **Strategic Investment Team** continues to operate largely on interim staffing arrangements and with reduced capacity. Whilst this means that there is a projected underspend on salaries, this is negated by a commensurate reduction in recharges to capital projects, where such recharges are dependent on progress of individual projects and the activities being undertaken; and also to a potential housing development company, the establishment of which has yet to be confirmed.

The approved budget provided for a **Corporate Efficiency Target** which in previous years has been achieved from in-year staffing variances. The amount included in the budget for 2019/20 was £200,000, which based on this quarter's review is not yet achieved, leaving an overall projected staffing underspend of £9,000. Previous experience suggests that this position would normally improve as further staffing changes become apparent during the year.

Other Service Expenditure

In total there is a projected overspend against non-staffing expenditure budgets of £72,000. The main service areas contributing to the latest forecast are:

- **Finance** (-£121,000): The net cost of **Housing Benefits** to the Council is determined by the amount of benefit paid to claimants less an amount recovered through government subsidy. The overall amount of benefits paid has been reducing over recent years due in part to a transfer of claimants onto Universal Credits, which is administered by the Department for Works and Pensions. The amount of benefit to be paid for the current year is estimated to be around £28 million (last year payments totalled £33 million). The level of subsidy receivable can vary depending on the profile and circumstances of the payments being made, and recently this recovery rate has varied between 98.8% and 99.5%. The assumption for the current year is a subsidy rate of 99.1%. The combined effect is a reduction in net cost to the Council of £45,000. In addition, the government has been reducing the amount of grant paid towards administration costs. The budget anticipated a higher reduction than was finally made in the grant determination for 2019/20 and hence a provision of £62,000 is no longer required.
- **Operations** (+£116,000): a forecast overspend in **Waste Management** on recycling activities. From 16th May 2019, the Council joined the Materials Recycling Facility (MRF) contract procured by Suffolk County Council (SCC) on behalf of the Suffolk Waste Partnership. Under this new contract the Council pays contractors for the processing and haulage of materials, along with a contract management charge to SCC, all of which is then partially offset by income calculated from a weighted "basket price" using the mix of materials collected and applying market indices. As with the previous contractual arrangement, this means the net cost to the Council will be subject to fluctuations +/- . A review of the contract at the end of Q1, suggests that currently the net cost is higher than the budget allowed (£66.07 per tonne compared with the budget provision of £52.46 per tonne), which extrapolated to the end of the financial year would indicate an estimated overspend of £133,000. This position is likely to change as the basket price is reviewed during the year. The new contract is also linked to an expectation of future significant capital investment by the contractor in the MRF which should then result in a higher quality of recyclates, generating more income, along with other operational efficiencies. During this period of investment the Council is required to transport materials to an

alternative MRF which attracts a higher haulage fee.

- **Governance** (+£38,000): Post approval of the Budget, Full Council received the report and recommendations of the Independent Remuneration Panel at its meeting in March 2019, which led to some changes being approved to the Members' Scheme of Allowances. Furthermore, at the Council's Annual General Meeting in May 2019, changes were agreed to the arrangements for scrutiny. Consequently, there is a projected additional cost in 2019/20 of £52,000. It was recognised that in the short-term this cost would need to be met from the overall General Fund balance, with the ongoing financial implications being reflected in base budget from the 2020/21 Budget.
- **Corporate Financing** (-£55,000): includes a saving on annual Minimum Revenue Provision (MRP) of £25,000 which was provided in the budget for funding the acquisition of an investment property acquired last year. As the purchase was financed from capital receipts (as opposed to borrowing) this negated the need for MRP. Additional savings are also projected from the purchase of annual leave by staff amounting to £20,000.

External Income

A significant proportion of the Council's budget is reliant on external income. Grants and subsidies from government, alongside income from business rates are major elements, totalling around £35million.

The amount of business rates ultimately retained by the Council depends on the actual amounts collectable (taking into account changes in the Valuation List, exemptions and reliefs granted, and provisions for non-collection and rating appeals). Variances are accounted for via the Collection Fund and taken into account when determining future budgets and council tax setting. Fluctuations from those elements which have a direct impact on the General Fund revenue account, e.g. the levy payable on growth or grants received from Government to fund certain discretionary reliefs, are managed via the Business Rate Retention reserve.

As a participant in the Essex Business Rates Pool the Council is entitled to a share of the extra business rates retained "locally" which will be rebated against the 2019/20 levy. The final determination and receipt of the actual amount of the Council's share will be made after year-end returns have been collated from each of the participating authorities. At the start of the year it was anticipated that Braintree's share for 2019/20 could be around £646,000. The benefits received from being a member of the Pool have to date been held in the Business Rate Retention reserve.

Other external income for which the Council has budgeted £16.070million comes from a variety of sources that are subject to external demands and other influences, meaning these are more susceptible to variations against budget. It is currently forecast that services will over achieve against their income budgets by a net £579,000, as shown in the table below:

Service	Updated Budget £000	Joint Financing & Other Reimburs.	Sales, Fees & Charges	Rents	Other Income	Total	RAG status
		5,350	5,765	3,127	1,828	16,070	
		<i>Adverse (Positive) Variance £000 against Budget :</i>					
Asset Management	3,292	(5)	-	(13)	(7)	(25)	G
Community Services	192	-	2	-	2	4	A
Corporate Management Plan	-	(11)	-	-	-	(11)	G
Economic Development	-	-	-	-	(3)	(3)	G
Environment & Leisure	1,305	1	21	-	(60)	(38)	G
Finance	2,624	(10)	-	-	(209)	(219)	G
Governance	197	-	12	-	(20)	(8)	G
Housing	51	-	(8)	(4)	-	(12)	G
Human Resources	-	-	-	-	-	-	G
ICT & Facilities	2	-	-	-	-	-	G
Marketing & Communications	151	-	10	-	(21)	(11)	G
Operations	4,988	-	(38)	13	(110)	(135)	G
Strategic Investment	449	-	-	-	-	-	G
Sustainable Development	1,613	-	(113)	-	-	(113)	G
Service Total	14,864	(25)	(114)	(4)	(428)	(571)	G
Corporate Financing	1,206	-	-	-	(8)	(8)	G
Total	16,070	(25)	(114)	(4)	(436)	(579)	G

RAG Status: G = positive or nil variance, A = up to 5% adverse variance or <£50k, R = adverse variance greater than 5% and >£50k at Individual Business Plan level

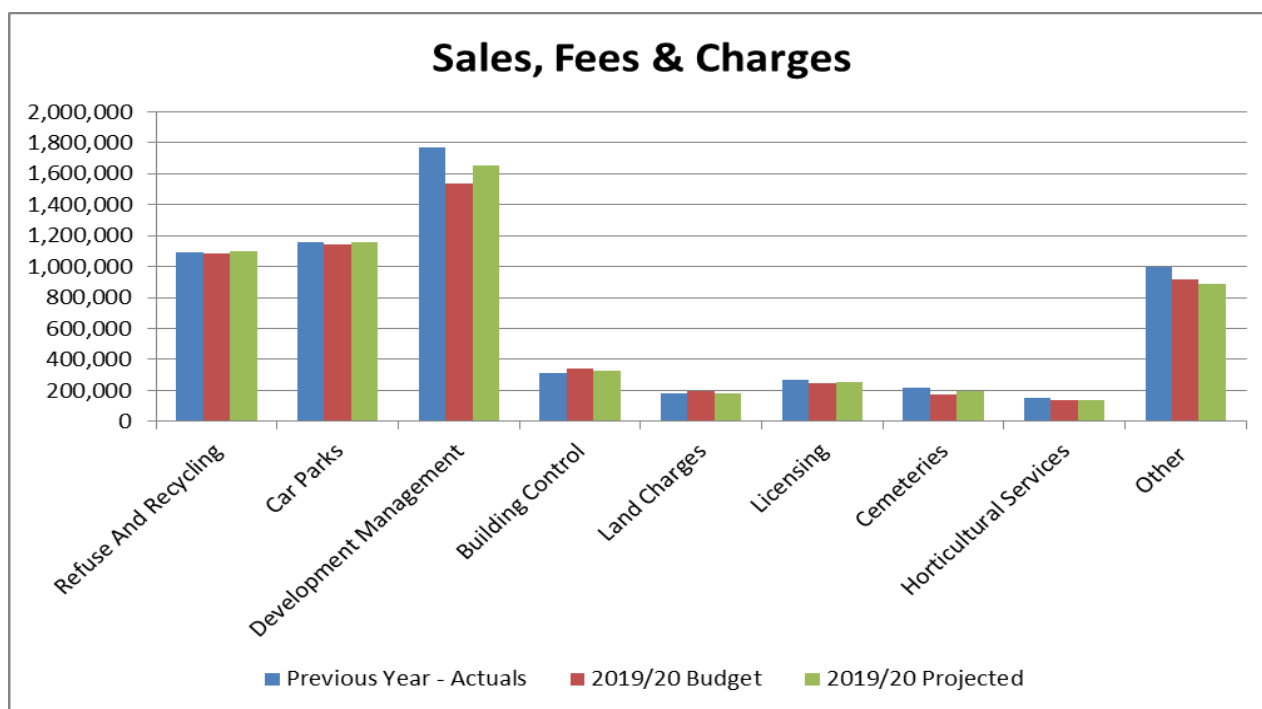
Joint Financing & Other Reimbursements

The total budget for income from joint financing and other reimbursements is £5.350million, the main sources of which are: Essex County Council contributions towards service costs (£2.441million); estimated benefit from the Essex Business Rate Pool (£646,000); Council Tax sharing and investment agreement with the major precepting bodies (£559,000); Housing Benefit (HB) overpayment recoveries and Local Tax costs recovered (£733,000); subscriptions to the Procurement Hub (£350,000); and business rate collection allowance (£193,000).

At Q1 a positive variance for the year is predicted of £25,000 across all services, including net additional income of £20,000 from HB and Local Tax recoveries.

Sales, Fees & Charges

The budget for income from sales, fees & charges is £5.765million which is projected to be over achieved by a net £114,000. The following chart shows the main income streams:



Commentary on Fees and Charges:

- Car Parks:** The current projection is for income to be broadly similar to the previous year. The original budget included a provision for potential loss of income as a consequence of the proposed Manor Street regeneration project. This provision has currently been reversed pending further clarification regarding the timescale for development (**see Other Service and Corporate Income**).
- Development Management:** The original budget provided for an increase in planning application fee income of £156,560, with a further in-year increase to budget of £128,500 taking the overall budget to £1.397million. Whilst actual income is slightly down on the previous year for the same period, it is still expected to overachieve the updated budget by £103,000 resulting in a forecast income for the year of £1.5million. Additional income is also projected from the Street Naming and Numbering service of £10,000.
- Building Control:** The service anticipates slightly higher income this year than the previous year due in part to the transfer of work in progress from another external service provider that has recently ceased trading. However, overall income is still expected to be below budget by £20,000.
- Local Land Charges:** As a result of a reduction in the number of chargeable searches being requested, the income budget was reduced by £78,000 for the 2019/20 budget. Income received in the first quarter is similar to last year for the same period, therefore, the assumption is that full year income will be similar (£183,000) which is £11,000 lower than the budget of £194,000.
- Other Income –** Includes projected income from the following services or activities: Community Transport (£90,000); the Town Hall Centre (£106,000); Commercial Property service charges (£242,000); and income received from the Leisure Management operator (£194,000). Overall income is projected lower than budget by £32,000 – the main variances being a reduction in income from the All Weather Pitch at Great Notley Country

Park due to surface replacement works (-£17,000); and advertising income (-£11,000), this latter variance being offset by recharging time of the Commercial Sales Manager role to another Essex local authority (included under Other Service and Corporate Income). Income in 2018/19 was higher due to a one-off retrospective adjustment in relation to advertising rights on council-owned bus shelters.

Rental Income

The budget for rental income from land & property is £3.127million – comprising the investment and commercial property portfolio, markets, housing properties, and other let properties. The current projected outturn for the year is a small net over achievement of £4,000.

Commentary on Rental Income:

- **Asset Management:** The investment and commercial property budget for rental income was increased by £284,000 during the 2019/20 budget process leading to an overall budget of £2.987million. This reflected the transfer back to the Council of the management of the Braintree Enterprise Centre and Corner House, along with new commercial property: the completed grow-on units at Springwood Drive; and new acquisitions at Osier House, Sible Hedingham, and premises in Silver End. At the end of June a high proportion of the portfolio was let with only 3 assets vacant. The overall projection is currently an overachievement of income of £13,000.
- **Operations – Markets:** The service projects a shortfall in income of £13,000 in line with that experienced in 2018/19. Markets continue to be promoted and incentives offered to traders in efforts to seek to reverse the decline in income.

Other Service & Corporate Income

Total budgeted Other Income is £1.828million of which £810,000 is internal recharges including staffing costs that are expected to be charged against capital projects (£627,000). Other external income is projected to be overachieved by £436,000.

Other external income includes the following streams:

- **Investment & Other Interest Income:** The budgeted amount is £1million, which is expected to be overachieved by a net £170,000. This is due mainly to higher cash balances being held – the effect of both higher/ earlier receipt of capital receipts in respect of the previous financial year, and slippage in spending against the Council's strategic investment and other capital projects.
- **Solar Panel Feed-in-Tariffs:** a projection of £96,000 (against budget of £93,000) is expected from past investment in solar panels at various Council facilities.
- **Manor Street Income Provision:** the original budget provided an allowance for the potential loss of income on car parking and Town Hall bookings as a result of the proposed works at Manor Street which would reduce the availability of facilities during development. At present the exact timing and impact is uncertain pending appointment of a contractor. Consequently, the provision has been reversed, after some allowance for a small loss of income from future Town Hall bookings, leading to an overall positive variance of £117,000. Subject to further clarification an element of this provision may still be required in the latter part of this financial year.

Other variances projected include a number of unbudgeted government grants (£67,000) where either the related activity has been met from existing staff resources, or there are currently no plans to incur any additional expenditure.

Treasury Management

The Council's treasury management activity to the end of the quarter is summarised in the table below:

Amount Invested at start of the year	Activity to the end June		Amount Invested at end of the quarter
	New Investments	Investments Sold or Matured	
£46.97m	£32.50m	£16.63m	£62.84m
Average amount invested for the period			£61.08m
Highest amount invested			£64.83m

The total amount invested in long-term pooled fund investments was £18 million spread across seven funds. The remaining investments have been in short-term instruments including call accounts and term deposits with UK and Non-UK financial institutions, deposits with other local authorities and the UK Government, and liquid Money Market Funds (MMF).

Interest and dividends earned to the end of the quarter total £285,000, which is equivalent to an annualised rate of return of 1.87%:

Investments	Average Amount Invested	Interest & Dividends Earned	Annualised Return %
Long-Term Pooled Funds	£18.00m	£194,000	4.32%
Short-Term	£43.08m	£91,000	0.85%
Total	£61.08m	£285,000	1.87%

Investment returns have been increased by the dividend income earned from long-term investments. In addition, being exposed to equities and property, the value of these funds fluctuate based on prevailing market conditions. At the end of the quarter the market valuation for all the long-term pooled funds was £19.408million, representing an unrealised gain of £1.408million on the original amounts invested.

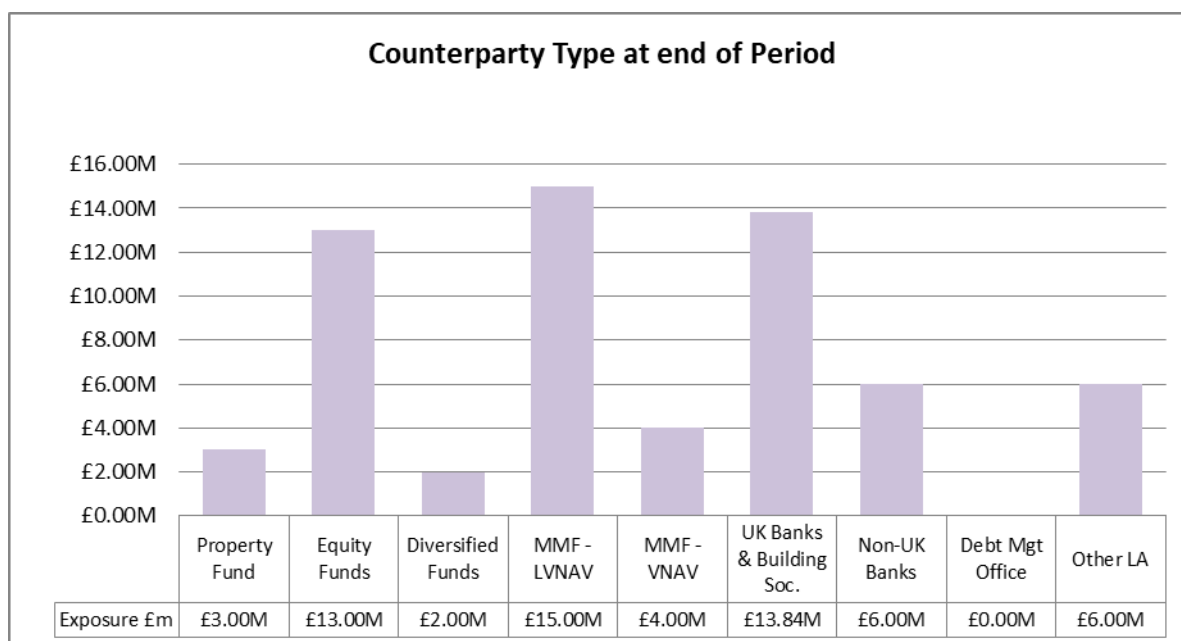
Reflecting a revised forecast of cash balances, it is currently projected that investment returns will be £172,000 higher than budget.

Market Commentary

Since the beginning of 2019 markets have rallied, and the FTSE 100 is up over 10% in pure price terms for the first 6 months of the calendar year. Nearly all of these gains were realised in the last quarter of FY 2018/19, as Q1 2019/20 has only seen a modest increase of around 2%.

UK gilt yields continued to display significant volatility over the period on the back of ongoing economic and political uncertainty in the UK and Europe. Money markets rates stabilised with 1-month, 3-month and 12-month LIBID (London Interbank Bid) rates averaged 0.60%, 0.68% and 0.92% respectively over the period.

At the end of the quarter the Council's investment portfolio comprised the following:



LVNAV = Low Volatility Net Asset Value i.e. the Fund value is expected to remain fairly constant

VNAV = Variable Net Asset Value i.e. the Fund value can fluctuate meaning that investors may receive back more or less than invested

General Fund Balances

General Fund balances are held for the following reasons:

- As a contingency against unforeseen events
- To meet short-term or non-recurrent one-off costs that are not provided in the base budget and/ or are incurred to achieve future savings and efficiencies.

Based on the projected outturn set out above, the movement on the General Fund balance is estimated to be:

	£'000
Balance at 1 April 2019	5,787
Add:	
Budgeted addition	128
Pension Fund triennial payment	1,411
Projected in-year variance	642
Less:	
One-off investment	(622)
Estimated Balance at 31 March 2020	7,346

Movements shown on the General Fund balance are in respect of:

- The budget approved by Council for 2019/20 included an anticipated addition to balances of £127,947, reflecting savings anticipated being made in advance of future years' budget shortfalls.
- In 2017/18 the Council made a one-off payment to the Essex Pension Fund covering the period April 2017 to March 2020, which was in part funded from General Fund balances. A repayment back into balances was expected in 2018/19 and 2019/20.
- The projected outturn variance for the year would mean an additional £642,000 being added to balances (subject to any future decisions regarding approvals for services to carry forward underspends for use in 2020/21).
- An allocation from General Fund balances was approved by Full Council in February 2019, to meet one-off budget requirements: £500,000 to replenish the Planning Appeals reserve; and a total of £122,000 provision for loss of income during redevelopment of Manor Street.

Risks and Assumptions

The forecasts reflect service managers' "best estimate" of the predicted outturn for the year. The previous year outturn and trends in-year have been considered; however, as always, these are subject to changing circumstances and unforeseen events. Directors and service managers continue to scrutinise all expenditure commitments in light of the planned savings set out in the Medium Term Financial Strategy. External income is inherently difficult to predict as it is substantially demand led and impacted by external factors.

Planning application fee projections are based on the best information available regarding when developers are likely to submit planning applications for growth locations within the district - this could change and income could be significantly higher or lower than projected. Projections are based on historical trends and will be influenced by both the number and type of planning applications received.

The net cost of housing benefit to the Council is ultimately subject to the total amount of payments made to claimants and the profile and circumstances of such payments, the latter effecting the extent to which costs are recovered from government subsidy. The level of subsidy has varied over recent years between 98.8% and 99.5%. A 0.1% variation +/- could result in a change in net cost of +/-£28,000 (assuming £28million of payments).

Investment income is influenced by the overall level of cash balances held, which in turn are dependent upon the progress of strategic investment and other capital projects, and the level of future capital receipts generated. Interest rates will impact on short-term investment, where a 0.25% change in rate +/- would change the amount of interest earned by +/- £105,000 per annum (based on average investment balances of £42million). Market sentiment will impact on the value of the Council's long-term pooled fund investments; whereas general economic conditions in both the UK and globally will influence the on-going dividend returns.

Payments made by the Council for processing its recycling material collected from households are subject to regular review of market indices.

The budget assumes that £627,000 of staffing costs can be recharged to capital projects. The actual amount recharged will depend on the extent to which projects progress and staff are working on activities that can properly be treated as capital under accounting rules.

There remains a high level of uncertainty about the implications of the UK leaving the European Union. Depending upon the outcome a range of activities undertaken by the Council could be affected and consequently lead to a differing outcome from position currently projected, for example:

- Income generating activities, particularly those which could be influenced by economic conditions, e.g. planning, building control, local land charges, commercial property rents, etc.
- Income and total returns from financial investments through changes in interest rates, financial markets, and market sentiment
- Regulatory services where these currently operate to EU standards e.g. Environmental Services
- Business, housing and other community support services which provide advice, guidance and direct support
- Strategic investment and general capital programme – impact on costs, income, and resources for current and pipe-line projects.

Capital Investment

Taking into account projects which were in progress and carried forward from earlier years, new projects approved as part of the Budget agreed in February 2019, and the subsequent decisions taken by Council on some major growth and infrastructure projects, the overall capital programme currently totals £44.3million. Delivery of significant projects will span a number of years, therefore, the amount expected to be spent in the current year is currently £23.427million. The following table shows how much has been spent at the end of Q1.

	Profiled Spend 2019/20 £000	Actual Spend at Quarter 1 £000	Actual Spend at Quarter 1 % of 19/20 Profile
Commercial and investment property	2,767	872	32%
Horizon 120	3,472	206	6%
Manor Steet regeneration	12,821	33	0%
Town Centre improvements	100	-	0%
Planned maintenance to Council premises	582	81	14%
Replacement vehicles and plant	142	-	0%
Information technology systems	576	24	4%
Play areas, parks and open spaces	500	1	0%
Spa Road environmental improvements	10	-	0%
John Ray Park improvement	282	-	0%
Operational equipment	248	86	35%
Sports and leisure facilities improvements	107	61	57%
Cordons Farm waste transfer station	23	-	0%
Grants to registered social landlords	13	-	0%
Grants to private home owners – disabled facilities grants	1,257	133	11%
Capital salaries	527	112	21%
Total	23,427	1,609	7%

The percentage actual spend to the end of Q1 is relatively low; however, this is affected by the inclusion in the programme of a number of commercial and investment property developments which are not expected to incur significant expenditure until the latter part of the year. Adjusting for these items the spend to Q1 is around 12% of the remaining programme which is broadly in line with previous years as the rate of capital spend tends to increase towards the latter quarters.

An assessment at the first quarter suggests that the amount of capital salaries that might be recharged from revenue to capital across the whole year could be lower than is provided for in the budget by £82,000. This projected variance also reflects in the forecast General Fund revenue position, albeit offset by related staffing underspends.

Capital resources

The original estimate was to generate £4.976million of capital resources from the sale of council-owned assets. However, one site completed earlier than expected, with the capital receipt being received in the previous financial year. A sale of land was completed in June resulting in a capital receipt of £1.317million. A further disposal which is expected to complete in the year is subject to planning.

Estimated resources to be generated in the year included £1million from preserved right-to-buy (RTB) receipts. Greenfields has reported that 5 RTB sales have been completed up to the end of Q1 generating approximately £633,000 for the Council. Greenfields have also advised that a further 30 applications are in progress. Based on the timing and likelihood of progression to completion, experience suggests an estimated total of 16 sales may complete this year generating circa £2.026million of resources. This compares to 27 sales completed last year which generated £3.756million for the Council.

VAT shelter monies due to the Council via an agreement with Greenfields were £45,000 at the end of Q1.

The Council has received £931,000 grant from the Better Care Fund, which is used to fund the Council's disabled facilities grant scheme. This is an increase of £68,000 over that originally anticipated for the year.

Medium-Term Financial Strategy 2019/20 to 2022/23		Agenda No: 6c
Portfolio	Finance and Performance Management	
Corporate Outcome:	A high performing organisation that delivers excellent and value for money services Delivering better outcomes for residents and businesses and reducing costs to taxpayers	
Report presented by:	Councillor David Bebb, Cabinet Member for Finance & Performance Management	
Report prepared by:	Trevor Wilson, Head of Finance	
Background Papers:		Public Report
Council Budget and Council Tax 2019/20 and Medium-Term Financial Strategy 2019/20 to 2022/23 report to Cabinet 11th February 2019 and Council 25th February 2019		Key Decision: No
Executive Summary:		
1. Background and Purpose		
<p>1.1 The Medium-Term Financial Strategy (MTFS) 2019/20 to 2022/23 was agreed by Council on 25th February 2019. The level of Council Tax (Band D) for 2019/20 was set at £179.73, an increase of £5.22 or 2.99%. A proportion of the revenue raised was planned to be added to balances in 2019/20. The decision to increase by the maximum permissible, under the Government's referendum threshold, was made taking account of the forecast shortfalls in resources over the medium-term and particularly the uncertainties of the Government's intention to make changes to Local Government funding, initially expected to be effective from 1st April 2020.</p> <p>1.2 The projected total shortfall over the three-year period, 2020/21 to 2022/23, was £0.709million. The projections include savings and additional income identified to be delivered over the period; increases in the level of council tax based on the previous permitted maximum of 2%; revenue and cashflow implications of the Manor Street development from 2021/22; and on the assumption that the current Local Government funding arrangements continue in the absence of any clear proposals for the 75% Business Rate Retention scheme and potential impacts of the Fair Funding and 2019 Spending Reviews.</p> <p>1.3 This report provides:</p> <ul style="list-style-type: none"> • An update on the progress of the Government's proposed 75% Business Rate Retention scheme and the Fair Funding and 2019 Spending Reviews; • an initial review of the assumptions contained in the current MTFS; 		

- the approach on developing the budget for 2020/21 and rolling the MTFS period forward to cover the period 2020/21 to 2023/24;
- approaches to addressing the financial shortfalls;
- Option, if the Government offers an opportunity, to participate in a bid by Essex authorities to operate an Essex Business Rates pooling arrangement for 2020/21; and
- the timetable to achieve the setting of the council tax and budget for 2020/21 at the meeting of the Full Council on 17th February 2020.

2. Local Government Funding

- 2.1 In October 2015, the Government announced its intention to enable local government as a sector to retain all business rates raised locally. The Government also committed itself to a full review of the needs and redistribution mechanism for local authority funding through the Fair Funding Review. In addition the Government's current spending plans for the public sector were determined by the 2015 Spending Review. The current year is the final year of these plans and therefore a new Spending Review was to be conducted in 2019.
- 2.2 **75% Business Rates Retention scheme and Fair Funding review.** Working groups established between the Ministry for Housing Communities and Local Government and the Local Government Association have been making progress in respect of both of these issues and follows the MHCLG publishing consultation documents on proposals in December 2018. Further consultations are expected as proposals are developed over the coming months.
- 2.3 **Spending Review 2019.** On 8th August 2019, the Chancellor of the Exchequer announced there will be a one-year Spending Review covering 2020/21 with a multi-year Spending Review to be held in 2020. Further detail on the one-year Spending Review will be announced in September.
- 2.4 **Local Government Financial Settlement.** The intention for 2020/21 was for a significant change in local government funding with the introduction of a 75% Business Rate Retention scheme with the levels of funding being determined by the Fair Funding Review (setting relative need for individual authorities) and the 2019 Spending Review.
- 2.4.1 It is understood that the Government would prefer to implement the new funding arrangements in a single year with all three elements having been determined. With the Spending Review now being for 2020/21 only it is anticipated that the change in funding arrangements will slip to 2021/22. It is assumed that the Financial Settlement for 2020/21 will be based on rolling forward the current year settlement. It is also assumed that the Negative Revenue Support Grant adjustment, originally proposed for 2019/20 but was subsequently withdrawn by the Government, will not be applied in 2020/21.
- 2.5 **New Homes Bonus (NHB).** The Government had indicated that consultation would be undertaken on the NHB scheme after 2019/20 and whether this is the most effective way to incentivise housing growth. At the time of writing, no consultation on proposed changes have been published.

- 2.5.1 Assuming the current scheme is extended to 2020/21 then the amount of funds this Council would expect to receive is a minimum of £569,600; in respect of the three years 2017/18 to 2019/20, plus an amount for 2020/21 which will be based on the growth in housing numbers recorded in the Council Tax system between October 2018 and 2019.
- 2.6 **Business Rates Pool 2020/21.** With the Government offering Local Government a one-year Finance Settlement for 2020/21 then it would appear that an invitation for areas to form a business rate pool may be forthcoming. If this is the case it is proposed that the Council considers participating with other Essex authorities and if appropriate submit a request for an Essex Pool to be designated for 2020/21.
- 2.7 **Council Tax Referendum principles.** The council tax increase included for planning purposes in the current MTFS for 2020/21 and following years has been set at a maximum of 2%, the pre 2016/17 limit. Since 2016/17, the Secretary of State has set the level of increases for shire districts in two-tier areas at 3% or up to and including £5.00, whichever is higher. It is anticipated that the Secretary of State will maintain the current limit for 2020/21.
- 2.7.1 If the current council tax increase limit for district councils is retained for 2020/21 and this were to be applied then this would generate additional council tax of approximately £95,000 over that provided in the current MTFS.

3. Update on Financial assumptions in the current MTFS

- 3.1 Initial work on updating the MTFS has commenced including a review of the current year's budgets in light of the 2018/19 financial outturn, review of the savings/additional income proposals to be delivered, review of other assumptions and assessment of information received which have financial consequences for the Council.
- 3.2 An assessment of the Council's financial position in the current year, conducted as at the end of the first quarter, indicates a net favourable variance of £641,500. The variance on staffing and other expenditure is an estimated underspend of £62,100 and the variance on income is an additional sum of £579,400.
- 3.3 The variations, positive and negative, are a mix of one-off affecting 2019/20 only and ongoing which are expected to continue in future years. An initial review identifies the main variations that are expected to impact on 2020/21 are as follows:
- Increased expenditure or reduced income: Members allowances £72,000; Waste Management £133,000; and Lakes Road Depot and Offices £18,000. A total of £223,000.
- Reduced expenditure or increased income: Finance staffing £40,000; Housing Benefits £127,000; Mail services £25,000; Interest and Dividends £100,000; Minimum Revenue Provision £25,000; Cemeteries £24,000; and Planning Application fees £60,000. A total of £401,000.
- 3.4 These provide a potential net positive impact on the 2020/21 Budget of £178,000. Further work will be undertaken with service managers to validate all of these and

other proposed amendments during the budget setting process. In particular, the amount of income estimated to be received in interest and dividends will be revised as plans for expenditure on capital projects are updated enabling the consequential impact on the Council's cashflow to be estimated, and also the potential increase in the cost of recyclates as the new contract, in conjunction with the Suffolk councils, has only been in operation since mid-May 2019.

- 3.5 A high level assessment of the pressures and/or events which will impact on the Council's financial position over the next four years has identified a number of emerging issues, some of which are not quantifiable at this time. The issues include:
- Triennial review of the pension fund due to set employer contribution rates and deficit payments for 2020/21 to 2022/23;
 - Essex County Council contributions;
 - Council tax Collection Fund Surplus;
 - Manor Street Development;
 - North Essex Garden Communities Limited; and
 - Provision for Planning Appeal costs.

- 3.6 The changes to the assumptions, where determinable, provide an updated financial shortfall for 2020/21 as follows:

	£'000
Shortfall as per current MTFS	539
Potential budget changes for 2020/21	(178)
Council Tax Collection Fund surplus	(126)
Revised Shortfall 2020/21	235

4. Developing the Budget and Council Tax for 2020/21 and rolling forward the MTFS for 2020/21 to 2023/24

- 4.1 The approach to address the anticipated budget shortfalls over the period of the MTFS will be the continuation of the workstreams under the Better at Business of:
- Maximising value from third party spend;
 - Increasing income including from investments;
 - Service efficiency; and
 - Contract management
- In addition, a cross-disciplinary project team has recently been created to support heads of service in reviewing their services.

5. Capital Resources

- 5.1 **New Homes Bonus.** It is currently assumed that the New Homes Bonus scheme will be extended for 2020/21. The minimum amount expected in 2020/21 is £0.57million. This would provide an unallocated balance available of £1.11million.
- 5.2 **Capital Receipts.** The estimated receipt from Greenfields Community Housing for the Council's share of the sale proceeds of former council houses is £1million for the current year. The amount generated in the first quarter of the current year is £0.633million (from 5 sales). Projecting this forward suggests that this year's total receivable could be £2.026 million from 16 sales.

6. Budget Process Timetable

6.1 Details of the budget process timetable are contained in the report.

Recommended Decision:

Members are asked to:

1. Note the 2020/21 budget process timetable as detailed in the report; and

Business Rates Retention:

2. Agree that authority is delegated to the Cabinet Member for Finance and Performance Management and the Corporate Director (Finance) to give agreement of the Council's participation in an Essex pooling arrangement for 2020/21, should the opportunity arise.

Purpose of Decision:

Good governance arrangements through the proactive management of the Council's finances over the short and medium term

Any Corporate implications in relation to the following should be explained in detail.

Financial:	<p>The funding arrangement for local authorities was expected to change from 2020/21 onwards with the Government's proposed 75% Business Rate Retention scheme. This was also to be influenced by the Fair Funding Review (used to determine local authority's relative need and in turn to set the Baseline Funding Level for the authority) and the 2019 Spending Review (sets spending plans for public sector over a 4 year period).</p> <p>With the recent announcement that the Spending Review will be for one year only it is assumed that the changes to the funding arrangements outlined above will not be implemented until 2021/22 and that the one-year financial settlement will be offered based on rolling forward the current year settlement. The figures in the current MTFS for 2020/21 therefore do not require amendment at this time.</p> <p>The potential impact of the 75% Business Rate Retention scheme is of concern as when the Baseline is re-set it is unclear as to whether the business rate growth currently retained by the Council will be redistributed, in full or part, between all authorities. The Council's estimated business rate growth above the Baseline and retained for 2019/20 is £1.4million.</p> <p>If a one-year settlement is offered then the Government may also invite groups of authorities to submit a request for a business rate pooling arrangement for 2020/21. The benefit for the Council and Essex as a whole of a Business Rate Pool is that both make it possible to retain more of the additional funds from growth in business rates.</p> <p>Whilst the initial update of the financial profile includes a number of proposed changes, which reduces the estimated shortfall in 2020/21 to £235,000, there are a number of emerging issues for which it is not currently possible to quantify the financial impact.</p>
Legal:	<p>No matters arising out of this report, however, legal implications will be considered, as necessary, for all budget saving proposals as they are prepared as part the budget setting process.</p>
Safeguarding:	<p>No matters arising out of this report.</p>
Equalities/Diversity:	<p>It has not been necessary to conduct an Equality Impact Assessment at this stage, however, equalities and/or</p>

	diversity implications will be considered, as necessary, for all budget saving proposals as they are prepared as part the budget setting process.
Customer Impact:	No matters arising out of this report, however, customer impact will be considered, as necessary, for all budget saving proposals as they are prepared as part the budget setting process.
Environment and Climate Change:	No matters arising out of this report, but environmental and climate change impact will be considered, as necessary, for all budget saving proposals as they are prepared as part the budget setting process.
Consultation/Community Engagement:	<p>Consultation to help inform and shape the priorities for the new Corporate Strategy 2020-24 was undertaken with residents and businesses between 24th June and 2nd August 2019.</p> <p>The Corporate Strategy 2020-2024 when agreed by Council will provide the focus for resource allocation over the medium-term.</p>
Risks:	<p>The assumptions made prove to be incorrect resulting in either an increase or reduction in the savings required.</p> <p>If the Government were to introduce a 75% Business Rate Retention scheme in 2020/21 then the Council anticipates losing the amount of business rates growth above the existing Baseline figure (estimated at £1.42million) and should no damping adjustment be applied to lessen the impact this would add significantly to the shortfall in 2020/21.</p> <p>The impact on the public sector as a result of the United Kingdom's withdrawal from the European Union.</p>
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1. Background

1.1 The Medium-Term Financial Strategy (MTFS) 2019/20 to 2022/23 was agreed by Council on 25th February 2019. The level of council tax (Band D) for 2019/20 was set at £179.73, an increase of £5.22 or 2.99%. A proportion of the revenue raised was planned to be added to balances in 2019/20. The decision to increase by the maximum permissible, under the Government's referendum threshold, was made taking account of the forecast shortfalls in resources over the medium-term and particularly the uncertainties of the Government's intention to make changes to Local Government funding, initially expected to be effective from 1st April 2020, and this to be set within the context of a review of Public Sector Spending during 2019 which would set spending plans for the next four years.

1.2 At the time the MTFS was agreed the anticipated position for the three-years; 2020/21 to 2022/23, was as follows:

	2020/21	2021/22	2022/23
Budget Requirement	£14,729,219	£15,158,524	£15,603,014
Budget shortfall to be addressed	£539,351	£7,285	£162,760
Council Tax at Band D	£183.24	£186.84	£190.53
Council Tax increase for financial planning purposes	1.95%	1.96%	1.97%

1.3 The projections include savings and additional income identified to be delivered over the period; increases in the level of council tax based on the previous permitted maximum of 2%; revenue and cashflow implications of the Manor Street development from 2021/22; and on the assumption that the current Local Government funding arrangements continue in the absence of any clear proposals for the 75% Business Rate Retention scheme and potential impacts of the Fair Funding and 2019 Spending Reviews.

1.4 This report provides:

- An update on the progress of the Government's proposed 75% Business Rate Retention scheme and the Fair Funding and 2019 Spending Reviews;
- an initial review of the assumptions contained in the current MTFS;
- the approach on developing the budget for 2020/21 and rolling the MTFS period forward to cover the period 2020/21 to 2023/24;
- approaches to addressing the financial shortfalls;
- Option, if the Government offers an opportunity, to participate in a bid by Essex authorities to operate an Essex Business Rates pooling arrangement for 2020/21; and
- the timetable to achieve the setting of the council tax and budget for 2020/21 at the meeting of the Full Council on 17th February 2020.

2. Local Government Funding

2.1 In October 2015, the Government announced its intention to enable local government as a sector to retain all business rates raised locally. The Government also committed itself to a full review of the needs and redistribution mechanism for local authority funding through the Fair Funding Review. In order to deliver on these commitments the Ministry for Housing Communities and Local Government (MHCLG) in conjunction with the Local Government Association established five working groups:

- Steering Group
- Responsibilities Working Group (ceased – last meeting held November 2017)
- Implementation Working Group (now incorporated with the Systems Design WG)
- Technical Working group on Needs and Redistribution, and
- Systems Design Working Group.

2.2 75% Business Rates Retention scheme

2.2.1 The Government published a consultation on Business Rates Retention Reform: Sharing risk and reward, managing volatility and setting up the reformed system in December 2018. The Council provided a response by the closing date of 21st February 2019. An initial summary of the feedback received was reported to the last meeting Steering Group, held on 9th April 2019 but MHCLG indicated it wanted to work with the sector through the Steering Group and Working Groups to discuss the proposed reforms further, before making decisions.

2.2.2 Accordingly, the Systems Design and Implementation WG continues to work on developing a proposed scheme, with the last meeting held on 20th June 2019. It is anticipated that further consultation will be published before a scheme is finalised.

2.3 Fair Funding Review

2.3.1 The Government also published a consultation on relative needs, relative resources and transitional arrangements in December 2018 to which the Council duly provided a response. An initial summary of the feedback received was reported to the last meeting of the working group, held on 25th June 2019.

2.3.2 Further consultations are anticipated before decisions are finalised on the methodology that will be used to determine individual local authorities' needs. The current proposal being considered is that the need for lower tier authorities will be determined principally by a Foundation Formula, which will be linked to population. Additional areas being considered are in respect of legacy capital finance costs and for costs associated with flood defence and coastal protection. The needs of Upper Tier authorities are proposed to be calculated by reference to additional service specific blocks, as detailed in the table below.

- 2.3.3 Both Lower and Upper Tier authorities will also receive an adjustment, where appropriate, to reflect variations in cost associated with different areas of the country.
- 2.3.4 A key feature and determinant of each authorities assessed need will be the values allocated to the Foundation Formula and each of the Service blocks. Whilst the sums allocated to the Service specific blocks will be distributed by reference to a variety of indicators and factors the Foundation Formula will be distributed to each local authority based on population numbers.

Foundation formula + Service specific blocks	
Upper Tier Authorities	Lower Tier Authorities
Foundation Formula	Foundation Formula
Adult Social Care	Legacy Capital Finance
Children & Young Persons Services	Flood Defence & Coastal Protection?
Highways Maintenance	
Fire	
Legacy Capital Finance	
Public Health	
Concessionary Travel?	
Home to School Transport?	
Area Cost Adjustment*	Area Cost Adjustment*
Notes: * to reflect regional variations in labour and rates costs plus remoteness	
? Subject to further discussion	

2.4 2019 Spending Review

- 2.4.1 The third element which will also be a determinant of the funding of local government for the next few years (normally four) is the Government's review of public spending which is programmed for 2019 and will be used to set the budget plans for each Government Department.
- 2.4.2 On 8th August 2019, the Chancellor of the Exchequer announced there will be a one-year Spending Review covering 2020/21 with a multi-year Spending Review to be held in 2020. Further detail on the one-year Spending Review will be announced in September.

2.5 Local Government Financial Settlement

- 2.5.1 The financial settlement for the current year was the final year of the four-year offer set within the budget plans established as a result of the 2015 Spending Review.

2.5.2 The intention for 2020/21 was a significant change in local government funding with the introduction of a 75% Business Rate Retention scheme with the levels of funding determined by the Fair Funding Review (setting relative need for individual authorities) and the 2019 Spending Review.

2.5.3 It is believed that the Government will want to implement the new funding arrangements in a single year with all three elements, as outlined above, having been determined. With confirmation that the Spending Review will cover just one year it is anticipated that the new funding arrangement will slip to 2021/22 and will tie in with the next multi-year Spending Review. The assumption is that the Financial Settlement for 2020/21 will be based on rolling forward the current year settlement. Consequently it is also assumed that the Negative Revenue Support Grant adjustment, originally proposed for 2019/20 but was subsequently withdrawn by the Government, will not be applied in 2020/21.

2.6 New Homes Bonus (NHB)

2.6.1 The Government had indicated in its 'Technical Consultation on the 2019/20 Local Government Finance Settlement' published in July 2018 that further consultation would be undertaken on the NHB scheme after 2019/20 and whether this is the most effective way to incentivise housing growth.

2.6.2 At the time of writing, no consultation on proposed changes to the NHB scheme have been published.

2.6.3 Assuming the current scheme is extended to 2020/21 then the amount of funds this Council would expect to receive is a minimum of £569,600; in respect of the three years 2017/18 to 2019/20, plus an amount for 2020/21 which will be based on the growth in housing numbers recorded in the Council Tax system between October 2018 and 2019.

2.7 Business Rates Pool 2020/21

2.7.1 The Council has participated in an Essex Business Rate Pool each year since 2015/16, resulting in additional resources of £2.171million from the first four years with an estimated sum of £646,000 anticipated for the current year (the actual amount will be determined after 31st March 2020).

2.7.2 Work on a proposed 75% Business Rate Retention scheme by the Systems Design and Implementation Working Group suggests that business rate pooling arrangements will not be an element of a new scheme.

2.7.3 With the Government giving Local Government a one-year Finance Settlement for 2020/21 then it would appear that an invitation for areas to form a business rate pool may be forthcoming. If this is the case it is proposed that the Council considers participating with other Essex authorities and if appropriate submit a request for an Essex Pool to be designated for 2020/21.

2.7.4 In previous years the deadline for the submission to the MHCLG of a proposal for a Pooling arrangement has been late September. Given this timescale it is proposed that authority be delegated to the Cabinet Member for Finance and

Performance Management and the Corporate Director (Finance) to determine the Council's participation in an Essex pooling arrangement for 2020/21.

2.8 Council Tax Referendum Principles

- 2.8.1 Local authorities must determine each year whether the proposed council tax increase for the forth coming year is excessive. In determining whether an increase is excessive it must have regard to a set of principles determined by the Secretary of State.
- 2.8.2 Since 2016/17, the Secretary of State has set the level of increases for shire districts in two-tier areas as 3% or up to and including £5.00, whichever is higher.
- 2.8.3 The council tax increase included for planning purposes in the current MTFS for 2020/21 and following years has been set at a maximum of 2%, the pre 2016/17 limit.
- 2.8.4 It is anticipated that the Secretary of State will maintain the current limit for 2020/21. The financial impact of this option is provided at section 4.4 below.

2.9 International Financial Reporting Standard (IFRS) 9 – Financial Instruments

- 2.9.1 IFRS9 introduced a change in the accounting treatment of certain financial assets from 1st April 2018. In particular, changes in the fair value of pooled funds and shares impact on councils' Revenue Income and Expenditure accounts. In prior years, the change in the fair value of the Council's pooled funds between financial years, positive or negative, were not brought into the Council's accounts. The reasoning was that the actual gain or loss on these investments would only be realised when they were sold.
- 2.9.2 Following representations from local authorities regarding the potential impact of applying this requirement the MHCLG agreed to issue a statutory override. The statutory override means that local authorities are not subject to the same requirements as the private sector on when to recognise the risks that they are running as a result of their investment activities.
- 2.9.3 The statutory override is time limited: requiring local authorities to reverse out fair value movements recognised on pooled investment funds to unusable reserves for a period of five years i.e. to 31st March 2023.
- 2.9.4 Unless the MHCLG agrees to extend the period of the statutory override the Council will have to account for the change in the value of the pooled funds it holds in its 2023/24 revenue account.

3 Update on Financial assumptions in the current MTFS

- 3.1 Initial work on updating the MTFS has commenced including a review of the current year's budgets in light of the 2018/19 financial outturn, review of the savings/additional income proposals to be delivered, review of other

assumptions and assessment of information received which have financial consequences for the Council.

- 3.2 An assessment of the Council's financial position in the current year, conducted as at the end of the first quarter, indicates a net favourable variance of £641,500. The variance on staffing and other expenditure is an estimated underspend of £62,100 and the variance on income is an additional sum of £579,400. A detailed analysis of the projected position can be found in the financial commentary of the Quarterly Performance report included as a separate agenda item for this meeting.
- 3.3 The variations, positive and negative, are a mix of one-off affecting 2019/20 only and ongoing which are expected to continue in future years. An initial review identifies the main variations that are expected to impact on 2020/21 are as follows:

Increased expenditure or reduced income

- Members allowances £72,000 in a full year and assuming all allowances are claimed
- Waste Management – recycles increased costs £133,000
- Lakes Road Depot and Offices – rent increase following review £18,000

Total £223,000

Reduced expenditure or increased income

- Finance staffing – vacant post to be deleted and appointments at lower point within grades £40,000
- Housing Benefits – net expenditure reduction £127,000
- Mail services – postage costs £25,000
- Treasury Management – Interest and Dividends £100,000
- Capital financing charges – Minimum Revenue Provision not required £25,000
- Cemeteries increased income £24,000
- Development Control – Planning Application fees £60,000 (takes budget to £1.44million)

Total £401,000

- 3.4 These provide a potential net positive impact on the 2020/21 Budget of £178,000. Further work will be undertaken with service managers to validate all of these and other proposed amendments during the budget setting process. In particular, the amount of income estimated to be received in interest and dividends will be revised as plans for expenditure on capital projects are updated enabling the consequential impact on the Council's cashflow to be estimated, and also the potential increase in the cost of recycles as the new contract, in conjunction with the Suffolk councils, has only been in operation since mid-May 2019.
- 3.5 A high level assessment of the pressures and/or events which will impact on the Council's financial position over the next four years has identified a number of emerging issues, some of which are not quantifiable at this time.

The issues include:

- **Pension Fund** – a triennial review of the Fund will set the Council's contribution rate and deficit payments for the three year period 2020/21 to 2022/23. The review will be based on an assessment of the Fund as at 31st March 2019 and the outcome will be released in October/November 2019.
- **Essex County Council contributions** – the Council receives in excess of £2.4million per annum in respect of Waste Collection, Community Transport and a Council Tax Sharing Arrangement. Aspects of each of these will be subject to review by ECC. The grant for the community transport service received for 2019/20 was allocated for one-year only. A one-year extension of the Council Tax Sharing Agreement between ECC; Essex Police, Fire & Crime Commissioner (Policing & Community Safety and Fire & Rescue Authority); and the Essex district councils was agreed for 2019/20 with negotiations to be held in September to agree the terms of a new agreement by November 2019.
- **Collection Fund surplus - Council Tax.** As at 31st March 2019 the Council had surpluses of £2,118,000 on council tax of which £889,000 was used in setting the 2019/20 Council Tax. This means that the balance available to support the 2020/21 Budgets of the major preceptors will be £1,229,000, of which £155,000 will be due in the first instance to this Council but assuming the Council continues to pass a proportion back to the Town and Parish Councils the net amount would be £126,000. The final determination of the amount of surplus available will be made later in the year enabling a review of the collection rate in the current year to be taken into consideration.
- **Investment Programme proposals** – income streams receivable from proposed investments are only included in the Council's Budget when a scheme has been approved by Members.
- **Manor Street Development** – a separate report on the outcome of the tender exercise is included on this agenda. Decisions affecting the finances of the project will need to be reflected in the updated MTFS.
- **North Essex Garden Communities Limited** – A request for a contribution of £350,000, from each of the four local authority shareholders, is included in a separate report on the agenda for this Cabinet meeting. It is proposed that this is funded from the Housing Development and Local Plan Growth reserve (balance of £500,000). The report also highlights that assuming the Local Plans are approved, and then adopted, additional funding in the range of £16m to £20m will be required over the next two years in order to progress detailed planning and set-up the preferred delivery vehicle.

It is noted that securitised external finance will be sought, however it is recognised that funding options may be limited until infrastructure is developed which will provide an asset that can be used to underwrite the financial risk. In a worse-case scenario, if no external funding were to be secured in the two year period to 2021/22, the four authorities would need to fund the full estimated cost of between £16m and £20m. A report in respect of funding requirements and financing options for 2020/21 and 2021/22 will be presented at a future Cabinet meeting.

- **Planning Appeal costs** – An allocation of £500,000 was set aside in 2019/20 in a reserve to meet the costs of planning appeals. Whilst it is

currently considered sufficient for this year an assessment of potential need for 2020/21 will be required.

- 3.6 The changes to the assumptions, where determinable, provide an updated financial shortfall for 2020/21 as follows:

	£'000
Shortfall as per current MTFS	539
Potential budget changes for 2020/21	(178)
Council Tax Collection Fund surplus	(126)
Revised Shortfall 2020/21	235

4. **Developing the Budget and Council Tax for 2020/21 and rolling forward the MTFS for 2020/21 to 2023/24**

- 4.1 The approach to address the anticipated budget shortfalls over the period of the MTFS will be the continuation of the workstreams under the Better at Business of:

- Maximising value from third party spend;
- Increasing income including from investments;
- Service efficiency; and
- Contract management

In addition, a cross-disciplinary project team has recently been created to support heads of service reviewing their services. The team, under the direction of the relevant head of service, will apply a structured approach designed to provide consistency to the process while reducing the resource impact to each service. The project team will identify the right tools to meet the specific challenges of each area and will work with service team members to ensure an understanding of:

- Customer expectations and how they are met
- Whether the current demand for the service is resourced appropriately, and if there are opportunities to create efficiencies in the current delivery model?
- Whether the service could be delivered collaboratively with other departments or other organisations?
- How technology could play a greater part in delivery of services? and
- Whether smarter working could be effectively used?

The information collected will then be analysed, with the project team and potential cost savings which could be achieved.

- 4.2 Whilst the main focus will be directed to the anticipated shortfall of £235,000 for 2020/21, it is expected that some of the options for cost reductions/additional income would be deliverable over the following three years for which shortfalls are anticipated but the levels are yet to be determined.
- 4.3 The annual review of discretionary fees and charges for services will be undertaken by service managers. This will be in accordance with the Council's Charging Policy: the general principle of which is that service users

should make a direct contribution to the cost of providing services at their point of use.

- 4.4 Should the Secretary of State retain the council tax increase limit for district councils, at the higher of £5 or 3%, for 2020/21 then this would create an option for additional council tax of approximately £95,000 over that provided in the current MTFS.
- 4.5 Whilst the Council has the option to use balances to help meet a funding shortfall this is not a sustainable solution over the medium-term; as the balances can only be used once. In addition monies held in balances prior to being needed form part of the Council's investment portfolio, including the pooled funds, and generate returns to support the revenue budget. However, Balances can provide an option to meet short-term funding shortfalls for example during the development phase of an investment project and prior to an income stream being received.
- 4.6 The estimated amounts of unallocated balances held are:

General Fund Balance at 1 st April 2019	£5.787m
Agreed additions to balance for 2019/20	£0.917m
Anticipated 2019/20 outturn (as per Q1 report)	£0.642m

General Fund Balance at 31 st March 2020	<u>£7.346m</u>
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Receipts from the Essex Business Rate Pool

Balance at 1 st April 2019	£2.171m
Potential share for 2019/20	£0.646m
Allocated to I-Construct project	£(1.500m)

Balance at 31 st March 2020	<u>£1.317m</u>
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5 Capital Resources

- 5.1 **New Homes Bonus.** As mentioned at section 2.5.3 above, it is currently assumed that the New Homes Bonus scheme will be extended for 2020/21 and that any proposed changes to the scheme will be effective from 2021/22.
- 5.2 The table below provides detail of the New Homes Bonus received to-date plus the minimum amount expected in 2020/21 (£0.57million) and allocations agreed to-date. This shows an unallocated balance available of £1.11million.

New Homes Bonus Summary - 2011/12 to 2020/21											
	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	Total
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Year 1 (2011/12)	509.0	509.0	509.0	509.0	509.0	509.0					3,054.2
Year 2 (2012/13)		472.6	472.6	472.6	472.6	472.6					2,363.0
Year 3 (2013/14)			606.0	606.0	606.0	606.0	606.0				3,029.8
Year 4 (2014/15)				266.9	266.9	266.9	266.9				1,067.5
Year 5 (2015/16)					247.1	247.1	247.1	247.1			988.5
Year 6 (2016/17)						680.5	680.5	680.5	680.5		2,722.1
Year 7 (2017/18)							328.7	328.7	328.7	328.7	1,314.8
Year 8 (2018/19)								16.2	16.2	16.2	48.6
Year 9 (2019/20)									224.7	224.7	449.4
Year 10 (2020/21)										?	?
Total receivable in Year	509.0	981.6	1,587.6	1,854.5	2,101.6	2,782.1	2,129.2	1,272.5	1,250.1	569.6	15,037.9
Less:											
Allocations Agreed	79.0	79.0	66.4	32.3	99.7	95.7	70.0	70.0	70.0	70.0	732.1
Economic Development & Project Delivery							144.8	144.8	144.8	144.8	579.2
Allocated to District Investment	430.0	152.6	1,521.2	1,822.2	2,001.9	2,072.1					8,000.0
Allocated for Affordable Homes		750.0									750.0
Garden Communities						250.0	250.0	100.0			600.0
Grow-on Units, Springwood							86.8				86.8
Broadband						250.0		356.0			606.0
Premdor site - feasibility								80.0			80.0
Housing Development & Local Plan									500.0		500.0
Strategic Investment Team								1,991.2			1,991.2
Resource Available	0.0	0.0	- 0.0	0.0	- 0.0	114.3	1,577.6	- 1,469.5	535.3	354.8	1,112.6

5.3 Capital Receipts. The estimated receipt from Greenfields Community Housing for the Council's share of the sale proceeds of former council houses is £1million for the current year. The amount generated in the first quarter of the current year is £0.633million (from 5 sales). This compares to 9 sales completed in the first quarter last year and projecting this forward indicates that this year's total is likely to be 16 sales with an estimated value of £2.026 million for the Council.

6 Budget process Timetable

Key dates for the proposed Budget process 2020/21 are provided in the table below:

9 th September 2019	Cabinet	Budget process and timetable for 2020/21
25 th October 2019	Strategy Workshop	Priorities, Finances and Savings
October/November	Essex Pension Fund	Outcome of Triennial Review received
27 th November 2019	Performance Management Board	Initial budget proposals (revenue and capital) - Cabinet to present - All members invited.

2 nd December 2019	Cabinet	Initial budget proposals (revenue and capital)
16 th December 2019	Council	
Mid December 2019	Government announcement	Government Settlement Funding Assessment and New Homes Bonus notification received
January 2020	Business Community	Consultation on budget proposals – article included in January edition of the Business Bulletin
29 th January 2020	Performance Management Board	Consultation on final budget proposals and updated MTFS - All members invited
10 th February 2020	Cabinet	Final budget proposals and updated MTFS
17 th February 2020	Council	2020/21 Budget and Council Tax approved

Statement of Accounts 2018/19		Agenda No: 6d
Portfolio Finance and Performance Management Corporate Outcome: A high performing organisation that delivers excellent and value for money services Report presented by: Councillor David Bebb, Cabinet Member for Finance & Performance Management Report prepared by: Trevor Wilson, Head of Finance		
Background Papers:		Public Report
Braintree District Council's Statement of Accounts 2018/19 Statement of Accounts 2018/19 Accounts and Audit (England) Regulations 2015 Corporate Governance Group agenda and minutes 25th July 2019		Key Decision: No
Executive Summary: A draft set of Statement of Accounts was signed on 25 th May 2019 by Chris Fleetham, Corporate Director as representing a "true and fair view" of the Council's financial position at the reporting date, and of its income and expenditure for the year ended 31 st March 2019. The Council's accounts are prepared in accordance with the Code of Practice on Local Authority Accounting in the United Kingdom 2018/19 (the Code) issued by the Chartered Institute of Public Finance and Accountancy (CIPFA). The Code is based on International Financial Reporting Standards (IFRS), except where these are inconsistent with specific statutory requirements. The Code constitutes a 'proper accounting practice' under the terms of Section 21(2) of the Local Government Act 2003. A key change in the Code for 2018/19 was the adoption of IFRS9 Financial Instruments. Under IFRS9 changes have been made to the categories used for the Council's financial instruments (e.g. investments), and changes in the fair value of pooled funds is now recognised in the Surplus or Deficit on the Provision of Services (as reported in the Comprehensive Income and Expenditure Statement). This change potentially meant that unrealised gains or losses on these investments would directly impact on General Fund balances; however, under new statutory regulations issued by the Ministry for Housing, Communities and Local Government (MHCLG), any such gains/ losses are deferred for up to a period of 5 years ending on 31 March 2023, or, if earlier, when shares or units are sold.		

The Council's External Auditor, BDO LLP (BDO), commenced their final audit of the accounts on Monday 3rd June 2019. The accounts were available for public inspection between 3rd June and 12th July 2019. During this period no requests to inspect the accounts or any questions for the external auditor were received.

The Statement of Accounts for 2018/19 together with the draft External Auditor's Audit Results Report were received by the Corporate Governance Group on 25th July 2019. The Corporate Governance Group approved the accounts, subject to the changes that had been agreed with the External Auditor.

The final External Auditor's Audit Results Report was issued by BDO on 31st July 2019, and included:

- An Unqualified Opinion that the financial statements give a true and fair view of the financial position of the Council as at 31st March 2019 and of its expenditure and income for the year then ended; and
- An unqualified conclusion that the Council has in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources for the year ended 31st March 2019.

The Statement of Accounts for 2018/19 were published on 31st July and can be viewed on the Council's website: [here](#)

Recommended Decision:

Members are asked to receive and note the Council's Statement of Accounts for 2018/19.

Purpose of Decision:

To formally receive the Council's Statement of Accounts for 2018/19 following the external audit and approval by the Corporate Governance Group.

Any Corporate implications in relation to the following should be explained in detail.

Financial:	No new financial implications. The provisional financial outturn for 2018/19 was reported to Cabinet at its meeting held on 8 th July 2019, as part of the Fourth Quarter and Annual Performance Report 2018-19, and this position has not changed as a result of the preparation and audit of the Statement of Accounts.
Legal:	The approval process for the Statement of Accounts is required under statutory rules set out in the Accounts and Audit Regulations. For 2018/19 the draft accounts were required to be completed by no later than 31 st May, and the audited and final approved Statement of Accounts published by 31 st July 2019.
Safeguarding:	No matters arising out of this report
Equalities/Diversity:	No matters arising out of this report
Customer Impact:	No matters arising out of this report
Environment and Climate Change:	No matters arising out of this report
Consultation/Community Engagement:	The draft Statement of Accounts was made available for public inspection over the period 3 rd June and 12 th July 2019.
Risks:	No matters arising out of this report
Officer Contact:	Trevor Wilson
Designation:	Head of Finance
Ext. No:	2801
E-mail:	trevor.wilson@braintree.gov.uk

BT Phone Service Consultation		Agenda No: 7a
Portfolio	Economic Development and Infrastructure	
Corporate Outcome:	A well connected and growing district with high quality homes and infrastructure A prosperous district that attracts business growth and provides high quality employment opportunities	
Report presented by:	Councillor Tom Cunningham, Cabinet Member for Economic Development and Infrastructure	
Report prepared by:	Alan Massow, Principal Planning Policy Officer	
Background Papers:		Public Report
BT letter - 03/07/19 OFCOM Public Call Box Removals letter - 2/05/19 OFCOM Call Box Direction OFCOM Call Box Removal Guidance		Key Decision: No
Executive Summary:		
<p>BT is proposing to remove some public phone services within Braintree District. These boxes have had notices put in them.</p> <p>Braintree District Council has a Local Authority veto which it can use to prevent the removal of a phone service. The Council has to use the veto in a reasonable fashion and OFCOM guidance provides a number of relevant factors which can be taken into consideration. This includes housing type in the area (owner occupied/social rented) which may indicate a need for a service, the number of calls made from the box, the need for emergency calls, and mobile phone coverage.</p> <p>It is proposed to veto the removal of 3 of these services for reasons set out in the report below.</p>		
Recommended Decision:		
<p>That the agreed response is submitted as set out in paragraph 3.3, subject to any further comments being received from members of the public, Parish Councils and Ward Members being assessed and a decision as to whether the Local Authority veto should be applied be taken by Emma Goodings, Head of Planning and Economic Development in consultation with the Cabinet Member for Economic Development and Infrastructure.</p>		

Purpose of Decision:

To decide if it is necessary to use a Local Authority veto to prevent the removal of a phone service.

Any Corporate implications in relation to the following should be explained in detail.

Financial:	No matters arising out of this report
Legal:	No matters arising out of this report
Safeguarding:	No matters arising out of this report
Equalities/Diversity:	EIA undertaken – no impacts identified.
Customer Impact:	Removal of phone services could impact on the public
Environment and Climate Change:	No matters arising out of this report
Consultation/Community Engagement:	Public consultation has taken place.
Risks:	No matters arising out of this report
Officer Contact:	Alan Massow
Designation:	Principal Planning Policy Officer
Ext. No:	2577
E-mail:	Alan.massow@braintree.gov.uk

1 Introduction

- 1.1 BT have written to Braintree District Council informing the Council of a 90 day consultation into the removal of phone services in parts of Braintree District. The use of public phone boxes has reduced by 90% in the last 10 years, additionally OFCOM state that 20% of phone boxes have not be used within a 12 month period.
- 1.2 BT seeks to retain services in the circumstances outline below;
- No mobile coverage (From any provider)
 - Suicide hotspot
 - Accident blackspot
 - Coastal location.
- 1.3 In addition if all of the reasonable needs criteria below are met, BT has stated that they would not propose a removal;
- The public call box in question is the only one within 800 metres
 - There are at least 500 households within 1 kilometre
 - At least 12 calls have been made from the public call box within the previous 12 months.
- 1.4 OFCOM suggest that the Local Authority consider the type of local housing around a phone box to assess how important it may be to a local community. For example a higher proportion of owner occupation suggests that people are more likely to have a mobile or landline phone. If a neighbourhood has mainly rental properties, social housing or residential care homes, it could be that there are people on low incomes who need a phone box.
- 1.5 BT's letter (appended to this report) shows a table of the affected phone services and includes the number of calls made from each box in the last 12 months.

2 Consultation Arrangements

- 2.1 BT have placed notices in each of the phone boxes subject to this consultation, in addition Officers wrote to Ward Members and Parish Councils for comment, giving a deadline of the 24th August 2019.
- 2.2 The Council has until the 1st October 2019 to respond to the consultation.
- 2.3 For the Local Authority to use its veto OFCOM guidance states that the reasoning must be supported by clear, objective and proportionate reasoning.
- 2.4 Essex County Council have stated that two locations within the District have black spot accident signage, at Sible Hedingham and at the A131 at Bulmer. One of the effected telephone services is near to the Bulmer location, and should therefore not be removed. Officers have visited the box and confirm that whilst it is a card payment box, it does have a dial tone and appears to work.

- 2.5 Officers have compared the phone box locations with the online OFCOM website for mobile phone coverage (linked below). For outside mobile phone reception, at least one mobile phone provider is available at each phone location.

<https://checker.ofcom.org.uk/mobile-coverage>

- 2.6 It should also be noted that the way emergency mobile phone calls are handled has now changed, and anyone dialling 999 will be put through regardless of what network signal is available at the time.
- 2.7 BT is offering the chance for red “heritage” phones boxes to be adopted by local communities for £1, however only one of the boxes effect appears to be of that type, and so far the parish has not notified us that it would like to adopt the box.

3 Comments Received

- 3.1 So far comments have been received concerning services at Gosfield, Bulmer, Feering, Kelvedon, Coggeshall, and at Spa Road Witham. As of writing two comments have been received from members of the public, with concerns about the removal of the service at Church Road/Park Lane Bulmer.
- 3.2 The Local Authority can either agree or veto the removal of a phone box or adopt (In the case of a “red” phone box). When no objection has been received from a Parish Council or Ward Member and if no overriding or reasonable need is identified, then it is proposed to agree to the removal of the service.
- 3.3 The following comments have been received with the proposed Council response.

1 – Jnc Queens Road PCO1 Maysent Avenue Braintree

No comments received.

The Council’s Response – The area around Maysent Avenue has a high proportion of social housing, coupled with the number of calls made from the box (48), it is therefore likely that a need exists from a phone box in this area. However, an alternative phone box is available within 800 meters at Church Street Bocking. Agree to removal.

2 – Near Swiss Bell PH PCO1 Mountbatten Road Braintree

No comments received.

The Council’s Response – Agree to removal

3 – Corner Coldnailhurst Ave PCO1 Panfield Lane Braintree

No comments received.

The Council's Response – The area around Coldnailhurst Avenue and Panfield Lane has a high proportion of social housing. However only 10 calls have been made in the last 12 months. Alternative phone provision is available within Braintree town centre which is within 800 meters. – Agree to removal.

4 – O/S NO.27 PCO1 Laurence Avenue Witham

No comments received.

The Council's Response – The area around Laurence Avenue has a high proportion of social housing, however only 8 calls have been made from the box in the last 12 months. – Agree to removal.

5 – Junc Laburnham Way PCO1 Dorothy Sayers Drive Witham

No comments received.

The Council's Response – Agree to removal.

6 – PCO PCO2 Spa Road Witham

No objection comments have been received.

The Council's Response – The area around Spa Road Witham, has a high proportion of Social Housing, and has more than 500 households within 1 km. 29 calls have been made from this phone box indicating that a local need exists. – VETO.

7 – Near Cricketers Inn PCO1 West Street Coggeshall Colchester

The phone box is located in an area with a poor mobile phone coverage. Accidents have occurred near to this location, and this is the last phone in the village.

The Council's Response – Whilst the area does have an outside phone signal, the phone box is the last one in the village, Coggeshall has over 500 households within 1 km, and more than 12 calls have been made in the last 12 months. It is therefore proposed to VETO its removal.

8 – Opp Dental Surgery PCO1 New Road Kelvedon

Kelvedon Parish Council (KPC) acknowledge the need to remove those boxes which are rarely, if ever, used (this one had 7 calls over the last 12 months), however, there is a concern that at least one should remain in service. KPC are therefore objecting to this phone box being removed.

The Council's Response – Unfortunately the box does not meet all the reasonable need criteria specified by OFCOM as less than 12 calls have been made in the last 12 months. Agree to removal.

9 – O/S Police Station PCO1 London Road Feering

Feering Parish Council have indicated that they have no comment to make.

The Council's Response – Agree to removal

10 – Nr Cock & Blackbird PCO1 Bulmer Street Bulmer

Objection due to mobile phone coverage.

The Council's Response – Whilst the Ward Member's comments are noted, OFCOM has identified an outside mobile phone signal in this area. It would therefore not be reasonable to veto the removal of this phone service – Agree to removal.

11 – Junc Church Road PCO1 Park Lane Bulmer Sudbury

Objection due to mobile phone coverage.

The Council's Response – Whilst the Ward Member's comments are noted, OFCOM identify an outside mobile phone signal in this area. A comment from a member of the public has raised concerns on road safety grounds, as well as the need for the service in an emergency due to the allotments. The service on this site is located near a signposted accident black spot at the A131 and junction with Church Road. It is therefore proposed to VETO this removal.

12 – O/S Gosfield Post Office PCO1 - The Street Gosfield Halstead

Objection to the removal of the service from Gosfield Parish Council due to box not being in operation.

The Council's Response – According to the information provided, 5 calls have been made from this box in the last 12 months no other reasonable criteria apply in this case. A site visit showed that the box had a dial tone and is therefore working, although it is impossible to determine how long this has been the case. Agree to removal.

- 3.4 The Council has until the 1st October 2019 to respond to the consultation, however to allow Parish Councils ample time to respond, it is proposed to allow Officers in consultation with the Cabinet Member for Economic Development and Infrastructure, to consider any further comments submitted by Parish Councils or Ward Members received after the meeting of Cabinet.
- 3.5 The public had until 42 days until after the notice appears in the phone box to comment. All notifications were posted by BT on the 28th June 2019 meaning that the public would have until the 9th August 2019 to comment. Any comments received will however be taken into consideration.

4 Recommendation

That the agreed response is submitted as set out in paragraph 3.3, subject to any further comments being received from members of the public, Parish Councils and Ward Members being assessed, and a decision as to whether the Local Authority veto should be applied be taken by Officers in consultation with the Cabinet Member for Economic Development and Infrastructure.

Appendix BT Consultation letter dated 03/0719 including OFCOM guidance and example site notice.



Chief Planning Officer
Braintree District Council
Causeway House
Braintree
Essex
CM7 9HB

03 July 2019

TIME SENSITIVE - 90 Day Consultation period end date: 01 October 2019

Dear Chief Planning Officer,

Further to our previous letter, we are writing to you as part of a formal consultation process regarding our current programme of intended public payphone removals. This letter formally starts our consultation with you and the local community.

There are currently 12 public payphones in your area which have been identified and proposed for removal by BT under the 90-day consultation process and details of these payphones are shown below.

To ensure that the local community are fully informed, we have placed consultation notices on the relevant payphones, and a sample notice is enclosed. We have also included the date we posted these notices on the payphones. The consultation period will close on 01 October 2019. Unless you contact us to agree otherwise, responses received after this date will not be accepted.

This consultation process gives your local communities the opportunity to adopt a traditional red 'heritage' phone box and make them an asset that local people can enjoy. It's really simple to do and it costs just £1 - <http://bt.com/adopt>

Overall use of payphones has declined by over 90 per cent in the last decade and the need to provide payphones for use in emergency situations is diminishing all the time, with at least 98 per cent of the UK having either 3G or 4G coverage. This is important because as long as there is network coverage, it's now possible to call the emergency services, even when there is no credit or no coverage from your own mobile provider.

You may also want to consider the recent Ofcom affordability report which found that most people do not view payphones as essential for most consumers in most circumstances -

http://stakeholders.ofcom.org.uk/binaries/research/affordability/affordability_report.pdf

On the 14th March 2006 the Office of Communications (Ofcom) published a statement following their 2005 review of universal service in the Telecommunications market, which includes a requirement for payphone provision to meet reasonable needs. Part of that statement amended our obligations with regard to the

British Telecommunications plc
Registered office:
61 Newgate Street
London EC1A 7AJ
Registered in England No 1800000
www.bt.com

removal of payphone service

https://www.ofcom.org.uk/data/assets/pdf_file/0021/34266/statement.pdf

As stated in Ofcom's 2005 review, it is the responsibility of the local authority to initiate its own consultation process to canvas the views of the local community. They would normally expect these consultations to involve other public organisations such as the Parish or Community councils and work within the terms of the Communications Act 2003. This means that you must be able to objectively justify your decisions.

Full guidance on the removal process can be viewed at:

<http://stakeholders.ofcom.org.uk/binaries/consultations/uso/statement/removals.pdf>

and a summary is available at:

http://stakeholders.ofcom.org.uk/binaries/consultations/uso/statement/removing_callboxes.pdf

The guidance also details the appeals process we must follow in case of unreasonable objections.

What you need to do next

Please complete and return the attached annex with your decision on each payphone.

If the decision is that the local community wish to 'adopt', please provide their contact details and we'll do the rest.

If you wish to 'object', you'll need to complete the last column with your reasons, having reviewed all of the factors set out in Annex 1 of Ofcom's guidance (see link above), and the information sent to you in our previous letter.

If the information is incomplete for any payphone in the list, then we'll assume you have no objection to its removal and also that you do not wish to adopt it.

The best way to respond to us is by email at btp.authorisation.team@bt.com. Please retain proof that the email was sent or apply a read receipt. If you would prefer to respond by post please use the following address and allow at least two days for postal delivery:

BT Payphones
pp 4th Floor Monument TE
11 – 13 Great Tower Street
London
EC3R 5AQ

You will need to obtain proof of postage from your local post office and be aware that we are unable to receive mail that requires a signature.

If you've got any questions then please get in touch with us by emailing btp.authorisation.team@bt.com.

Yours sincerely

Rick Thompson
Payphone Planning Officer

British Telecommunications plc
Registered office:
81 Newgate Street
London EC1A 7AJ
Registered in England No 1800000
www.bt.com

Please use this annex and return in this format to ensure that the telephone number of the kiosk is clearly shown.
A separate sheet can be used for further comments if required.

If you would like an electronic copy of this letter, please e mail bt.authorisation.team@bt.com

Braintree District

	Telephone Number	Address	Post Code	Number of calls in last 12 months	Posting Completed Date	Agreed Adopt/ Object	Comments/Reasons
1	01376340152	JNC QUEENS ROAD PC01 MAYSENT AVENUE BRAINTREE	CM7 5TZ	48	28/06/2019		
2	01376346877	NEAR SWISS BELL PH PC01 MOUNTBATTEN ROAD BRAINTREE	CM7 9TP	19	28/06/2019		
3	01376348494	CORNER COLDNAILHURST AVE PC01 PANFIELD LANE BRAINTREE	CM7 5RL	10	28/06/2019		
4	01376511911	O/S NO.27 PC01 LAURENCE AVENUE WITHAM	CM8 1JB	8	28/06/2019		
5	01376512329	JUNC LABURNHAM WAY PC01 DOROTHY SAYERS DRIVE WITHAM	CM8 2LX	0	28/06/2019		
6	01376517482	PCO PC02 SPA ROAD WITHAM	CM8 1NA	29	28/06/2019		
7	01376561332	NEAR CRICKETERS INN PC01 WEST STREET COGGESHALL COLCHESTER	CO6 1NL	31	28/06/2019		
8	01376570402	OPP DENTAL SURGERY PC01 NEW ROAD KELVEDON COLCHESTER	CO5 9JN	7	28/06/2019		
9	01376573089	O/S POLICE STATION PC01 LONDON ROAD FEERING COLCHESTER	CO5 9EA	5	28/06/2019		
10	01787377535	NR COCK & BLACKBIRD PC01 BULMER STREET BULMER SUDBURY	CO10 7EW	0	28/06/2019		



2 May 2019

Jane Rumble

Director Consumer Policy

publiccallboxes@ofcom.org.uk

Dear Sir/Madam,

Public call box removals

BT is currently engaged in a round of public call box removals and may be contacting you to seek your views, in accordance with regulatory obligations imposed by Ofcom. This letter gives more information about your role as a relevant local authority under those obligations and some factors you may wish to consider in your response.

Under Universal Service obligations set by Ofcom, BT must provide public call boxes in order to meet the reasonable needs of end-users in terms of geographical coverage, the number of public call boxes and the quality of call box services.

A public call box is a public pay telephone which is permanently installed on public land and to which the public has access at all times. This definition excludes many public pay telephones in locations such as stations.

If BT proposes to remove the last public call box at a site, it must notify the relevant local authority, and it cannot remove the box if the local authority objects in writing within 90 days (the 'local veto'). A site is defined as any area within a walking distance of 400 metres from that public call box. This means that a box could be nearer than 400 metres away as the crow flies, but not easily accessible because of an obstacle such as a railway line.

The process for removal of such public call boxes is set out in a Direction and Guidance published by Ofcom. We are writing to draw your attention to the Direction and Guidance and to respond to some questions that have been raised with us.

Direction: <http://stakeholders.ofcom.org.uk/binaries/consultations/uso/statement/callboxdirection.pdf>
Guidance: <http://stakeholders.ofcom.org.uk/binaries/consultations/uso/statement/removals.pdf>

Why does BT seek to remove some public call boxes?

Public call box use has been in heavy decline, and 20% of public call boxes have not been used to make a call in the last twelve months. Mobile take-up and coverage are both high - 94% of adults personally use a mobile phone and 98% of premises have 3G/4G coverage. Mobile 'roaming' for emergency calls has been in place since 2009, meaning that where a caller has no signal from their provider, a 999 call will be switched automatically to another provider's network if there is one available.

BT uses its own published criteria (www.bt.com/payphones/removals) when considering which public call boxes to remove. These are intended to ensure that boxes are retained either where they are actively used or where there is a social need for their retention.

BT's 'overriding criteria' for payphone retention are:

- No mobile coverage (from any provider);
- Suicide hotspot;
- Accident blackspot;
- Coastal location.

Its 'reasonable needs' criteria are:

- The public call box in question is the only one within 800 metres;
- There are at least 500 households within 1 kilometre;
- At least 12 calls have been made from the public call box within the previous 12 months.

If a public call box meets any of the overriding criteria or all the reasonable needs criteria, BT has stated that it will not be proposed for removal.

Can a local authority veto the removal of a public call box because it is a local landmark or on 'heritage' grounds?

Ofcom's Guidance sets out matters that local authorities should take into account when making a decision to consent or object to BT's proposal to remove the last box from a site. In particular, at Annex 1 it sets out factors which Ofcom considers relevant to the decision. The Guidance explains that local authorities should refer to these factors and publish the reasons for their decision. BT could challenge a veto that it considers to be inappropriate in the Competition Appeal Tribunal.

BT's Universal Service Obligation applies to the telephone, not the kiosk. It would therefore be inappropriate for a local authority to object to removal of a public call box because it is a local landmark or on 'heritage' grounds. However, BT has a scheme (www.bt.com/adopt) whereby kiosks can be 'adopted' by bodies such as parish councils for £1. The telephone equipment is removed, and the kiosk can then be used for another purpose such as a community book exchange.

Can a local authority veto all public call box removals in its area?

Each public call box should be considered separately. Any local authority objection to removal of a public call box should be supported by clear, objective and proportionate reasons, related to the provision of the communications service at the box in question.

Can Ofcom give us more information about the public call boxes in our area?

Ofcom does not hold details of the locations of public call boxes or individual boxes that BT may be proposing for removal. BT will be able to give you information about the boxes in your area.

Yours faithfully,



Jane Rumble

Notice date:



PUBLIC NOTICE

Payphone kiosk removal

Hello.

Our information shows that this phone box has had very little use over a significant period of time.

We're therefore proposing to remove this phone box. There is a consultation period of 42 days from the above date.

Please contact your Local Authority if you have any comments.

If you'd like to know where the nearest alternative payphone is, or who your local authority is please contact us on:

0800 661 610 option 1

This number is only able to provide alternative payphone details and the name of your local authority.

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Registered in England No. 1800000

Arrangements for Climate Change Working Group		Agenda No: 8a
Portfolio	Environment and Place	
Corporate Outcome:	A sustainable environment and a great place to live, work and play	
Report presented by:	Councillor Mrs W Schmitt, Cabinet Member for Environment and Place	
Report prepared by:	Cherie Root, Corporate Director	
Background Papers:	Public Report	
Minute of Council 22nd July 2019	Key Decision: No	
Executive Summary:		
<p>At the Council meeting on 22nd July 2019, Braintree District Council declared a Climate Emergency and agreed to establish a Climate Change working group to develop an action plan to ensure, all Council activities are as far as practical carbon neutral by 2030.</p> <p>The working group is expected to produce an action plan for the Council's consideration within 12 months, this plan should set out the proposed actions required and an implementation plan. It is anticipated that once the plan is adopted this will be linked to an ongoing process of monitoring and refinement to ensure the target is met.</p> <p>The purpose of this report is to determine the arrangements for this group along with high level terms of reference.</p>		
Membership		
<p>It is recommended that this Group be formed of Elected Members and representatives of the business community, key partners, academic experts and community groups with interest and experience in this area.</p> <p>Councillor Mrs Wendy Schmitt to Chair the Group plus up to 3 other District Councillors, of which 1 to be from the Green/Independent Group.</p> <p>Up to 8 members of the business community, key partners and community groups</p> <p>Non-Elected Members will be appointed to the Group and in the interests of expediency, it is recommended that this appointment and selection process be delegated to the Cabinet Member for Environment and Place in conjunction with the Corporate Director. The appointments will be undertaken to ensure a strong mix of expertise and knowledge, this will assist the Council in challenging its existing approach and enabling knowledge transfer.</p>		

There should be up to 12 members of the group and it will be supported by the Corporate Director, Head of Environment, Climate Change Manager, Marketing and Communications Manager and the Head of Governance.

Terms of Reference

1. To support the development of the next Climate Change Strategy for the District
2. To support the development of a plan to make Braintree District Council's activities as far as practical carbon neutral by 2030
3. To report back to Council by September 2020

Arrangements

It is anticipated that this Group will meet at least every eight weeks and that the first meeting will take place during October 2019. Progress reports will be made through the Cabinet Member's report to Council throughout the 12 month period

Recommended Decision:

1. To agree the elected membership and proposed size and make up of Climate Change Working Group
2. To agree Terms of Reference of Climate Change Working Group
3. To delegate authority for appointment of non-elected members of the Climate Change Working group to the Cabinet Member for Environment and Place, in conjunction with Corporate Director

Purpose of Decision:

To agree a Group to take forward the Climate Change Strategy and respond to the declaration of a Climate Emergency by Braintree District Council.

Any Corporate implications in relation to the following should be explained in detail.	
Financial:	This Group does not have an initial budget, however it is expected that there will be financial impacts resulting from recommendations made by this Group. These are unknown at this time The implications will be managed in accordance with the Council's usual processes for managing financial commitments.
Legal:	During the working life of the Group there may be a number of legislative developments and current legislation that will require due consideration in relation to the environment and climate change as well as any legal impacts of recommendations made by the Group. These will be considered on a case by case basis.
Safeguarding:	No safeguarding issues have been identified at this time.
Equalities/Diversity:	Recommendations arising from this group will be subject to an equalities impact assessment. This report however sets out an initial enabling framework which does not have any direct implications for any protected characteristics. The appointment of external appointees will be undertaken on merit reflecting the Council's equality commitments and the need to consider protected characteristics.
Customer Impact:	It is expected that any recommendations that the Group make will be subject to a customer impact assessment to assess the impacts of proposals and to understand the merits of alternative strategies.
Environment and Climate Change:	The purpose of this Group is to make recommendations to support Braintree District Council to make its activities carbon neutral by 2030 as well as developing a climate change strategy for the District.
Consultation/Community Engagement:	<p>The Working Group will have community representation, and there will also be consultation undertaken on key recommendations and the climate change strategy.</p> <p>Whilst the Group is focused on reducing the impact of the Council's activities in respect of carbon emissions, it is recognised that this may change or influence the way services are delivered. Community engagement is essential to the success of the strategy and it will therefore be important to involve the community in its development.</p>
Risks:	<p>There is a risk that the Council does not achieve sufficient engagement from group members or the community. This will be mitigated by a strong communications and engagement plan.</p> <p>Risks will be considered as part of the strategy development and for key recommendations.</p>
Officer Contact:	Cherie Root
Designation:	Corporate Director
Ext. No:	2050
E-mail:	Cherie.root@braintree.gov.uk

Hatfield Peverel Neighbourhood Plan (2019)		Agenda No: 9a
Portfolio	Planning	
Corporate Outcome:	A sustainable environment and a great place to live, work and play A well connected and growing district with high quality homes and infrastructure A prosperous district that attracts business growth and provides high quality employment opportunities	
Report presented by:	Councillor Mrs Gabrielle Spray, Cabinet Member for Planning	
Report prepared by:	Alan Massow, Principal Planning Policy Officer	
Background Papers:		Public Report
Hatfield Peverel Neighbourhood Plan Hatfield Peverel Neighbourhood Plan – Examiners Report Braintree District Local Plan Review (2005) Core Strategy (2011) Localism Act (2011) The Planning and Compulsory Purchase Act (2004)		Key Decision: Yes
Executive Summary:		
Hatfield Peverel Parish Council have been working to produce a Neighbourhood Plan. The Neighbourhood Plan, once agreed, can be used in the determination of planning applications within the Hatfield Peverel Neighbourhood Plan area. The Plan has been subject to several rounds of public consultation and an independent examination. The Examiner's report has been received by Braintree District Council, which outlines a number of changes to the Plan, in order for it to meet what is known as the "Basic Conditions". It is now necessary for the Council to decide to accept the Examiner's recommendations and agree to the Plan going to a local referendum.		
Recommended Decision:		
<ol style="list-style-type: none"> 1. To agree the modifications made to the draft Plan under paragraph 12(6) of Schedule 4B of the Town and County Planning Act 1990 in response to the Examiner's recommendations/modifications (Appendix 1). 2. To agree that a referendum on the Hatfield Peverel Neighbourhood Plan take place. 		

Purpose of Decision:

To enable the Hatfield Peverel neighbourhood plan to progress to a local referendum.

Any Corporate implications in relation to the following should be explained in detail.

Financial:	Additional funding can be claimed from a central Government pot once the referendum date has been set. This funding is expected to cover the costs of the examination and referendum in full.
Legal:	The Neighbourhood Plan process has to be done in accordance with relevant Regulations.
Safeguarding:	No matters arising out of this report.
Equalities/Diversity:	A basic EIA has been undertaken and is appended to this report. No impacts have been identified.
Customer Impact:	Planning applications will be determined in accordance with the Hatfield Peverel Neighbourhood Plan as well as the Braintree District Local Plan Review (2005) and Core Strategy (2011).
Environment and Climate Change:	The Hatfield Peverel Neighbourhood Plan has been subject to Strategic Environmental Assessment (SEA) and Habitats Regulation Assessment (HRA).
Consultation/Community Engagement:	The Hatfield Peverel Neighbourhood Plan has been subject to public consultation, and will have to be agreed at referendum before coming into force.
Risks:	The Hatfield Peverel Neighbourhood Plan is legally challenged.
Officer Contact:	Alan Massow
Designation:	Principal Planning Policy Officer
Ext. No:	2577
E-mail:	Alan.massow@braintree.gov.uk

1 Introduction

- 1.1 In 2015 Hatfield Peverel Parish Council applied for a Neighbourhood Plan area covering their parish. This was to enable the Parish to produce a Neighbourhood Plan. A neighbourhood Plan is a document, which once adopted, becomes part of the Development Plan for the parish, and is used in the determination of planning applications, alongside the District wide Planning Policies. The regulatory framework for undertaking a neighbourhood plan is set out in the Neighbourhood Planning Regulations (2012) as amended (The Regulations).
- 1.2 The Neighbourhood Plan group is set up by the Parish, and is responsible for developing the neighbourhood plan and undertaking its initial round of formal consultation, known as a Regulation 14 consultation. The Group take comments received at this stage and modify their draft plan if they wish to do so, before submitting it to the Local Planning Authority (Braintree District Council) under Regulation 15. The Local Planning Authority is responsible for the remainder of the Neighbourhood Plan process and has to undertake formal consultation under Regulation 16, appoint an Examiner (in consultation with the parish), and once an Examiner's report is received, carry out the process for adopting the Neighbourhood Plan which includes holding a referendum.
- 1.3 The Examiner's initial findings identified an issue with the evidence submitted in respect of its Strategic Environmental Assessment (SEA). This meant that additional work and consultation had to be carried out. A further issue arose due to a European Court case¹, which again required further work. It was not until the Government amended the Neighbourhood Plan Regulations in December 2018, that the Plan could proceed with examination.

2 Hatfield Peverel Independent Examiners Report

- 2.1 The purpose of the examination is to determine whether or not the Plan submitted meets a set of basic conditions specified under Schedule 4B of the Town and Country Planning Act 1990, and other relevant statutory provisions.
- 2.2 The basic conditions are:
 - a. Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or Neighbourhood Plan)
 - b. Having special regard to the desirability preserving any listed buildings or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order. This applies only to Orders.
 - c. Having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. This applies only to Orders.
 - d. The making of the Order (Or Neighbourhood Plan) contributes to the achievement of sustainable development.

¹ People over Wind & Sweetman v Coillte Teoranta

- e. The making of the Order (or Neighbourhood Plan) in in general conformity with the strategic policies contained in the development plan for the area of the Authority (or any part of that area).
- f. The making of the Order (or Neighbourhood Plan) does not breach, and is otherwise compatible with, EU obligations.
- g. Prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (Or Neighbourhood Plan).

2.3 Please note that basic condition b and c do not apply to Neighbourhood Plans.

2.4 The examination into the Neighbourhood Plan was undertaken as a written representations examination. The Examiner submitted a draft Examiner's report to the District Council, the Parish Council and Neighbourhood plan Group providing for an opportunity for factual checking on 9th July 2019. Following this the final Examiner's report was issued on 23rd July 2019.

2.5 The main findings of the Examiner's report were that;

"From my examination of the Hatfield Peverel Neighbourhood Development Plan (the Plan/HPNP19) and its supporting documentation including the representations made, I have concluded that subject to the policy modifications set out in this report, the Plan meets the Basic Conditions.

I have also concluded that:

- *The Plan has been prepared and submitted for examination by a qualifying body – the Hatfield Peverel Parish Council;*
- *The Plan has been prepared for an area properly designated – the parish of Hatfield Peverel as marked on the map on page 5 of the Plan;*
- *The Plan specifies the period to which it is to take effect – 2015 to 2033; and*
- *The policies relate to the development and use of land for a designated neighbourhood area.*

I recommend that the Plan, once modified, proceeds to Referendum on the basis that it has met all the relevant legal requirements.

I have considered whether the referendum area should extend beyond the designated area to which the Plan relates and have concluded that it should not."

2.6 As such the Examiner is satisfied that the Neighbourhood Plan complies with the basic conditions, and subject to modifications, can proceed to referendum.

3 Braintree District Council Response to Examiner's modifications

3.1 The proposed modifications and explanation for it, are contained within the Examiner's report as Appendix 1.

3.2 The main changes are the deletion of Policies:

- HO3 – Affordable Housing
- HO6 - Allocation of the former Arla site
- HPE1 – Prevention of Coalescence
- HPE8 - Heritage

3.3 Other changes have been proposed regarding wording changes and are set out in the Examiner's report. The reasoning for the removal of these Policies is set out in the Examiner's report, and are considered necessary for the Plan to meet the necessary basic conditions.

3.4 Having discussed the changes with the Neighbourhood Plan Group, Officers agreed that the modifications proposed are necessary for the Plan to meet the basic conditions.

3.5 Whilst there is scope for a Local Authority to propose alternative modifications, it would be necessary for the Local Authority to carry out further consultation and potentially a further examination. This would significantly delay the referendum of the Plan and its adoption as part of the Development Plan document for the District.

4 Decision Statement

4.1 The decision statement sets out the Council's response to the Examiner's report, and its decision as to whether the plan should proceed to referendum. If so it sets out the question to be asked at the referendum. Please note that the referendum question and date are subject to confirmation. A copy of the draft decision statement is included at Appendix 3

5 Next Steps

5.1 If agreed, the decision statement will be published and a referendum will be organised to determine whether the Council should "make" the Neighbourhood Plan, so that it becomes part of the Development Plan for Braintree District, and used in the determination of planning applications within the Hatfield Peverel Neighbourhood Area.

5.2 Only those living within the area covered by the Neighbourhood Plan, are able to vote. The results of the referendum will be reported to Full Council and if the plan has the support of more than 50% of those voting in the referendum then Council will need to approve the plan to be included as part of the Development Plan for Braintree District. This means the plan is use in the determination of planning applications within the neighbourhood area of Hatfield Peverel.

6 Recommendation

6.1 To agree the modifications made to the draft plan under paragraph 12(6) of Schedule 4B of the Town and County Planning Act 1990 in response to the Examiner's recommendations/modifications (Appendix 1).

- 6.2 To agree that a referendum on the Hatfield Peverel Neighbourhood Plan take place.

Appendices

Appendix 1 Examiners Report on Hatfield Peverel Neighbourhood Development Plan 2015 – 2033 – dated 23rd July 2019

Attached 2 Hatfield Peverel Neighbourhood Plan 2015-2033 (Regulation 18 – Post submission version – February 2019) Examination Amendments (2019)

At date of publication a consolidated version of the Hatfield Peverel Neighbourhood Development plan is awaiting finalisation

Appendix 3 Draft Hatfield Peverel Neighbourhood Plan Decision Statement (Regulation 18(2))



Report on Hatfield Peverel Neighbourhood Development Plan 2015 - 2033

An Examination undertaken for Braintree District Council with the support of the Hatfield Peverel Parish Council on the February 2019 Post Submission Further Changes version of the Plan.

Independent Examiner: Mary O'Rourke BA(Hons) DipTP MRTPI

Date of Report: 23 July 2019

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Main Findings - Executive Summary

From my examination of the Hatfield Peverel Neighbourhood Development Plan (the Plan / HPNP19) and its supporting documentation including the representations made, I have concluded that subject to the policy modifications set out in this report, the Plan meets the Basic Conditions.

I have also concluded that:

- The Plan has been prepared and submitted for examination by a qualifying body – the Hatfield Peverel Parish Council;
- The Plan has been prepared for an area properly designated – the parish of Hatfield Peverel as marked on the map on page 5 of the Plan;
- The Plan specifies the period to which it is to take effect – 2015 to 2033; and
- The policies relate to the development and use of land for a designated neighbourhood area.

I recommend that the Plan, once modified, proceeds to Referendum on the basis that it has met all the relevant legal requirements.

I have considered whether the referendum area should extend beyond the designated area to which the Plan relates and have concluded that it should not.

1. Introduction and Background

Hatfield Peverel Neighbourhood Plan 2015 - 2033

- 1.1 The parish of Hatfield Peverel is in mid Essex, being some 7 miles from Chelmsford to the west, 2 miles from Witham to the east, and just over 4 miles from Maldon on the coast to the south east. It is unevenly bisected by the dual carriageway of the A12 and the railway line, which run through its northern part from north east to south west. The main part of the large village of Hatfield Peverel lies to the south of the A12 with the smaller village of Nounsley approximately three quarters of a mile to its south. The remainder of the parish comprises attractive gently undulating agricultural land crisscrossed by narrow lanes and interspersed with small copses and woods. The River Ter runs through the parish joining the River Chelmer in the south.
- 1.2 With significant development having taken place during the last century, Hatfield Peverel has developed into a largely dormitory village with its residents commuting to London and other local towns to work. In 2011, the parish had a resident population of 4,375 people in 1,815 households.

- 1.3 Work on the preparation of a neighbourhood plan for the parish began late in 2014 with an application submitted in January 2015 for designation as a neighbourhood plan area. This was approved by Braintree District Council (BDC) on 30 March 2015 and the Hatfield Peverel Parish Council (HPPC) established a steering group, made up of residents and Parish Councillors, which met throughout the Plan making process. The Consultation Statement, which accompanied the March 2017 submission version¹ of the Hatfield Peverel Neighbourhood Development Plan (HPNDP), details the stages in the Plan preparation and the results of consultations with residents, businesses and other stakeholders.
- 1.4 Following formal consultation on the submitted Plan in the summer of 2017 and my appointment to examine the Plan, I identified issues regarding the Strategic Environmental Assessment (SEA) work that had been undertaken². In addition, I had concerns regarding the Habitats Regulation Assessment (HRA) provided as Hatfield Peverel is within what is identified as the 'zone of influence' of European nature conservation sites on the Essex coast and where there is the potential for new residential development, proposed in the Plan, to have likely significant effects. Further work was commissioned on behalf of the Parish Council and at my request, a further consultation was carried out in May and June 2018 on what were described by the District Council as Focused Changes to the Plan, resulting from work on the HRA and SEA³.
- 1.5 In June 2018⁴, I drew the local planning authority and qualifying body's attention to the recent judgement of the Court of Justice of the European Union (CJEU) in the case of *People over Wind & Sweetman v Coillte Teoranta* (Case C-323/17)⁵, the implication of which was that competent authorities cannot take account of any integrated or additional or reduction measures when considering at HRA screening stage whether a plan is likely to have a significant effect on a European site. In the light of that judgement, I asked whether the BDC considered that the HPNDP HRA screening report (December 2017) was legally compliant and if not, what further work would be required to rectify this. I consider that judgement and the responses of BDC and of Natural England (NE), the Government's adviser on nature conservation matters, in more detail below.
- 1.6 In December 2018, an amendment was made by Government to the relevant Regulations⁶ such that neighbourhood plans could progress through examination if they had been identified as having likely significant

¹ Submitted under Regulation 15 of the 2012 Regulations.

² IPe letter dated 5 September 2017 reference 01/MOR/HPNP.

³ Consultation by Braintree District Council.

⁴ IPe letter dated 15 June 2018 reference 05/MOR/HPNP.

⁵ View at:

<http://curia.europa.eu/juris/document/document.jsf?jsessionid=9ea7d2dc30ddf571da66f02d449d9f60cc9f39bf8846.e34KaxiLc3qMb40Rch0SaxyNch10?text=&docid=200970&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=628325>

⁶ Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.

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effects. In the light of that change, the grant of permission for the Arla Dairy site, allocated in the HPNDP, and advice from NE, BDC determined to rescreen the Plan for HRA and SEA. These are both new assessments, replacing previous work. In February and March 2019, further public consultation was undertaken on the January 2019 SEA and HRA Screening Report and on the February 2019 HPNP19 Post Submission Further Changes, along with an amended Basic Conditions statement and an Explanatory Note. It is that Plan which is the subject of my examination and of this report. For the avoidance of doubt, I refer to it throughout this report as the HPNP19.

The Independent Examiner

- 1.7 As the Plan has now reached the examination stage, I have been appointed as the examiner of the HPNP19 by BDC, with the agreement of HPPC.
- 1.8 I am a chartered town planner and former government Planning Inspector, with some 40 years of experience in the public and private sector, more recently determining major planning appeals and examining development plans and national infrastructure projects. I have previous experience of examining neighbourhood plans. I am an independent examiner, and do not have an interest in any of the land that may be affected by the draft Plan.

The Scope of the Examination

- 1.9 As the independent examiner I am required to produce this report and recommend either:
- (a) that the neighbourhood plan is submitted to a referendum without changes; or
 - (b) that modifications are made and that the modified neighbourhood plan is submitted to a referendum; or
 - (c) that the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.
- 1.10 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) ('the 1990 Act'). The examiner must consider:
- Whether the Plan meets the Basic Conditions;
 - Whether the Plan complies with provisions under s.38A and s.38B of the Planning and Compulsory Purchase Act 2004 (as amended) ('the 2004 Act'). These are:

- it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the local planning authority;
- it sets out policies in relation to the development and use of land;
- it specifies the period during which it has effect;
- it does not include provisions and policies for 'excluded development';
- it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area;
- whether the referendum boundary should be extended beyond the designated area, should the Plan proceed to referendum; and
- Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 ('the 2012 Regulations').

1.11 I have considered only matters that fall within Paragraph 8(1) of Schedule 4B to the 1990 Act, with one exception. That is the requirement that the Plan is compatible with the Human Rights Convention.

The Basic Conditions

1.12 The 'Basic Conditions' are set out in Paragraph 8(2) of Schedule 4B to the 1990 Act. In order to meet the Basic Conditions, the neighbourhood plan must:

- Have regard to national policies and advice contained in guidance issued by the Secretary of State;
- Contribute to the achievement of sustainable development;
- Be in general conformity with the strategic policies of the development plan for the area;
- Be compatible with and not breach European Union (EU) obligations; and
- Meet prescribed conditions and comply with prescribed matters.

1.13 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the making of the Plan does

not breach the requirement of Chapter 8 Part 6 of the Conservation of Habitats and Species Regulations 2017 (the 2017 Regulations)⁷.

2. Approach to the Examination

Planning Policy Context

- 2.1 The Development Plan for this part of BDC, not including documents relating to excluded minerals and waste development, is the Braintree District Core Strategy 2011 (with a plan period of 2011-2026) (CS) and the saved policies of the Braintree District Local Plan Review 2005 (LPR). The Site Allocations and Development Management Plan (SADMP) was progressed in line with the Core Strategy but was withdrawn prior to submission for examination. Whilst the Strategic Environmental Assessment: Screening Report January 2019 refers to its policies as being robust and should be given appropriate weight in development management decision making, the SADMP is not part of the formal Development Plan for the Neighbourhood Plan Area.
- 2.2 The District Council is preparing a new Local Plan (LP) to cover the period to 2033. The Publication Draft Local Plan has two sections. Section 1, produced following work by BDC, Colchester Borough Council and Tendring District Council on strategic cross-boundary issues in North Essex, is shared by the three authorities within their own Local Plans and includes policies on infrastructure, housing numbers and proposals for three new garden communities. Section 2 contains District level policies. Both sections were submitted by BDC for examination in October 2017. Having completed hearing sessions, the joint examination of the Section 1 Local Plan has been paused, to allow more work and evidence required by the Inspector to be completed.
- 2.3 In accord with advice in the Government's Planning Practice Guidance⁸, the Parish Council and BDC have discussed and agreed the relationship between policies in the emerging Neighbourhood Plan and the adopted and emerging Development Plans. The Basic Conditions statement, updated in February 2019, includes assessment of the HPNP19 policies against policies in both the adopted and emerging Plans.
- 2.4 The planning policy for England is set out principally in the National Planning Policy Framework (NPPF). The NPPF of July 2018, and subsequent revision in February 2019, replaced the first NPPF published in March 2012. Annex 1 of the 2018 (and subsequent 2019) Framework deals with implementation and paragraph 214 advises that '*the policies in*

⁷ This revised Basic Condition came into force during the course of the examination on 28 December 2018 through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.

⁸ PPG Reference ID: 41-009-20160211.

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the previous Framework will apply for the purposes of examining plans, where those plans are submitted on or before 24 January 2019’. In this case, the Plan was submitted to the local planning authority in accordance with Regulation 15 of the 2012 Regulations in March 2017 and thus the policies in the first NPPF of 2012 apply to this examination. The Planning Practice Guidance (PPG) offers guidance on how this policy should be implemented.

Submitted Documents

2.5 I have considered all policy, guidance and other reference documents I consider relevant to the examination. As I explain in paragraph 1.6 above, my examination is into the latest iteration of the Neighbourhood Plan, which is the Post Submission Further Changes of February 2019 (HPNP19). However, I have also had regard to the following:

- (i) Those documents originally submitted which comprise:
 - the draft Hatfield Peverel Neighbourhood Plan 2015 - 2033, [February 2017];
 - The Map on page 5 of the Plan which identifies the area to which the proposed Neighbourhood Development Plan relates;
 - the Consultation Statement, [February 2017];
 - the Basic Conditions Statement, [February 2017];
 - all the representations that were made in accordance with the Regulation 16 consultation in June and July 2017; and
 - the Strategic Environmental Assessment Screening Report dated June 2016 prepared by Place Services for Braintree District Council.
- (ii) The documents submitted that relate to the Focused Changes consultation of May 2018. These include:
 - The Focused Changes and proposed wording amendments to the Plan’s policies F11, HO1 and HO6;
 - All the representations that were made in accordance with the Focused Changes consultation in May and June 2018; and
 - The SEA Screening Report [February 2018], the SEA Environmental Report [March 2018] and the Habitat Regulations Assessment Screening Report [December 2017].
- (iii) The documents submitted that relate to the consultation in February and March 2019 on the Post Submission Further Changes. These include:
 - The HPNP Post Submission Further Changes [February 2019], the HPNP19;
 - The Map on page 5 of that document that identifies the area to which the proposed Neighbourhood Development Plan relates;
 - The Basic Conditions Statement [February 2019];
 - All the representations that were made in accordance with the consultation in February and March 2019 on the Post Submission Further Changes [February 2019]; and

- The SEA and HRA Screening Report [January 2019].

2.6 In addition, I have considered the responses from HPPC and BDC to my letters and questions, which include advice to BDC from Natural England⁹.

Site Visit

2.7 I made an unaccompanied site visit to Hatfield Peverel and the surrounding areas on 5 June 2019 to familiarise myself with them, and to visit relevant sites and areas referenced in the Plan and evidential documents.

Written Representations with or without Public Hearing

2.8 This examination has been dealt with by way of written representations. Whilst there is no right to be heard, I have noted the requests made by various parties, in the three consultations carried out, to speak at an examination hearing, if any were to be held. However, I considered hearing sessions to be unnecessary as the consultation responses clearly articulated the objections to the Plan, and presented arguments for and against the Plan's suitability to proceed to a referendum.

Modifications

2.9 Where necessary, I have recommended modifications to the Plan (**PMS**) in this report in order that it meets the Basic Conditions and other legal requirements. For ease of reference, I have listed these modifications separately in the Appendix.

3. Procedural Compliance and Human Rights

Qualifying Body and Neighbourhood Plan Area

- 3.1 The Plan has been prepared and submitted for examination by HPPC which is a qualifying body for an area designated by BDC on 30 March 2015.
- 3.2 It is the only Neighbourhood Plan for the parish, and does not relate to land outside the designated Neighbourhood Plan Area.

⁹ View at:

https://www.braintree.gov.uk/info/200230/planning_policy/458/neighbourhood_planning/5

Plan Period

- 3.3 The Plan specifies clearly the period to which it is to take effect, which is from 2015 to 2033.

Neighbourhood Plan Preparation and Consultation

- 3.4 The Consultation Statement (February 2017) provides details of the public engagement that took place in the evolution of the Plan. The Parish Council agreed to begin the Plan making process in the autumn of 2014, with an executive committee formed to lead the process and agreed an engagement strategy. Following designation of the parish as a neighbourhood plan area in March 2015, a steering group of residents and Parish Councillors was formed. Timelines and milestones in the evolution of the Plan are set out in the Plan and in the Consultation Statement. A range of methods was used to engage with the community and with businesses and stakeholders during the Plan preparation period. These include holding early in 2015 a series of interactive workshops with local residents and their children as well as manned displays at various local events. The Steering Group maintained an ongoing presence on the Parish Council's website as well as on social media (Facebook, Twitter and Streetlife) and sent out regular email updates to groups who had indicated they wanted to be kept informed. This was in addition to updates in the local Hatfield Peverel Review, the distribution of posters and flyers, attendance at key local events, public meetings and surveys of residents and businesses.
- 3.5 An initial public meeting was held in March 2015, attended by 40 people, whilst specific workshops and visits to local community groups involved another 300 people. These events, including a village quiz and photo competitions, helped raised awareness of the Plan and identified key issues. Meetings of the Steering Group were also well attended. The Consultation Statement lists activities and events held nearly every week through 2015 to engage with the local community. The Housing Needs Survey carried out in February 2015 elicited 427 completed surveys (a 23% response) whilst more than a quarter of local residents responded to the residents' survey in October 2015 (517 surveys). As well as residents, village clubs and organisations, local businesses, landowners, and agents and developers, who had responded to BDC's call for sites in relation to the new LP, were kept informed about the Plan. Of the 74 local businesses with addresses identified, 17% responded to the business survey undertaken in October 2015. Key issues raised included concerns about the location, scale and type of new housing, coalescence with other settlements, design, protecting green spaces and open vistas, traffic and parking, improving connectivity, enhancing community facilities and retaining local businesses and services.
- 3.6 Formal Regulation 14 consultation on the draft Plan was held between 15 August and 30 September 2016. Local residents were made aware of this through an article in the local newsletter, posters and banners, posts on

social media, as well as by email. The Plan was made available on the Parish Council website, with hard copies distributed to the library, dentist, community association and church hall. For 2 days during the consultation period, volunteers manned a display at the Strutt Memorial Ground. In addition, an electronic copy of the draft Plan was sent to all contacts on the Plan email account, including all statutory and non-statutory consultees. Some 95 responses were received from local residents with a further 20 from statutory consultees, developers and agents. The Consultation Statement summarises the responses received in a table on pages 16 to 21 and sets out how the responses were taken into account, where appropriate, in amending the Plan, including reducing it in length, making the policies more prominent, and improving the evidence base for the policy on important views.

- 3.7 I am satisfied that engagement and consultation with the wider community and interested parties was robust through the Plan making process up to the Regulation 15 submission; that they were kept fully informed of what was being proposed, were able to make their views known, had opportunities to be actively involved in shaping the emerging Neighbourhood Plan, and would have been aware of how their views had informed the draft Plan. In that respect, therefore, I conclude that a transparent, fair and inclusive consultation process was followed, having due regard to the advice in the PPG on plan preparation and in procedural compliance with the legal requirements.

Further Consultations

- 3.8 However, in addition to the minor amendments noted above, it appears that, between the summer of 2016 and spring 2017, it was decided to include an allocation in the Neighbourhood Plan for the redevelopment of the former Arla site, and a new policy HO6 was included in the Regulation 15 submitted Neighbourhood Plan. The submitted Plan was subject to a further 6-week consultation from 5 June to 17 July 2017 under Regulation 16, when 29 parties submitted representations on the Plan.
- 3.9 These representations included those of Natural England (NE) who advised that *'the submission of the Hatfield Peverel Neighbourhood Development Plan is deferred. Alternatively, further information should be provided regarding a Habitats Regulations Assessment of the Neighbourhood Plan'*. NE particularly noted the proximity of the Blackwater Estuary Special Protection Area (SPA) and Ramsar site and the Essex Estuaries Special Area of Conservation (SAC) to Hatfield Peverel and that if the Plan sought to allocate land for development (at less than 7.5km from the SPA/SAC), the Plan should be subject to HRA screening, to determine whether there was the likelihood of significant effects alone or in-combination with other plans or projects. Given that the Appropriate Assessment Report on the draft LP had already determined that potential in-combination effects could not be ruled out; that the Neighbourhood Plan was coming forward in advance of the LP; and that no specific mitigation was identified in the

Neighbourhood Plan nor any mechanism for delivery, NE advised that '*a conclusion of no likely significant effect cannot be reached*'.

- 3.10 As set out in paragraph 1.4 above, at my request further work was carried out on the SEA and the preparation of the HRA Screening Report (December 2017). This concluded that the Plan '*is predicted to have likely significant effects on any European site, either alone or in combination with other plans and projects*', and recommended the inclusion of additional policy text in the Plan, that the SEA be redone, the 3 statutory consultees be consulted¹⁰, and then a new round of consultation (on the Plan) should be carried out.
- 3.11 Consultation on what were described as Focused Changes to the Plan was carried out between 10 May and 21 June 2018. The documents available for consultation included the schedule of the 3 proposed modifications to the Neighbourhood Plan, the SEA Screening Report (February 2018), the SEA Environmental Report (March 2018) and the HRA Screening Report (December 2017). Nine responses were received, including particular criticism as to the form of the consultation, the lack of explanation as to why it was taking place and on what documents, and the absence of a full and final version of the Plan, which was said would put the Plan at a very serious risk of legal challenge¹¹. I see no merit in my commenting on these particular representations given the need that then emerged to look again at the HRA Screening in the light of the *People over Wind* judgement, the subsequent amendment to the Regulations¹², and the further consultation this year on the HPNP19.
- 3.12 Further consultation was carried out between 11 February and 25 March 2019 on Hatfield Peverel Neighbourhood Development Plan Post Submission Further Changes (February 2019, HPNP19) which included all the further changes to policies in the Plan denoted in red ink and underlined. An explanatory note was also published which set out the background to the Further Changes along with a new Basic Conditions Statement (February 2019) and an up to date SEA: Screening Report (January 2019). Fourteen representors made comments on the HPNP19.
- 3.13 The progress of this Plan has been bumpy and taken time. Additional work on SEA and HRA has been needed and account has had to be taken of the European court judgement and consequential changes to regulations¹³. The Plan, now with its further changes, has been the subject of formal consultations in 2017, 2018 and 2019. I have taken account of all the representations made on the Plan in the writing of this report. Having regard to the advice in the PPG on plan preparation and

¹⁰ These are Natural England, the Environment Agency and Historic England. Regulation 4 of The Environmental Assessment of Plans and Programmes Regulations 2004 (as amended).

¹¹ Representations made on behalf of Gladman Developments Ltd and David Wilson Homes Eastern Counties.

¹² See paragraph 1.4 above.

¹³ See footnote 7 above.

the requirements of the Regulations, I conclude that taken overall the consultation process followed for this Neighbourhood Plan has been transparent, fair and inclusive and as such is procedurally compliant with the legal requirements.

Development and Use of Land

- 3.14 The Plan sets out policies in relation to the development and use of land in accordance with section 38A of the 2004 Act.

Excluded Development

- 3.15 The Plan does not include provisions and policies for 'excluded development'.

Human Rights

- 3.16 The Basic Conditions Statement at page 17 states that the policies in the Plan are considered to comply with the requirements of European Union obligations in relation to human rights¹⁴, which I take to mean the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and the UK Human Rights Act 1998, including equality implications. BDC has not alleged that the Plan breaches Human Rights (within the meaning of the Human Rights Act 1998). I have considered this matter independently and I have found no reason to disagree with that position.

4. Compliance with the Basic Conditions

EU Obligations

- 4.1 The draft Plan was initially screened for Strategic Environmental Assessment by BDC¹⁵ in June 2016. This is a legal requirement¹⁶ and accords with the submission requirements under Regulation 15(e)(1) of the 2012 Regulations. On the basis of there being no site allocations in the Plan, it concluded that it was unnecessary to undertake SEA¹⁷. As the submitted Plan did in fact include a site allocation, a second SEA: Screening Report was prepared in February 2018 which concluded that SEA was needed and a SEA: Scoping and Environmental Report (March

¹⁴ It is an international human rights treaty between member states of the Council of Europe rather than the European Union.

¹⁵ All the SEA Screening and Environmental Reports have been carried out for BDC by Place Services, Essex County Council.

¹⁶ European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.

¹⁷ SEA Screening Report June 2016.

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2018) and an Addendum (April 2018) were produced. As circumstances changed, more particularly with revisions proposed to the Plan in the light of comments from NE and the subsequent grant of planning permission for the site subject of the policy HO6 allocation, the revised draft Plan was rescreened for SEA in January 2019. It concluded that the HPNP19 could be screened out for its requirement for SEA due to the change in the planning status of the Plan's single site allocation and revised policy wording in the Plan. NE¹⁸ has agreed with that assessment. Having read the SEA Screening Reports and considered the matter independently, I agree with that conclusion.

- 4.2 There are nine European sites (SPA/SAC/Ramsar) which lie within 22km of Hatfield Peverel. Hatfield Peverel is some 4 miles north west of Maldon on the River Blackwater and the Blackwater Estuary is a SPA, a Ramsar site and Sites of Special Scientific Interest (SSSI). Hatfield Peverel is within the zones of influence of 11 Habitat sites, but NE has only listed the Blackwater Estuary SPA/Ramsar/SSSI and the Dengie SPA/Ramsar/SSSI as '*in scope*' for residential development in Hatfield Peverel¹⁹.
- 4.3 The HPNP19 has been screened for HRA by BDC²⁰. The assessment of potential impacts advises that Hatfield Peverel lies within the zones of influence of the Blackwater Estuary SPA and Ramsar and the Dengie SPA and Ramsar; that visitors may travel to these habitat sites for recreation; and, in the absence of mitigation, there are potential in-combination effects from increased recreational pressure from the effects of the LP. However, it explains that BDC is contributing to the emerging Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS), and developer contributions to fund visitor management measures, in line with the emerging RAMS, will be required for any residential development which is allowed under the HPNP19 and considered by project level appropriate assessment (AA).
- 4.4 The Screening Report notes that a project level HRA has been prepared and mitigation secured for the Arla site (policy HO6), as part of the planning application which has now been permitted, which NE has already agreed is sufficient to avoid any likely significant effect, and that this would be the same if an AA was subsequently prepared. No policies are assessed as having likely adverse effects on the integrity of habitat sites, either alone or in-combination with other plans and projects. Thus, the report concludes that '*the requirement for the Plan to undertake further assessment under the Habitats Regulations 2017 is therefore **screened***

¹⁸ Email dated 7.2.19 from Tom Broges, Sustainable Development Adviser, NE, to Alan Massow BDC.

¹⁹ SEA and HRA: Screening Report – January 2019.

²⁰ The HRA Screening Report is contained within the SEA: Screening Report January 2019 prepared by Place Services, Essex County Council, for Braintree District Council.

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out when the Regulations allow this process to be undertaken'. However, representations²¹ have been made that in view of the *People Over Wind* judgement, this conclusion is unlawful, that the HPNP19, as presently drafted, is unlawful and that it should be subject to Appropriate Assessment as policies HO1 and HO6 risk giving rise to significant adverse effects on European sites. In response to my request for BDC's view on this submission, BDC has advised that it *'does not change the view of the competent authority that an appropriate assessment is not required as no likely significant effects have been identified'*²².

- 4.5 Having considered the updated report, NE agreed with its conclusions of no likely significant effect: *'This advice is given on the basis that the only housing allocation in the NP already has planning permission, which includes mitigation agreed with NE prior to the Sweetman II ruling'*,²³ and therefore this impact has already been mitigated ahead of the Plan. BDC, as the competent authority, having considered the SEA/HRA Screening Report, and responses received from the environmental bodies, agrees that no HRA is required for the HPNP19²⁴. On the basis of the information provided (which includes the grant of permission for the Arla site) and my independent consideration, I agree that HRA is not necessary.

Main Issues

- 4.6 Having regard for the HPNP19, the consultation responses and other evidence, and the site visit, I consider that there are two main issues relating to the Basic Conditions for this examination. These are:
- Whether the Plan's policies for the economy, for facilities and infrastructure and for housing provide an appropriate framework to shape and direct sustainable development, having regard to national policy and guidance, and are in general conformity with the strategic policies of the Core Strategy; and
 - Whether the Plan appropriately provides for the protection and enhancement of the environment, having regard to national policy and guidance and the need to be consistent with the local planning of sustainable development.

²¹ Representations made by Gladman Developments Ltd with Legal Opinion of Thea Osmund-Smith.

²² Email from BDC to IPe dated 25 June 2019 (11.33am).

²³ Email dated 7 February 2019 from Tom Broges, Sustainable Development Advisor, NE to Alan Massow, BDC.

²⁴ BDC's Letter to the examiner dated 8.5.19.

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Introduction

- 4.7 The Foreword and Introduction to the Plan give a brief explanation of the role of neighbourhood plans and the plan making process before setting out the local planning context and key issues raised in community engagement. The Vision is for Hatfield Peverel in 2033 to be a place where people are happy to live and where sustainability underpins decisions. The rural character and heritage of the village will be maintained, avoiding coalescence with surrounding settlements. Any new developments will be integrated into the landscape and existing development and finding creative and collaborative solutions to the challenge of the village's position in the area's road network will be a high priority. Eight objectives are identified which are then used to derive key issues and policies under 4 main headings – Economy, Environment, Facilities and Infrastructure, and Housing. Appendix 2 is a Community Action Plan, described as arising from non-planning issues identified during the engagement phase of the Plan's preparation. It is clear that these are aspirations of the Parish Council and sit outside of the statutory Plan.
- 4.8 The Plan is laid out in landscape format. The chapters are not numbered nor is there any paragraph numbering which I have found makes it an awkward document to navigate and to refer to. Indeed, I note that BDC's Consultation Portal did in fact assign numbers to the Plan's paragraphs, figures, photos and maps, to assist those seeking to make representations. To improve the Plan's readability and usability, I strongly urge that consideration is given to numbering the Plan's chapters and paragraphs, albeit I recognise it goes beyond my remit to recommend a modification in this respect.
- 4.9 There are 24 policies that fall to be considered against the Basic Conditions. When made, the HPNP19 will form part of the statutory Development Plan and the PPG advises that neighbourhood plan policy should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence, and should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared²⁵. Policies should relate to the development or use of land. With this in mind, I now turn, in the following paragraphs, to address each of my two main issues.

Issue 1: The Economy, Facilities and Infrastructure and Housing

- 4.10 The NPPF sets out core planning principles that underpin both planning making and decision taking. These include that planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and

²⁵ PPG Reference ID: 41-041-20140306.

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thriving local places that the country needs. The CS identifies Hatfield Peverel as a key service village and its Vision for the District in 2026 is that *'the key service villages will have provided local housing, jobs and services, with regeneration taking place on identified sites'*. Its spatial strategy is to preserve and enhance the character of the rural heartland and to concentrate the majority of new development and services in the main towns and key service villages where facilities and services already exist. The CS includes strategic policies on housing, the economy, transport and the environment.

- 4.11 Braintree District is identified in the emerging LP as one of the fastest growing areas in the country over the past decade²⁶. The spatial strategy in the emerging LP Section 1 is for future growth to contribute to maintaining and enhancing a well-connected network of sustainable settlements across North Essex. In Braintree District, growth is to be mainly addressed via a mixture of urban extensions and new communities. Braintree town, as the largest service centre in the District, will have a number of new urban extensions. The other main focus for development is the A12 corridor with the main town of Witham and service villages of Hatfield Peverel, Kelvedon and Feering with allocations of over 2,000 new homes²⁷. In setting out the spatial strategy, policy SP2 states that *'future growth will be planned to ensure settlements maintain their distinctive character and role. Re-use of previously-developed land within settlements is an important objective, although this will be assessed within the broader context of sustainable development principles, particularly to ensure that development locations are accessible by a choice of means of travel.'*
- 4.12 Hatfield Peverel continues to be identified in Section 2 of the emerging LP as a key service village, defined as *'large villages who serve a wider rural hinterland. The ability to meet day to day needs is normally possible in a Key Service Village through the availability of early years and primary schools, primary health care facilities, convenience shopping facilities, local employment opportunities and links by public transport and road to the larger towns. Development may be considered sustainable within a Key Service Village, subject to the specific constraints and opportunities of that village'*²⁸.

The Economy

- 4.13 Outside of the 3 main towns in the District, the CS aims to maintain and support services, community facilities and appropriate employment in rural communities to meet their local needs. Hatfield Peverel as a key service village has a range of services and facilities used by its residents and those living in the surrounding rural area. These include local businesses such as vehicle repairs, retailing, hairdressing, restaurants and

²⁶ Emerging Local Plan Section 2 paragraph 3.3.

²⁷ Emerging Local Plan Section 1 paragraph 3.3.

²⁸ Emerging Local Plan Section 2 paragraph 5.6.

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estate agents. It is an objective of the Plan to build a strong economic and social centre for Hatfield Peverel, and for the smaller village of Nounsley, *'to provide sustainability'*. Key issues identified in the Plan include providing a range of employment opportunities, supporting and encouraging local business activity and growth, retaining commercial and business premises, increasing opportunities for home working, and improving broadband connectivity.

- 4.14 Policy ECN1 in supporting local business, accords with Government policy in the NPPF, in particular paragraphs 21 and 28, and generally conforms with CS policy CS4 which requires employment sites in current or recent use in sustainable locations to be retained for employment purposes (and complements policies SP4, LLP2, LLP8 and LLP10 in the emerging LP). Whilst the defined business uses included a number of uses that fall within different Use Classes²⁹, it is clear how the policy is intended to be applied. It is subject to various criteria and those relating to residential amenity, traffic and parking, historic features, and waste, are reasonable to ensure an appropriate standard of development.
- 4.15 However, I am not satisfied on the evidence that there is any reason to limit the policy to only those cases where *'the business employs no more than 20 people on site'*. It may be that a majority of locally based businesses employ less than that number, but that does not justify imposing an upper limit on proposals for new or expanding businesses that could curtail their growth, contrary to paragraph 16 of the NPPF which requires that neighbourhoods should plan positively to support local development. I am therefore recommending modifications to policy ENC1 to delete the first bullet point and also the last which is a repeat. Subject to those modifications (**PM1**), I find that the policy has regard to national policy and is in general conformity with strategic policy in the CS, and thus would meet the Basic Conditions.
- 4.16 The Plan notes that increasingly people are working from home and that by reducing commuting and increasing the use made of local facilities, it can boost local economies and contribute towards the achievement of sustainable development. Policy ECN2 seeks to encourage home working by requiring new or redesigned dwellings to provide accommodation for a home office, and for new larger housing schemes to make provision for accessible work hubs. This is in accord with paragraph 38 of the NPPF which describes larger housing schemes as promoting a mix of uses *'including work on site'*. I am satisfied that with the inclusion of the words *'where appropriate'*, there is sufficient flexibility in the policy to allow for situations where there might not be evidence of local demand to justify a work hub or where its provision would unreasonably impact on the viability of the scheme.
- 4.17 The final paragraph on page 16 states that *'where not viable'*, developer contributions towards work hub provision should be considered in line with

²⁹ Use Classes Order 1987 (as amended).

policy FI5. I comment below on policy FI5. My concern here is that planning obligations should only be sought where they meet the statutory tests³⁰ which are also set out in the NPPF at paragraph 204 which are: necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. As drafted, this paragraph reads as though it were some kind of '*wish list*' of desirable features whether or not, in the particular circumstances of an individual development, they would meet these tests. As I am not satisfied that the final paragraph of the justification for policy ECN2, has regard to national policy, I am recommending its deletion (**PM2**).

- 4.18 Policy ECN3 supports the development of new superfast broadband and mobile phone infrastructure to serve the parish. Improving infrastructure can make a significant difference to those living and working in villages and rural areas and was raised as an issue in consultations on the Plan. The NPPF refers at paragraph 42 to advanced high-quality communications infrastructure being essential for sustainable economic activity and also playing a vital role in enhancing the provision of local community facilities and services. Policies SP5 and LLP49 in the emerging LP both refer to helping more people to work from home by improving broadband infrastructure. The roll-out of superfast broadband across North Essex to secure the earliest availability for universal broadband coverage and fastest connection speeds for all existing and new developments (residential and non-residential), is a strategic priority for BDC³¹.
- 4.19 However, I have concerns that policy ECN3, as drafted, requires developers to demonstrate how their proposal will contribute to, and be compatible with, superfast broadband and high-quality internet connectivity, when the availability and speed of broadband is not within their control. Clearly, in accord with emerging policy SP5, house builders can ensure that all new properties allow for the provision for superfast broadband in order to allow connection to the network as and when it is made available. But to require the production of a connectivity statement that considers '*the anticipated connectivity requirements, their speed, and known data networks*' and includes '*a realistic assessment of connection potential or need to contribute to any such networks*' is unduly onerous and unreasonable. I am therefore modifying the second paragraph of policy ECN3 to delete the requirement to produce a connectivity statement and changing 'must' in the first line to 'should'. The second sentence of the last paragraph is unnecessary (**PM3**).
- 4.20 To secure a key issue of the Plan to retain properties in commercial use and to increase the range of facilities and services available, policy ECN4 seeks to protect commercial premises from changes of use from employment or community activity unless it can be demonstrated that the

³⁰ Regulation 102 Community Infrastructure Levy Regulations 2010.

³¹ Emerging Local Plan Section 1 policy SP5.

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use is no longer viable and appropriate marketing has been carried out for a period of at least 6 months, or there is no longer a need for the facility or a suitable convenient replacement has been found. It reinforces policies in the adopted and emerging Development Plans that seek to retain existing employment and retail services and facilities, in particular the 2005 Review policies RLP128 and RLP151 and CS policies CS4 and CS6.

- 4.21 By identifying the 3 main commercial areas of Hatfield Peverel where growth and diversity of economic activity will be encouraged, policy ECN4 is locally distinctive and supports Hatfield Peverel's role as a key service village. However, in the absence of any local justification for removing permitted development rights from new commercial premises, I am deleting that part of the policy (**PM4**) as it fails to have regard to national policy on the use of planning conditions *'which should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects'*. Subject to that modification being made, policy ECN4 would contribute towards the achievement of sustainable development, having regard to national policy and advice and in general conformity with the strategic policies in the Development Plan.
- 4.22 Policy ECN5 deals with the public realm and seeks to address concerns raised in consultations that first impressions of the village were poor and there needed to be a more co-ordinated approach to the way proposals were assessed that would encourage a *'more cared-for street environment'*, improving the shopping experience and fostering community identity. The policy refers to guidance in the Essex Design Guide and to the Hatfield Peverel and Nounsley Character Assessment, produced in 2016, and sets out those elements of the streetscape considered to be important and relevant to the policy. In that the policy reinforces the principles of high quality and inclusive design set out in the NPPF, it has regard to national policy, and is in general conformity with the adopted strategic policy CS9. I also note it does not give rise to any issue of conflict with the emerging LP policy SP6 on place shaping principles.
- 4.23 However, I have concerns about the final part of the policy which appears to require new developments to provide enhancements to existing roads, for example widening pavements, tree planting, traffic calming. It may well be that some new development, depending on its scale and traffic generation, could have impacts that require off-site works. However, any such improvements must be justified in terms of the development being proposed and meet the tests set out in the NPPF at paragraph 204, and cannot be required to remedy existing deficiencies. As I am not satisfied that the final part of policy ECN5 accords with national policy, I am deleting it from policy and moving it to the supporting text (**PM5**).
- 4.24 Subject to the modifications being made, the Economic policies in the Plan have appropriate regard to national policy, would be in general conformity

with adopted strategic policies, and would contribute towards the achievement of sustainable development, thus meeting the Basic Conditions.

Facilities and Infrastructure

- 4.25 As a Key Service Village, Hatfield Peverel has a range of facilities and services, including infants' and junior schools, a GP surgery, a NHS dental practice, as well as shops and businesses, sports and recreation facilities, the village hall and church halls. The railway station is recognised as an economic and social asset but with the village's roads providing access to the A12 to and from Maldon District, there is concern about increasing volumes of traffic flows through the parish and residents would like to see improvements to the A12 and a bypass. The Plan sets out a number of key planning issues as well as non-planning issues.
- 4.26 Policy FI1 deals with traffic and access and aims to reduce the impact of traffic and encourage lower carbon travel. It seeks to ensure that the location of new development is appropriate and minimises pollution, including from vehicle emissions, as well as seeking a high standard of amenity and promoting healthy communities. As such it accords with national policy in the NPPF and with strategic policy CS7 in the CS and policy SP5 in the emerging LP, as well as development policies in the LPR and in Section 2 of the emerging LP.
- 4.27 The policy has six parts. Part 1 requires that development proposals provide a transport statement or assessment, whilst part 6 seeks to secure more cycle parking. Part 2 refers to the need to prevent unacceptable risks from emissions and was added to the policy, following the further SEA/HRA work. I am satisfied that the additional text is justified and its' inclusion in policy FI1 is necessary and appropriate. Parts 4 and 5 refer to the needs of those with mobility problems and visual impairment and the use of '*shared spaces*' and accord with national and local policy to improve accessibility for all. Part 3 requires new development to provide safe pedestrian and cycle routes to services and facilities, and particularly notes the need for safe links from Maldon Road to the Keith Bigden Memorial Ground and from Bury Lane to the station.
- 4.28 A key issue on page 45 notes the site identified for a new primary school as part of the strategic development at Lodge Farm, Witham, to which the route for children from Hatfield Peverel would be alongside the A12. I agree with Essex County Council's suggestion of the inclusion of additional text in part 3 of the policy to require safe and direct convenient pedestrian and cycle links from Hatfield Peverel to Lodge Farm, and I am making a modification to that effect (**PM6**). The fourth paragraph on page 48 refers to reducing parking issues around the schools by encouraging families to make more sustainable transport choices by improving existing walking routes and providing suitable paths from new developments. This

could also be encouraged by the preparation of School Travel Plans and I am adding text to this effect in the policy justification (**PM7**).

- 4.29 Subject to those modifications, I conclude that policy FI1 would contribute towards the achievement of sustainable development, has regard to national policy and is in general conformity with strategic Development Plan policies, and as such would meet the Basic Conditions.
- 4.30 With a railway station and close access to the A12, the Plan notes that commuter parking on residential streets is a key issue for residents, as well as the general lack of public parking in the village centre, especially for the healthcare facilities. BDC has adopted county wide parking standards, but it is recognised in the NPPF that parking solutions may be different in rural areas. Policy FI2 of the Plan seeks to ensure that development provides for adequate off-street parking in a manner sympathetic to the development and to the character of the area, as well as protecting car parking for the station. In looking to provide for public and private electric car charging points, the Plan anticipates the increasing use of eco-friendly vehicles, thus promoting sustainable transport. Policy FI2 is consistent with adopted and emerging strategic policies on promoting accessibility for all (CS policy CS7) and place shaping (LP policy SP6).
- 4.31 The NPPF identifies the planning system as playing an important role in facilitating social interaction and creating healthy inclusive communities³². Planning policies should plan positively for the provision and use of shared space, community facilities and other local services to enhance the sustainability of communities and residential environments and paragraph 72 sets out the great importance attached by the Government to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. As drafted policy FI3 encourages the provision of education facilities and new healthcare services in appropriate locations. To be consistent with the NPPF and align with emerging LP policy SP5, I propose to strengthen the policy by the inclusion of text to clarify that new development will only be permitted where it can demonstrate that there is sufficient appropriate education capacity to support the development or that such capacity will be delivered by the development (**PM8**). Subject to that modification, I consider that the policy would meet the Basic Conditions and contribute towards the achievement of sustainable development.
- 4.32 Generally throughout the country, there is concern in rural areas at the loss of local assets and amenities and the benefits of retaining these for community use. Under the Localism Act 2011, Parish Councils and others are able to nominate local assets to be included in a list of assets of community value (ACV), whereby the ACV cannot be sold without giving community groups an opportunity to bid. The NPPF recognises at paragraph 70 the need through planning policies and decisions to 'guard

³² Paragraph 69.

against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day to day needs'. Policies RLP151 and 160 in the 2005 LPR seek to protect community services and local facilities in rural areas and their objectives are carried forward in the emerging LP policy LLP65 on local community services and facilities.

- 4.33 Policy FI4 in the Plan seeks to resist the loss of, or substantial harm to, an ACV unless there is no longer a need for that facility or a replacement is available. The ACV designation of The Sportsmans Arms in Nounsley has now expired. However, it may be that during the Plan period, the Parish Council will wish to list other ACVs with the BDC and I note that in Appendix 2, the retention of community assets is listed as an aspiration in the non-statutory planning community action plan. I am satisfied that policy FI4 has regard to national policy, is in general conformity with the adopted Development Plan (and takes into account the emerging LP) and would contribute towards the achievement of sustainable development, thus meeting the Basic Conditions.
- 4.34 The Plan identifies new housing development as putting additional demands on services such as healthcare and education, community facilities, utilities and infrastructure, and to mitigate these demands, developer contributions will be sought by way of Section 106 obligations or Community Infrastructure Levy (CIL) payment. As CIL has not yet been implemented by BDC and there is no timetable for implementation, or whether in fact it will be progressed, references to CIL should be deleted from the Plan.
- 4.35 The Secretary of State's advice in the PPG is that a neighbourhood plan needs to be deliverable, if the policies and proposals are to be implemented as the community intended³³. However, the PPG also advises that the NPPF requires that the sites and the scale of development identified in a plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened.
- 4.36 As drafted, parts 1 and 2 of policy FI5 imply that all proposals for development will be required to pay section 106 contributions, irrespective of land use and scale of development. But it is my experience that the need for developer contributions are only likely to be required for major developments, or where a threshold has been triggered for different services. For example, Essex County Council only considers developer contributions for education requirements in respect of schemes of 20 or more dwellings.
- 4.37 The final part of the policy seeks to prioritise contributions towards the delivery of targeted community objectives, as previously identified and reviewed by the Parish Council. The second paragraph of the policy justification refers to the BDC Open Spaces Action Plan, which identifies

³³ PPG Reference ID: 41-005-20140306.

projects within individual parishes for which developer contributions can be used, and which is annually updated and available on BDC's website³⁴. The first paragraph of the justification also refers to '*a list of varying scaled projects has been identified and is kept up to date and reviewed by the Parish Council which can be found on the Parish Council website. Development contributions for use by the Parish should be used to implement items from this list as prioritised by the Parish Council*'. However, it is unclear whether that is another reference to the BDC list or to a different local list of projects. If the latter, I was not able to find it on the Parish Council's website.

- 4.38 I have serious concerns about policy FI5 as drafted. Planning obligations can be used to assist in mitigating the impact of unacceptable development to make it acceptable in planning terms³⁵. However, the NPPF is clear at paragraph 204 that planning obligations under Section 106 should only be sought where they meet all of the following tests; they must be necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development. Any contributions secured towards identified projects will only be considered acceptable if they meet these criteria.
- 4.39 The emerging LP Section 2 includes policy LPP82 on infrastructure delivery and impact mitigation. However, with the pausing of the examination of Section 1 of the LP, there must be some uncertainty as to when it will be adopted. In the interim, I can understand the desire of the Parish Council to have a policy in the HPNP19 on developer contributions. I am therefore modifying policy FI5 (**PM9**) along the lines of that in the Bradwell and Pattiswick Neighbourhood Plan, to which reference was made by Essex County Council in its representations and which, I understand, is due to be adopted on 22 July 2019.
- 4.40 Modifications are also needed to the first paragraph of the justification to delete the fourth and fifth sentences which appear to contradict each other, and to clarify where the list of local infrastructure projects, which should be easily accessible, can be found (**PM10**). I am also modifying the Glossary at Appendix 3 to the Plan to include a wider definition of infrastructure along the lines of that proposed by Essex County Council (**PM11**). Providing these modifications are made, I consider that policy FI5 will have regard to national policy and advice and will contribute towards the achievement of sustainable development. Accordingly, the Basic Conditions will be met.

³⁴ View at:

https://www.braintree.gov.uk/downloads/download/701/open_spaces_action_plans

³⁵ PPG Reference ID: 23b-002-20190315.

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Housing

- 4.41 Hatfield Peverel is not identified in the CS as a growth area, however, Table CS1 sets out the requirement for the Key Service Villages collectively to provide a minimum of 600 dwellings in the Plan period on previously developed and infill sites. Close by and to the south west of Witham, the CS allocated some 35.7ha of land between the railway and A12 off the Hatfield Road, as a Growth Location for mixed-use development with a minimum of 600 dwellings (policy CS1).
- 4.42 Policy SP3 of the emerging LP sets out BDC's objectively assessed need for 716 units per annum, with a total minimum housing supply of 14,320 in the LP period 2013 to 2033. Policy LPP23 in the LP Section 2 allocates Wood End Farm at Witham as a strategic growth location for up to 450 new dwellings. This site is adjacent to the Lodge Farm site which is starting to be built out and on the opposite side of the road from the Maltings Lane development which is coming close to completion. Part is within the parish of Hatfield Peverel so, like BDC, I was surprised to see that the current and proposed allocations are not referred to in the background text on page 54 of the Plan and that the map on page 55 has not been extended to the north to show them. In the interests of clarity and completeness, I am therefore recommending modifications to amend the text on page 54 and the map on page 55 contained within the Plan to refer to the land at Wood End Farm which has been allocated as a strategic growth location in the emerging LP (**PM12**).
- 4.43 In Hatfield Peverel, outline permission has been granted for 145 units on the former Arla Dairy site and the site has been cleared. Permission has also been granted on adjoining land at Bury Farm for 46 units and there are proposals for a further 45 units at Sorrells Field. In the interests of clarity, the map on page 55 should also be amended to accurately show the extent of the comprehensive development area indicated on the emerging LP Inset Map 36 and centred on the former Arla Dairy site (**PM13**).
- 4.44 It is an objective of the Plan to ensure the provision of high-quality housing suitable for all ages with easy access to essential services and where family members can remain living locally. With concern expressed in residents' surveys that new housing schemes could detract from the rural character of the parish, the HPNP19 sets out a preference for smaller creatively designed developments with less impact rather than larger sites. Policy HO1 deals with design and, subject to the overarching requirement that design should be informed by the Hatfield Peverel and Nounsley Character Assessment along with Building for Life 12 and the Essex Design Guide, sets down 17 criteria for new development. A modification is proposed to the Plan to clarify that policy HO1 deals with the design of new housing developments (**PM14**).
- 4.45 In order to comment on the policy criteria, I have numbered the bullet points. I am satisfied that 1, 2, 3, 6, 9, 10, 11, 12, 13, and 14 are

appropriate to secure an acceptable standard of development in keeping with the character of the area. Requiring compliance with the industry's BREEAM and Lifetime Homes standards (7 and 8) will ensure the delivery of a high quality of housing and requiring that 1 in 10 new homes are wheelchair accessible (5) accords with national and emerging local policy³⁶ to plan for a mix of housing that meets the needs of different groups in the community. These standards are distinct from the Government's technical housing standards - which are a nationally described space standard. However, in the absence of any justification as to why '*new facilities incorporated into the scheme or through developer contribution*' should be made available for use by the general public, which might not be practicable or desirable, depending on what those facilities are, I am deleting bullet point 15.

- 4.46 Bullet point 4 seeks to limit any developments on unallocated sites to 30 or less dwellings. It is justified on the grounds that new housing should be fully integrated into the built area, avoiding a single large development perceived as a separate space, and which respect and reflect the surrounding rural area. However, there are other policies in the HPNP19 and in the adopted and emerging Development Plans that address issues of integration and character, as do criteria 1, 2 and 3 of policy HO1, without imposing an arbitrary limit on numbers. Further it may well be that small residential schemes '*bolted on*' to the existing village will have less '*easy access to existing facilities*' than a well-located larger site. Policy HO1 already provides for a mix of house types and policy HO2 supports the provision of retirement bungalows. I am not persuaded that there is any planning justification for the imposition of what appears to be an arbitrary restriction on the size of windfall housing developments in the parish. Accordingly, I am modifying policy HO1 to delete bullet point 4.
- 4.47 The final two bullet points have been added in response to the HRA of the Plan. I find the 16th, as drafted, to be inaccurate, potentially misleading, and unnecessary. The requirements in respect of undertaking a project level HRA are set out in Regulations³⁷. Subsequent to the *People over Wind* judgement, mitigation measures cannot be taken into account when considering a '*likely significant effect*'. For these reasons, I am modifying policy HO1 by deleting the 16th bullet point. However, it would be helpful to include in the Plan some explanation about the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS), and I am making a further modification to that effect. With the deletion of bullet point 16, the reference in 17 to mitigation in respect of pollution becomes meaningless. However, the impact of residential development in terms of emissions and pollution, is of concern in the parish, given its proximity to the A12 as well as to European sites. I am therefore proposing to modify the Plan to add a new criterion here that repeats part 2 of policy FI1. Subject to these modifications (**PM15 and PM16**), I

³⁶ NPPF paragraph 50 1st bullet point and emerging LP Section 2 policy LPP37.

³⁷ Conservation of Habitats and Species Regulations 2017, Regulation 63.

consider that policy HO1 would meet the Basic Conditions and would contribute towards the achievement of sustainable development.

- 4.48 It is Government policy that plans should provide for a mix of housing based on current and future demographic trends and policies in the adopted LPR and draft LP support specialist housing provision. The Plan identifies a shortage of suitable housing for the parish's ageing population and policy HO2 supports the provision of retirement housing subject to meeting various criteria. As drafted the criteria lack clarity and precision and I am modifying the policy to relate them to planning matters. The policy offers specific support for bungalows, but these may be equally desirable for other households and are not exclusively retirement housing. Subject to the modifications set out in the Appendix (**PM17**), I am satisfied that policy HO2 has regard to national policy, is in general conformity with policies in the Development Plan and therefore complies with the Basic Conditions.
- 4.49 The Plan has identified a lack of affordable housing in the area for younger people. It is Government policy that local planning authorities, where they have identified that affordable housing is needed, should set policies for meeting this need on site, unless off-site provision or a financial contribution can be robustly justified³⁸. Policy CS2 in the 2011 Core Strategy provides for affordable housing to be directly provided by the developer setting a target of 40% affordable housing provision on sites in the rural areas. This policy was arrived at following the 2008 Strategic Housing Market Assessment (SHMA) and the 2009 Affordable Housing Viability Study for the district, which set the 40% target subject to up to date scheme specific viability assessment. Further studies have been undertaken as evidence supporting the emerging LP, including the 2015 SHMA Update, work on Objectively Assessed Need, and a Viability Study which concluded that 30-40% affordable housing was viable in the district. Policy LLP33 therefore provides for a target of 40% affordable housing to be directly provided by developers on sites outside the main urban areas.
- 4.50 The Plan's policy HO3 also provides for 40% affordable housing on developments of 11 or more dwellings but provides little evidence to justify the 80/20 tenure split that is proposed. The RCCE Housing Needs Survey was simply a questionnaire sent out to local residents and it is unclear what evidence is being relied upon for the statement that 34 households in the parish are in need. I also have concerns about the requirement for occupation based on local connections, as I would not expect that sites in Hatfield Peverel would meet the rural exception sites criteria. Advice in the PPG is that neighbourhood plans are not obliged to contain policies addressing all types of development but where they do contain policies relevant to housing supply '*these policies should take account of the latest and up-to-date evidence of housing needs*'. I am not convinced that this has been done in this case. Further I am not satisfied

³⁸ NPPF Paragraph 50.

that there is any local justification to deviate from the strategic affordable housing policies in the adopted Core Strategy and in the draft LP. As the policy does not meet the Basic Conditions, I am deleting it from the HPNP19 (**PM18**).

- 4.51 Policy HO4 seeks to require minimum sizes for private gardens in new housing developments. Whilst there are policies in the adopted and emerging district wide plans on the layout and design of development, to date BDC has relied upon the recommended minimum garden sizes in the Essex Design Guide which allow for reduced provision in certain circumstances. The Plan notes the concerns of local residents about the lack of amenity space in recent new developments, resulting in a cramped environment, affecting the rural feel of the village and the wellbeing of the residents. Whilst the Government has introduced national technical housing standards, these do not address external amenity space.
- 4.52 National policy is that supplementary planning documents, like the Essex Design Guide, should be used where they can help applicants make successful applications but should not be used to add unnecessarily to the financial burdens on development³⁹. Advice in the PPG is that a neighbourhood plan needs to be deliverable and that development should not be subject to such a scale of obligations and policy burdens that their viability is threatened⁴⁰. However, I have seen no compelling evidence that providing gardens of the minimum sizes set out in the Plan's policy would adversely impact on the viability of any housing scheme in the area.
- 4.53 The provision of external amenity space of an appropriate size for the dwelling is an element of good design, and it is a core planning principle to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings⁴¹. In requiring good design, planning policies should not be overly prescriptive, however, the NPPF states it is proper to seek to promote or reinforce local distinctiveness⁴². In that regard, Hatfield Peverel is valued for its rural setting where historically many properties have large gardens. I am satisfied that policy HO4, as drafted, is not unreasonably prescriptive in setting minimum private garden sizes for new houses and flats. It has regard to national policy and guidance, is in general conformity with the strategic approach of the adopted Development Plan (and takes into account the emerging strategic policies) on the layout and design of development, and would contribute towards the achievement of the social dimension of sustainable development, thus fulfilling the Basic Conditions.

³⁹ NPPF paragraph 153.

⁴⁰ PPG Reference ID: 41-005-20140306.

⁴¹ NPPF paragraph 17, 4th bullet point.

⁴² NPPF paragraph 60.

- 4.54 In promoting healthy communities, the NPPF requires that planning policies and decisions should aim to achieve places which promote, amongst other things, *'safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion'*⁴³. Policy HO5, in requiring developments to design out crime by incorporating Secured for Design methods into any new residential development, is in accord with national policy and with policies RLP9, RLP49 and RLP90 in the LPR and with draft LP policy LPP55 on the layout and design of development. Whilst I agree it is important that children's play space should be located where good passive surveillance can be achieved, depending on the site's relationship to existing development, this may not always be central to the scheme. Subject to amended wording to required that play space 'well located' (**PM19**), I am satisfied that policy HO5 meets the Basic Conditions.
- 4.55 The HPNP19 refers to the closure of the Arla Dairy as a key issue for the Plan; employment was lost to the village but its closure provided the opportunity for redevelopment of a brownfield site for mixed residential and commercial facilities. Policy HO6 provides for the allocation of the former Arla site (shown on the map on page 55 as site HATF608) for a mix of uses and sets out a list of contributions that would be sought as part of any scheme including various access improvements and enhanced pedestrian and cycle routes. The justification refers to the site appraisal in the SEA and to Hatfield Peverel Site Assessment 2017. However, the site allocation was put into the Plan after the SEA of the Regulation 14 version and further SEA work was required to be carried out after the Regulation 16 consultation. In response to the recommendations in the HRA Screening Report December 2017, additional text was added to the policy which was subject to consultation in 2018.
- 4.56 The Arla site is also allocated in the draft LP. It is included within the Comprehensive Redevelopment Area – Land between the A12 and Great Eastern Main Line, where policy LPP31 proposes *'mixed use development of up to 200 dwellings on former Arla Dairy site (3.8ha)'*, as well as residential development on Sorrells Field, Bury Farm and land to the rear of Station Road. The policy includes a number of requirements that are mirrored in the HPNP19 policy HO6.
- 4.57 National policy in the NPPF⁴⁴ is clear that neighbourhoods should plan positively to support local development, shaping and directing development in their area *'that is outside the strategic elements of the Local Plan'*. In this case the LP is still in draft but whilst the PPG advises that a draft neighbourhood plan is not tested against the policies in an emerging LP, it goes on to say *'the reasoning and evidence informing the*

⁴³ NPPF paragraphs 58 and 69.

⁴⁴ NPPF paragraph 16.

*Local Plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested'*⁴⁵. In that LP policy LPP31 proposes a Comprehensive Redevelopment Area that could provide in the order of 285 dwellings, I consider it to be a strategic policy, which, if adopted, the neighbourhood plan when/if reviewed would have to be in general conformity with. National policy is that neighbourhood plans should not promote less development than set out in the local plan or undermine its strategic policies⁴⁶. In that policy HO6 only relates to the Arla site, and not Bury Farm or Sorrells Field, I note that it is not consistent with draft strategic policy LPP31.

4.58 However, I have a fundamental and overriding concern about policy HO6 in that outline planning permission has already been granted for development on the Arla site, for 145 units. Bellway Homes are already on the site; there are hoardings in place along Station Road and the site has been cleared. Permission has also been granted by BDC for 46 units at Bury Farm to the same developer. I accept that it may be that development on the Arla site does not take place in accord with the permission granted. But in my opinion, the chances of that happening are slim. Thus, it seems to me that keeping policy HO6 in the Plan would not serve any planning purpose when development is already progressing on the site, and when the allocation does not align with the strategic Comprehensive Redevelopment Area proposed in the draft LP. Therefore, as I do not consider that the policy contributes towards the achievement of sustainable development, I am recommending its deletion from the Plan (**PM 20**).

4.59 Providing the recommended modifications as set out in the Appendix are made, I conclude that the economic, facilities and infrastructure, and housing policies of the Plan have regard to national policy and guidance, would contribute towards the achievement of sustainable development, and would be in general conformity with strategic local plan policies, thus meeting the Basic Conditions.

Issue 2: Protection and Enhancement of the Environment

4.60 The Plan describes the main attraction of the parish as being its rural location whilst also being close to the road and rail networks, and that the open spaces, countryside views and well-established network of rights of way contribute to its overall appeal. Consultation responses indicated that residents wanted to retain that character and to retain the separate identities and distinctiveness of the two settlements of Hatfield Peverel and Nounsley and keep a degree of separation from Witham.

⁴⁵ PPG Reference ID: 41-009-20190509.

⁴⁶ NPPF paragraph 184.

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- 4.61 Through policy HPE1, the Plan proposes to create green wedges around the village of Hatfield Peverel. These are indicated on the map on page 25 where development is proposed to be limited to uses listed in the policy which are considered would maintain the open nature of the land. I am aware that the green wedge to the north east of Gleneagles Way was subject to an application for 120 homes⁴⁷, approved by BDC but subsequently called in by the Secretary of State for determination, along with two applications for different amounts of housing at Stonepath Drive⁴⁸, and on which decisions have been recently received granting planning permission.
- 4.62 Reference is made in the policy justification to the findings of the Hatfield Peverel Landscape Character Assessment 2015. However, both Hatfield Peverel and Nounsley have village envelopes defined in the LPR, outside of which development is subject to long standing countryside policies of restraint⁴⁹. Thus, current planning policies already serve to maintain the characteristics of the open farmland landscape which is identified in the Assessment⁵⁰ as contributing to a sense of separation between Hatfield Peverel and Witham, and between Hatfield Peverel and Nounsley, without the need to specifically identify land as a green wedge. Also, through policy HPE2, the Plan requires that any development should have regard to and respect the character of the landscape whilst policy HPE6 identifies important views.
- 4.63 I also have concerns as the lack of clarity as to how the boundaries of the green wedges shown on the map were formulated and where they were drawn. For example, that to the north east of Gleneagles Way appears to cut across two areas of water and does not appear to follow any discernible feature on the ground. Nor is there any explanation given in the Plan as to why there are two separate wedges to the north of the A12, how their widths were determined, or the status of the land in-between.
- 4.64 The HPNP19 is not tested against the policies in the emerging LP. However, the PPG advises that *'the reasoning and evidence informing the Local Plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested'*⁵¹. The introductory sections to the Hatfield Peverel Landscape Character Assessment refer to landscape work carried out to inform the preparation of the LP. With the benefit of that evidence, which rated the landscape

⁴⁷ Application 16/02156/OUT.

⁴⁸ Two applications 16/01813/OUT and 16/00545/OUT (for up to 80 dwellings).

⁴⁹ Including CS policy CS5 which strictly controls development outside village envelopes to uses appropriate to the countryside, in order to protect and enhance the landscape character and biodiversity, geodiversity and amenity of the countryside.

⁵⁰ Hatfield Peverel Landscape Character Assessment 2015 landscape guidelines for areas 3, 4 and 6.

⁵¹ See footnote 45.

sensitivity of individual sites to development, the draft LP proposes the allocation of land for development at Wood End Farm, Witham, part of which is within the parish of Hatfield Peverel. The draft LP⁵² also refers to the need for green buffers to be used to prevent the main towns and villages in the District coalescing with neighbouring villages, and policy LPP72 identifies a Green Buffer between Witham, Rivenhall and Rivenhall End. However, it is telling that the District Council has not identified the need for one between Witham and Hatfield Peverel, suggesting that it does not have the same concern here about coalescence.

- 4.65 Advice in the PPG is that policy in a neighbourhood plan should be supported by appropriate evidence and be distinct to reflect and respond to the unique characteristics and planning context of the area. I am not satisfied that a strong case has been put forward on the basis of the particular local circumstances of Hatfield Peverel to justify policy HPE1. As I have concluded that the policy does not have regard to the advice contained in the guidance issued by the Secretary of State, it fails the Basic Conditions and I am recommending modifying the Plan to delete policy HPE1 (**PM21**).
- 4.66 Policy HPE2 deals with the natural environment and biodiversity and seeks to ensure that development retains and enhances existing trees, hedgerows and habitats. In the interests of clarity, this should be expanded to make particular reference to Local Wildlife Sites, priority habitats and ancient woodland, which is an irreplaceable habitat, which would be in accord with paragraph 117 of the NPPF and with strategic policies in the adopted and emerging local plans, in particular CS policy CS8 on the natural environment and biodiversity. The policy refers to the protection of 'the best and most versatile agricultural land'. However national policy in the NPPF at paragraph 112 is that local planning authorities '*should take into account the economic and other benefits of best and most versatile agricultural land*', and it may well be that, in certain circumstances, the loss of such land may be justified when balanced against other planning objectives. I am also recommending that further text be included in the policy justification to explain the mitigation hierarchy to be applied as set out in the NPPF at paragraph 118 and give examples of the way that all proposals can enhance biodiversity. Subject to these modifications which are set out in the Appendix (**PM22 and PM23**), I consider that policy HPE2 would satisfy the Basic Conditions.
- 4.67 Section 8 of the NPPF addresses the way planning can promote healthy communities and policy LPP53 of the draft LP refers to areas of particular value to the local community that will be recognised and protected. Paragraph 76 of the NPPF enables local communities through local and neighbourhood plans to identify for special protection green areas of

⁵² Draft Local Plan Section 2, paragraphs 8.31 to 8.36.

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particular importance to them. By designating land as Local Green Space (LGS), local communities are able to rule out new development other than in very special circumstances. Thus, policies identifying LGSs must be consistent with planning for sustainable development and must complement investment in sufficient homes, jobs and other essential services. They should be capable of enduring beyond the end of the Plan period.

- 4.68 Stringent criteria on LGSs are set out in the NPPF at paragraph 77 and there is further advice in the PPG⁵³. Policy HPE3 designates 2 open spaces as LGSs and these are identified on the map at page 27 and detailed information on them is provided in the table on page 28. I am satisfied on the evidence provided and what I saw on my site visit that both The Green and The Duck Pond are local in character, but not extensive tracts of land, are demonstrably special to the local community, and in close proximity to the community they serve. They are therefore appropriate to be designated as LGSs in policy HPE3. As I am satisfied that policy HPE3 has had regard to national policy and guidance and the need to be consistent with the local planning of sustainable development, and is in general conformity with strategic policy, the Basic Conditions will be met.
- 4.69 Policy HPE4 is concerned to ensure that no building takes place on the Strutt Memorial Recreation Ground unless it would provide for needs directly related to recreational use. The Memorial Ground is located in the heart of the village, by the Village Hall, and is used extensively for recreational purposes by the local community. The Plan's policy is in accord with national policy in the NPPF at paragraph 74 which resists building on existing open space and recreational land unless certain stringent criteria are met, including that the need for alternative sports and recreational provision clearly outweighs any loss. It is also consistent with policy CS10 of the adopted CS and draft LP policy LPP53 which seek to avoid the loss of recreational facilities. For these reasons, I conclude that policy HPE4 meets the Basic Conditions.
- 4.70 Hatfield Peverel benefits from having a range of local recreation and sports facilities available for use by the local community but consultation identified the need for further facilities to serve the expanding resident population. Existing sport and recreation facilities, as well as existing footpaths, cycleways and allotments, are to be protected through the Plan's policy HPE5 and the map on page 31 shows the existing recreation and sports facilities in the parish. In resisting the loss of recreational facilities unless a replacement facility of equal or enhanced quality is provided, the policy is in accord with the NPPF and in general conformity with Core Strategy policy CS10 (and does not conflict with policy LPP53 of the draft LP) on provision for open space, sport and recreation. The policy

⁵³ PPG Reference ID: 37-005-20140306 to ID: 37-022-20140306.

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provides for the protection of the Dannatt's quarry site off Wickham Bishop Road for recreation use as a community park, which is supported by Essex County Council as the mineral planning authority. I am satisfied that policy HPE5 contributes towards the achievement of sustainable development, has regard to national policy and is in general conformity with strategic Development Plan policies, and thus fulfils the Basic Conditions.

- 4.71 Government policy is that the planning system should contribute to and enhance the natural and local environment, amongst other things, by protecting and enhancing valued landscapes. Paragraph 113 of the NPPF requires local planning authorities to set criteria-based policies against which development proposals on or affecting landscape areas will be judged. Policy CS5 of the Core Strategy strictly controls development outside village envelopes to uses appropriate to the countryside, *'in order to protect and enhance the landscape character and biodiversity, geodiversity and amenity of the countryside'*, whilst policy CS8 requires development to have regard to the character of the landscape and its sensitivity to change and to enhance the locally distinctive character of the landscape. In the draft LP, policy LPP71 states that *'the Local Planning Authority will take into account the different roles and character of the various landscape areas in the District, and recognise the intrinsic character and beauty of the countryside, in order to ensure that any development permitted is suitable for the local context'*.
- 4.72 The HPNP19 refers to the support expressed in the community engagement process to protect the rural landscape setting of the built area of the parish. Through a residents' survey, photographic competition and village walkabout, eleven views considered important to the village's landscape setting were identified which are numbered on the map on page 33, together with their fields of view, and described in the table on pages 34 to 37. As the Plan explains that the most important of the views identified in the Hatfield Peverel Landscape Character Assessment have been identified for protection through policy HPE6, I see no need to include quotes from the Landscape Character Assessment in the justification or to refer to it in the policy.
- 4.73 The rural area around Hatfield Peverel is attractive countryside and I am satisfied from what I saw on my site visit that the identified views are special to the area and justify policy protection. However, as drafted policy HPE6 lacks the necessary precision of wording and clarity of intent required by the PPG and I propose to modify its wording to clarify that any proposed development should not detract from the key landscape features of the identified views. Providing these modifications are made (**PM24 and PM25**), I am satisfied that policy HPE6 would meet the Basic Conditions.

- 4.74 There are two rivers that run through the parish and both are prone to breaching their banks. Section 10 of the NPPF sets out policy on meeting the challenge of climate change, flooding and coastal change. Along with Core Strategy policy CS8 on the Natural Environment and Biodiversity, policies LPP74, LPP78, LPP79 and LPP80 address issues of climate change, flood risk and surface water drainage and management, and sustainable urban drainage systems (SuDS). HPNP19 policy HPE7 accords with national and local policy in seeking to avoid development in areas prone to flooding. It also expects developers to use SuDS where feasible to reduce the potential impact of surface water drainage discharges.
- 4.75 The term SuDS covers a wide range of features of which some are reliant on infiltration but other SuDS techniques can be used on sites without infiltration potential and this should be made clear in the policy and justification. The use of SuDS to reduce the risk of surface water and sewer flooding is supported by Anglian Water Services, subject to clarification that discharge to a watercourse should be considered before discharge to a public sewer, as set out in Part H of the Building Regulations. Modification is required to the policy wording to clarify that the risk relates to flooding generally and not just flash flooding. The reference to '*betterment*' in the last part of the policy is also deleted as planning conditions and obligations should not be used to remedy existing deficiencies in the wider area. Subject to the modifications as set out in the Appendix (**PM26 and PM27**), I am satisfied that policy HPE7 would contribute towards the achievement of sustainable development and meet the Basic Conditions.
- 4.76 Hatfield Peverel has a long history, dating back to Roman times or earlier. The old A12, which followed a similar route to the Roman road which linked Colchester to London, passed directly through the village and it was a popular place for travellers to stop with several coaching inns. There are a number of designated and non-designated heritage assets in the parish as well as two historic lanes identified by Essex County Council's Place Services.
- 4.77 The NPPF sets out the Government's objective for the planning system to contribute to the achievement of sustainable development by conserving the historic environment and its assets in a manner appropriate to their significance. National policy for conserving and enhancing the historic environment is set out in the NPPF at paragraphs 126 to 141. Policy CS9 of the Core Strategy on the built and historic environment predates the NPPF and the approach set out therein to determining planning applications depending on the degree of harm identified to the designated heritage asset. The more recent draft LP contains a raft of policies (LPP50, LPP60, LPP61, LPP62 and LPP63) which set out the approach to be taken to development affecting heritage assets and their settings, as well as enabling development and archaeological evaluation, excavation and

recording. In introducing a further layer of policy, which effectively seeks to summarise the NPPF, policy HPE8 on heritage risks confusing and diluting national and local policy. I am not satisfied that policy HPE8, as drafted, is sufficiently locally distinctive nor that it is a response to any particular characteristics of the parish.

- 4.78 Not all heritage assets are designated and paragraph 135 of the NPPF deals with the approach to be taken to weighing applications that affect directly or indirectly non-designated heritage assets. The justification for policy HPE8 refers to the Essex Historic Environment Record and the 2010 BDC Historic Environment Characterisation Project. However, work is still ongoing on a local list of non-designated heritage assets. As drafted, policy HPE8 fails to have adequate regard to the detailed nuances of national policy as set out in paragraph 135. I have seen nothing to indicate that policy HPE8 would add anything of a local dimension to the policies in the emerging LP. Indeed, it seems to me for a developer or decision maker having a third layer of policy on heritage assets would more likely lead to ambiguity and confusion. I am regrettably, therefore, recommending modification of the Plan to delete policy HPE8 **(PM28)**. However, the accompanying Map of Historic Features includes details of other important features and could be usefully moved to be next to the Map of Green Areas on page 31 of the Plan.

5. Conclusions

Summary

- 5.1 The Hatfield Peverel Neighbourhood Development Plan has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the HPNP19 meets the Basic Conditions and other legal requirements for neighbourhood plans. I have had regard for all the responses made following consultation on the neighbourhood plan, and the evidence documents submitted with it.
- 5.2 I have made recommendations to modify a number of policies and text to ensure the Plan meets the Basic Conditions and other legal requirements. I recommend that the Plan, once modified, proceeds to referendum.

The Referendum and its Area

- 5.3 I have considered whether or not the referendum area should be extended beyond the designated area to which the Plan relates. The HPNP19 as modified has no policy or proposals which I consider significant enough to have an impact beyond the designated Neighbourhood Plan boundary, requiring the referendum to extend to areas beyond the Plan boundary. I recommend that the boundary for the purposes of any future referendum

on the Plan should be the boundary of the designated Neighbourhood Plan Area.

Overview

- 5.4 I recognise that the Plan is the product of a lot of hard work by the Steering Group and the Parish Council, who were effective in engaging with local people to consider the future of the villages and parish at a time when the local community was also engaged in consultation on the emerging LP and participating in local inquiries into development proposals. It has taken time to complete the examination on the Plan because of the need to ensure compliance with statutory requirements and with the 2018 decision of the Court of Justice of the European Union. I commend the Parish Council and the Steering Group for their perseverance and for producing this Plan which, subject to some modifications, will influence development management decisions for the next 14 years or until its review.

Mary O'Rourke

Examiner

Appendix: Modifications

Proposed modification number (PM)	Page no./ other reference	Modification
PM1	Page 14	In policy ECN1, delete the first and last bullet points.
PM2	Page 16	Delete the last paragraph on page 16.
PM3	Page 17	In the second paragraph of policy ECN3, in the first line change ' <i>must</i> ' to ' <i>should</i> ' and delete the second and third sentences of the paragraph. In the fourth paragraph of policy ECN3, delete the second sentence.
PM4	Page 18	In policy ECN4 delete the sentence that begins ' <i>Any new proposals</i> '.
PM5	Page 20	In policy ECN5 delete the third paragraph of the policy and move to the supporting text after the paragraph starting ' <i>There has been ongoing discussion</i> '.
PM6	Page 47	In policy FI1 third paragraph after ' <i>required</i> ' add the following: <i>'Safe and direct convenient pedestrian and cycle links from Hatfield Peverel to Lodge Farm, Witham are required'</i> .
PM7	Page 48	In the fourth paragraph of the Justification after the first sentence add the following: <i>'This can be encouraged through the preparation of a School Travel Plan'.</i>
PM8	Page 51	In policy FI3 add at the beginning of the policy the following: <i>'New development will only be permitted where it can demonstrate that there is sufficient appropriate education capacity to support the development or that such capacity will be delivered by the development'</i> .
PM9	Page 53	Delete the text of policy FI5 and replace with the following:

		<p>'a) Where appropriate development will be required to make a proportionate contribution towards the provision of relevant infrastructure in the Parish.</p> <p>b) Planning applications should where appropriate clearly demonstrate the impact of the proposed development on local infrastructure in the area, and demonstrate how developer contributions towards local infrastructure will satisfactorily mitigate the identified impacts.'</p>
PM10	Page 53	In the first paragraph of Justification on page 53, delete the 4th and 5th sentences which start 'Without..... '.
PM11	Glossary	<p>Amend the definition of Infrastructure in the Glossary to read as follows:</p> <p><i>'Infrastructure means any structure, building, system facility and/or provision required by an area for its social and/or economic function and/or well-being including (but not exclusively):</i></p> <ul style="list-style-type: none"> • Affordable housing • Broadband • Community and social facilities • Cultural facilities, including public art • Drainage and flood protection • Education and childcare • Emergency services • Facilities for specific sections of the community, such as youth or the elderly • Footways, cycleways and highways • Green infrastructure • Live/work units and lifetime homes • Open space • Public transport

		<ul style="list-style-type: none"> • <i>Sports, leisure and recreation facilities</i> • <i>Waste recycling facilities</i> • <i>Public realm enhancements’.</i>
PM12	Page 54	Amend the text on page 54 and the map on page 55 contained within the Plan to refer to the land at Wood End Farm which has been allocated as a strategic growth location in the emerging LP.
PM13	Page 55	Amend the map on page 55 to show the extent of the comprehensive development area indicated on the emerging LP Inset Map 36 and centred on the former Arla Dairy site.
PM14	Page 57	Amend the heading of policy HO1 to read Design of New ‘Housing’ Developments.
PM15	Page 57	<p>In policy HO1:</p> <p>Delete the 4th, 15th, 16th and 17th bullet points.</p> <p>Add a new bullet point as follows:</p> <p><i>‘Proposals for new housing development should prevent unacceptable risks from emissions and all forms of pollution (including air, water and noise pollution) to ensure no deterioration of current standards. All applications for development where the existence of/or potential for the creation of pollution is suspected should be supported by relevant assessments.’</i></p>
PM16	Page 58	<p>Add the following text to the Justification for policy HO1:</p> <p><i>‘Following consultation with Natural England, an Essex-wide Recreational disturbance Avoidance and Mitigation Strategy (RAMS) is being prepared to include all coastal European Sites. The strategy will identify where recreational disturbance is happening and the main recreational uses causing the disturbance.</i></p>

		<p><i>New residential development that is likely to affect the integrity of the European Sites will be required to contribute towards the implementation of the mitigation. At this stage, it is considered that development allocations in this location will be required to pay for the implementation of mitigation measures to protect the interest features of European designated sites along the Essex Coast which include the Crouch and Roach Estuaries Special Protection Area, Ramsar site and Site of Special Scientific Interest, and the Essex Estuaries Special Area of Conservation. The appropriate mechanisms will be identified in the RAMS. Details of the zones of influence and the necessary measures will be included in the Essex Coast RAMS Supplementary Planning Document (SPD) currently being prepared. Following consultation during Summer 2019, the SPD is anticipated to be adopted by each LPA in late summer/autumn 2019.'</i></p>
PM17	Page 59	<p>Delete policy HO2 and replace with the following:</p> <p>'Proposals for retirement housing, which may include bungalows, should:</p> <ol style="list-style-type: none"> 1. Have regard to the accessibility of the site to public transport and to local communal facilities, shops and services; 2. Respect the character of the area; 3. Protect the amenity of neighbouring residents; 4. Provide appropriate landscaping to include outside amenity area/s; 5. Provide unobstructed safe footways within the development for the use of mobility scooters and wheelchairs; and

		6. Provide accommodation suitable for wheelchair users and built to Lifetime Homes Standards.'
PM18	Page 60	Delete policy HO3 and renumber the Housing policies that follow.
PM19	Page 62	In policy HO5 delete the words ' <i>located centrally</i> ' and replace with ' well located '.
PM20	Page 63	Delete policy HO6.
PM21	Pages 24 and 25	Delete policy HPE1 and the Justification and map on page 25. Renumber the Environment policies that follow.
PM22	Page 26	In policy HPE2 in the 2nd line after ' <i>habitats</i> ' add the following words: 'particularly Local Wildlife Sites, priority habitats and ancient woodland (an irreplaceable habitat)'. In the 2nd bullet point delete ' <i>protect</i> ' and replace with ' take into account the economic and other benefits of... '.
PM23	Page 26	Replace the 2nd paragraph of the Justification for policy HPE2 with the following: <i>'Mitigation measures should enable the preservation, restoration and re-creation of wildlife habitats, and the protection and recovery of priority species. The mitigation hierarchy should be adhered to (from the NPPF paragraph 118) and can be summarised as follows: aim to avoid; then mitigate; and then only compensate in exceptional circumstances after all other options have been considered.</i> <i>Additionally, enhancement for biodiversity should be included in all proposals, commensurate with the scale of the development. For example, such enhancements could include watercourse improvements to benefit biodiversity and improve water quality, habitat creation,</i>

		<i>wildlife links (including as part of green or blue infrastructure) and building design which creates wildlife habitat (e.g. green roofs, bird and/or bat boxes).'</i>
PM24	Page 32	Delete policy HPE6 and replace with the following: <i>'The landscape setting of the village will be protected. Any proposed development should not detract from the key landscape features of the views identified on the map on page 33 and described in the table following at pages 34 to 37.'</i>
PM25	Page 32	In the justification to policy HPE6 delete the paragraphs on the right-hand side of page 32.
PM26	Page 38	Modify policy HPE7 to read as follows: <i>'Any proposed development should include measures to mitigate against future risk to properties, residents and wildlife from flooding and be located away from areas prone to flooding.</i> <i>The use of appropriate Sustainable Drainage Systems (SuDS), based on an engineering and ground assessment will be expected on all sites.</i> <i>Should it be demonstrated that infiltration is not possible then surface water should be discharged to a watercourse or if this is not feasible a sewer with appropriate attenuation and treatment to ensure that flood and pollution risk is not increased.'</i>
PM27	Page 38	In the last paragraph of the Justification for policy HPE7 delete the last words of the last sentence from ' <i>unless</i> ' to the end of the paragraph.
PM28	Page 39	Delete policy HPE8 and its justification and move the Map of Historic Features next to the Map of Green Areas and Recreation.

Hatfield Peverel Neighbourhood Development Plan

2015-2033



Foreword

In late 2014 Hatfield Peverel Parish Council (HPPC) embarked on preparing a Neighbourhood Development Plan (NDP) for Hatfield Peverel (HPNDP) and started the process with support from Locality and the Rural Community Council of Essex (RCCE). The Plan presented here reflects the needs and aspirations of residents of the Parish gathered from a series of interactive engagement events, workshops and surveys; organised, collated and written by local volunteers. It gives the community the ability to influence the shape and management of future development in the Parish. Issues raised in the consultation relevant to planning policy at a neighbourhood level have been expressed as statutory planning policies in the Plan. Those issues that the Plan policies cannot directly address have been included in the Non Statutory Planning Community Action Plan, Appendix 2.

The Plan process has given residents a unique opportunity to be involved in meeting the challenges arising from development during the Plan period. Following an independent examination, residents will be asked to support the Plan in a referendum in order for it to be used in determining planning applications within the Parish by Braintree District Council (BDC) and HPPC.

A NDP cannot be used to prevent development but gives an opportunity to identify the best ways to direct local planning towards community wants and needs, while protecting the natural environment and cultural assets, ensuring a more sustainable future for the community. The HPNDP sets out a framework against which all development in the Parish will be assessed.

A glossary and list of abbreviations has been provided at the end of the document in Appendix 3 and 4 to define technical terms used.

While the Plan has been in the drafting stage it has had some weight in planning decisions. The research and evidence gathered has been of value to both residents and Councillors when considering and commenting on planning applications and will continue to be so in the future.

Les Priestley

Parish Councillor, Chair of the Neighbourhood Development Plan
Executive Committee



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INTRODUCTION

Neighbourhood planning is a right for communities introduced through the Localism Act 2011. There are communities all over the UK that have successfully developed a Neighbourhood Development Plan (NDP) as a tool to influence planning decisions in their area.

“Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. They are able to choose where they want new homes, shops and offices to be built, have their say on what those new buildings should look like and what infrastructure should be provided, and grant planning permission for the new buildings they want to see go ahead.”¹

In January 2015 Hatfield Peverel Parish Council (HPPC) notified Braintree District Council (BDC) of its intention to produce a NDP. As the Qualifying Body HPPC is responsible for the preparation and monitoring of the Hatfield Peverel Neighbourhood Development Plan (HPNDP/the Plan).

On 30th March 2015 BDC approved the HPPC Parish boundary as the Designated Area (referred to as ‘the Parish’ in the remainder of this document and outlined in red on the map on page 5) for the HPNDP. It is within this area that the Plan and policies will apply. (The black outline areas on the map denote the development boundary as at May 2016).

“Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics.”²

¹ Planning Practice Guidance <http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/what-is-neighbourhood-planning/>

The HPNDP sits alongside the wider planning context for the area.

A Steering Group was formed open to those who lived, worked and did business in the area. Six sub-groups researched evidence and engaged with the community in order to prepare the Plan:

- Strategy and Coordination
- Engagement
- Economy
- Environment
- Facilities & Infrastructure
- Housing

The Plan must meet a number of Basic Conditions and other statutory requirements set out in Paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended). A **Basic Conditions Statement** accompanies this Plan outlining how it meets these requirements.

The basic conditions that the Plan must meet are that it:

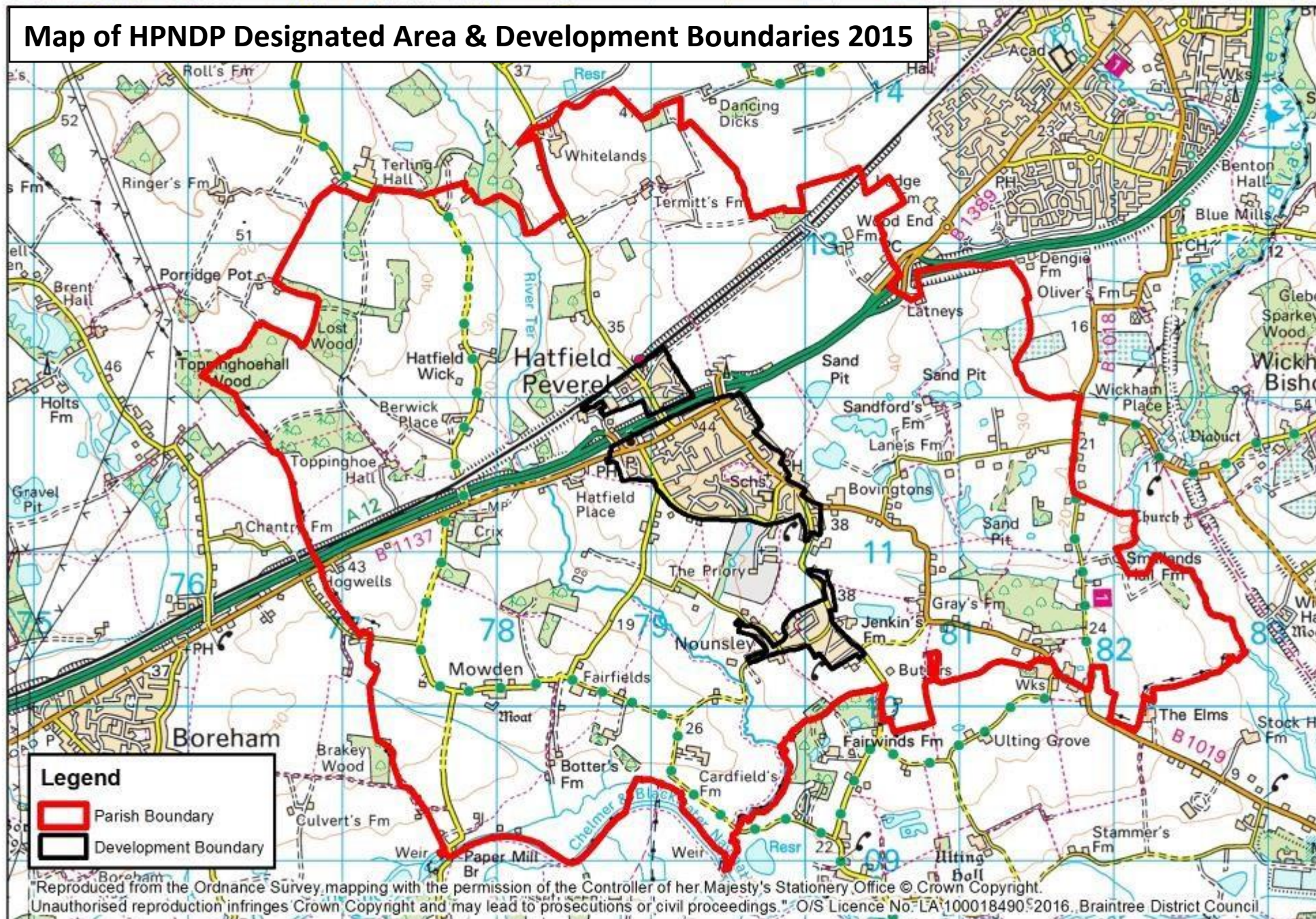
- contributes to the achievement of sustainable development
- takes account of National Policies and Guidance
- is in general conformity with the strategic policies contained in the development plan for the Braintree District
- does not breach and is otherwise compatible with EU obligations.³

Once adopted by BDC, the Plan will be a statutory document which forms part of the Braintree District Development Plan for the Parish. It will be used alongside National Policy and BDC’s Local Plan to determine planning applications in the Parish. When the Plan is completed it will provide a framework to manage development in the area for residents, businesses, HPPC, BDC and the development industry.

² National Planning Policy Framework https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

³ Localism Act 2011 <http://www.legislation.gov.uk/ukpga/2011/20/schedule/10/enacted>

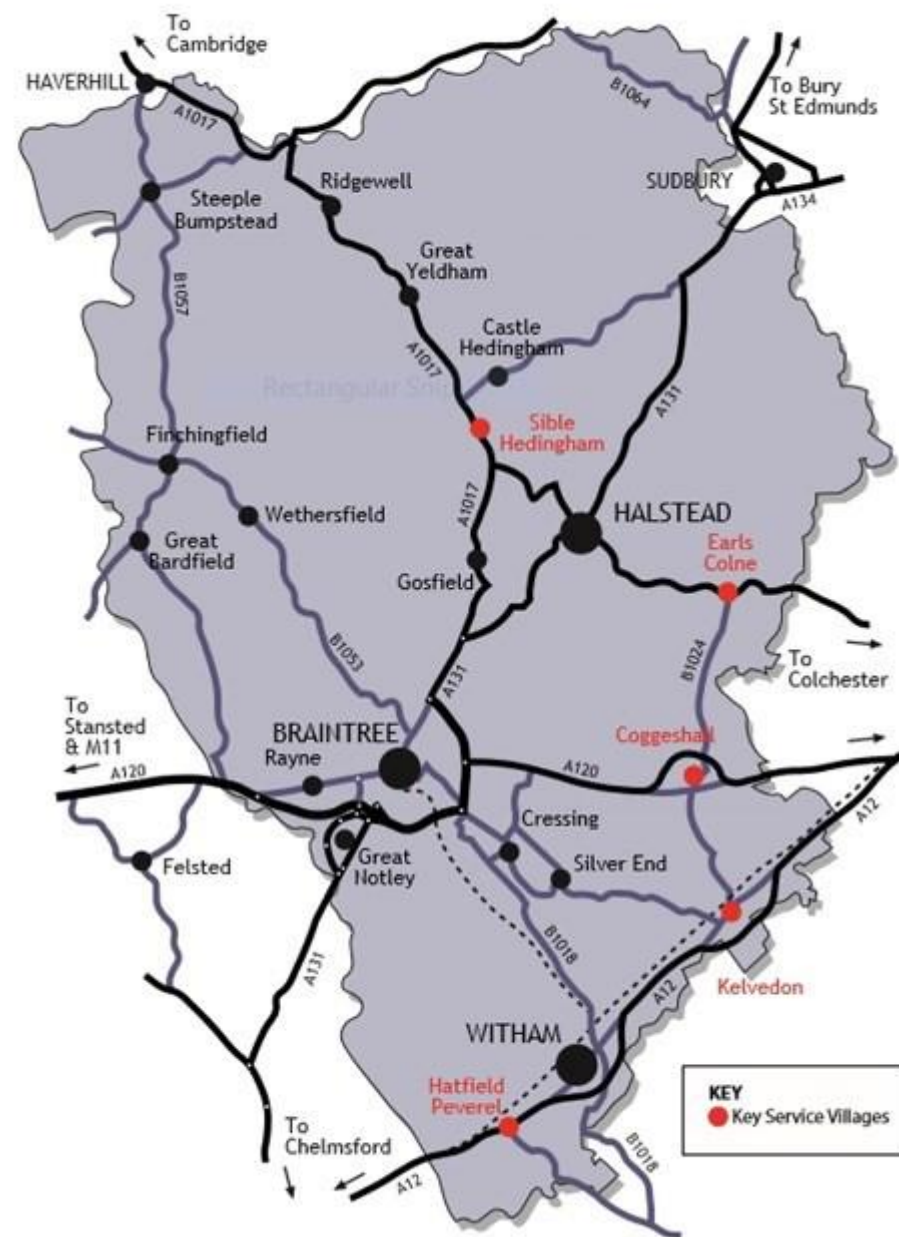
Map of HPNDP Designated Area & Development Boundaries 2015



How the Plan relates to BDC's Local Plan

At the time of writing our policies must generally conform to the strategic policies of BDC's Local Plan which is comprised of the Core Strategy and Saved Policies from the old Local Plan from 2005. BDC is currently preparing a new Local Plan which will be in place until 2033. The HPNDP will reflect this period. BDC's Emerging Local Plan is anticipated to be adopted in 2018.

BDC's Core Strategy (2011) refers to Hatfield Peverel as a Key Service Village which will provide housing, jobs and services for the immediate rural areas. In the new Local Plan Hatfield Peverel will be referred to as a 'Service Village'. Other population centres within the district, including Nounsley, are designated as 'Villages'.



Timeline & Milestones

The HPNDP has to undergo several statutory processes outlined in the Neighbourhood Planning Regulations 2012. These include:

- A formal 6-week consultation on the draft Plan (Regulation 14 Consultation)
- A 6-week publicity period on the amended draft Plan following consultation. (Regulation 15 Publicity of HPNDP)
- An Independent Examination
- Community Referendum - 50% approval required
- Plan Made (accepted to inform planning decisions) by BDC



Dec 14	HPPC approve formation of HPNDP Executive Committee
Jan 15	Application submitted for Designated Area being the whole of the Parish of Hatfield Peverel and Nounsley. 6-week consultation period on Area Designation Locality Support Awarded
Feb 15	Engagement activity commences supported by RCCE identifying Key Issues. Housing Needs Survey conducted by RCCE
Mar 15	Braintree District Council (BDC) approves Designated Area
Apr 15	Steering Group formed. Sub Groups formed to gather evidence to address key subjects / topics emerging from engagement activity
May - Jul 15	Vision and Objectives drafted and consulted on alongside engagement activity
Jun - Oct 15	Landscape Character Assessment produced for the Designated Area
Aug - Oct 15	Household Residents and Business Surveys conducted and qualitative analysis produced on written comments
Jul - Nov 15	Policy options produced by Topic Groups
Dec 15	Draft HPNDP created
Feb 16	Initial meeting with BDC to discuss plan and presentation of draft copy for the Strategic Environmental

Apr 16	Review and second draft of Plan
May - Aug 16	Meeting with BDC to present second draft copy for SEA Consultation and evaluation
May - Jun 16	Built Character Assessment conducted and published
Jun 16	SEA Consultation
Aug - Sep 16	Regulation 14 Consultation
Sep16 - Feb 17	Review and Modification of Plan following consultation
Nov 16	Meeting with BDC
Dec 16	Consultation Statement prepared
Dec 16	Basic Conditions Statement prepared
Dec 16	Consultant review of HPNDP.
Feb 17	Final meeting with BDC to discuss Plan prior to submission
Mar 17	Parish Council meeting to approve Plan prior to submission
Apr - Jun 17	Regulation 15 Publicity of HPNDP
Summer 17	HPNDP submitted for Independent Examination Plan revised based on Examiners report
Autumn 17	Community Referendum on HPNDP

Community Engagement

The production of HPNDP looked to engage with the local community at a very early stage. The Plan has been made reflecting National Policy which highlights that:

“Early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential. A wide section of the community should be proactively engaged, so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area.”

An Engagement Strategy was produced to ensure that the process remained open, transparent and compliant with EU Human Rights requirements. Using work from the Village Plan 2006 Key Community Issues were established with support from RCCE. Demographic data was gathered to monitor that all sections of the Parish had their views taken into account which enabled targeted engagement activities. The Census of 2011 showed the population of Hatfield Peverel to be 4375 with 51% female 49% male which comprised of 1815 households. The average age was 45 (median 47).⁴ Full details of the consultation are provided in the accompanying Consultation Statement.



Drop in on the Rec

- **A Series of Interactive Workshops** took place between Jan – Sept 2015 with local residents, Junior School, local clubs, Scouts and Guides. Manned displays were at several events including; Election Day, Party in the Park and Essex Dog Day.
- **An Ongoing Internet Presence** was maintained on the Parish Council’s website, Facebook, Twitter and StreetLife, along with regular email updates to the ‘keep me informed groups’ set up on the HPNDP email account.
- **Local Updates** were circulated to every household via the Hatfield Peverel Review.
- **Posters & Flyers** were distributed locally for key events and banners erected to raise awareness of the HPNDP.
- **Public Meetings** were held throughout the process to share the Plan’s progress and discuss key issues.
- **Surveys** including a Housing Needs Study, a Residents Survey and Business Survey were produced.



Inaugural Public Meeting

⁴Rural Community Profile for Hatfield Peverel (Parish), ACRE OCSI 2013

Key Issues arising from Engagement

- **Housing** - Concern that future development is in the right locations and of the right scale and type for the area
- **Merging with other settlements (coalescence)** - Hatfield Peverel should not merge with Witham, Nounsley or Boreham
- **Design** - Development should blend in with the existing setting
- **Environment** - Special open green spaces and open vistas should be protected to maintain the rural feel of the village in its countryside setting
- **Roads** - Traffic, particularly on the Maldon Road and The Street is a primary concern
- **Connectivity** - Reduce the need for car use through better broadband, public transport, footpaths and cycle ways
- **Parking** - Improve parking provision in the Parish
- **Facilities** - Enhance community facilities such as the library, school, doctors, village hall, churches, and sports facilities
- **Economy** - Local shops, businesses and pubs should be retained and enhanced

The key issues and evidence were used to establish the Vision and Objectives for the HPNDP and form the foundations for the policies of the Plan. Steering Group Meetings were held for consultation with residents and to provide regular updates on the progress.

The community also raised many important issues which could not be resolved through planning policies. These are included in the Non Statutory Planning Community Action Plan (Appendix 2) which will be taken forward with support from the Parish Council.



St. Andrew's Junior School Workshop



RCCE Workshop

VISION AND OBJECTIVES



St. Andrew's Churchyard

Vision

Hatfield Peverel in 2033 will be a place where people of any age are happy to live with the ability to easily access facilities, education and employment. Sustainability will underpin decisions within the Parish with social, environmental and economic factors all being taken into account.

The rural character and heritage of the village will be maintained and coalescence with the surrounding settlements be prevented by protected open areas. Any new developments in the built environment will be integrated with the landscape and the existing housing.

The village's geographical position in the area's road network is likely to continue to be a challenge during the Plan period. Finding creative and collaborative solutions across local authority borders and agencies will be a high priority.

Objectives

1. To build a strong economic and social centre for both Hatfield Peverel and Nounsley, which will provide sustainability for the community
2. To sustain economic growth by enhancing employment opportunities in the Parish; having a thriving retail core and increased options for home working
3. To have effective, superfast broadband and excellent mobile telephone provision for all residents and businesses
4. To continue to be separate distinctive settlements with open green areas maintained between Hatfield Peverel, Nounsley, Witham, Boreham and the wider district
5. To retain the rural character of the village with protected open spaces, enhanced natural environment and recreation facilities for health and wellbeing
6. To have effective communication links with well managed traffic and parking, improved walking and cycling routes and a range of travel options
7. To support access for all residents to appropriate education and health services
8. To ensure the provision of high quality housing suitable for all ages with easy access to essential services where family members can remain living locally

Hatfield Peverel Today

Hatfield Peverel is a semi-rural village in mid Essex, located between Chelmsford, 7 miles to the west, Witham, 2 miles to the east and some 4.5 miles to the northwest of Maldon on the coast. The Parish covers approximately seven square miles, unevenly bisected by the A12 and the railway line running through its northern part from the southwest to the northeast.

The majority of the built area is located to the south of the A12 bounded by the Chelmer valley to the south and the Blackwater valley to the east. There are two centres of population; the village of Hatfield Peverel itself and Nounsley approximately 3/4 of a mile to the south. The landscape is one of gently undulating agricultural land interspersed with small wooded areas and a number of substantial woods.

The local geology includes sand and gravel beds of glacial origin which have been actively extracted. Clay was once dug from 3 brickfields in the Parish. These activities, mostly to the eastern side of the Parish, have resulted in several lakes being established, some of which are used for recreational fishing.

Two rivers flow through the Parish: The Chelmer and the Ter, a small tributary, running roughly north to south to join the Chelmer at Rushes Lock. These waterways are an important green corridor providing ecological networks through the waterways and the species-rich grasses and woodlands which grow alongside them. There is low recorded rainfall in this part of the country but the area beside the rivers has been known to flood in recent time especially the River Ter by The Ford at Nounsley.

The highest point of the Parish is recorded as 157 feet and the lowest about 50 feet above mean sea level. Whilst there are no dramatic geographical features within the Parish, the Braintree District Landscape Character Assessment describes the qualities of the landscape. Further information is also available in the Hatfield Peverel Landscape Character Assessment (October 2015).



Hatfield Peverel Aerial View



Nounsley Aerial View



View from Crabbs Hill

Historic Development of Hatfield Peverel

The origins of the village date back to Roman times or earlier originating at the point where the Roman road forded the River Ter. The current A12 follows a similar, if less direct route to the old Roman road which linked Colchester (the Roman capital of Britain) to London. The old road passes directly through the village as “The Street”, the name coming from its Roman connection. A number of older properties, some listed, line this and the other main roads showing how the village has evolved over time (see Historic Features map page 40). Records do point to the establishment of a community in the area shortly after the Norman Conquest in 1066 when a manor was established by Ranulf de Peverel.

The village was largely a self-contained rural economy until the latter part of the 20th century. It had farms, brickfields, orchards, a mill (grain and silk), a forge, bakers, butchers and schools all to support the community and provide employment locally.

As the railway line and station (first opened in 1840's) were built and roads improved the built up area expanded. It became a popular place for people to stop on journeys between London and Norwich and there were several coaching inns. It became so busy before the A12 bypass was opened in 1974 that in the height of summer it could be difficult to cross the road. The village developed by the end of the 20c into a largely dormitory area for people commuting to London and other local towns for work.

A community spirit has been retained throughout the changes fostered by churches, the uniformed organisations, the schools, local sports groups, various clubs meeting in the village and events such as the Pram Race, a Carnival, May Day, Party in the Park celebrations.



The Street, Hatfield Peverel c 1907



The Street, Hatfield Peverel 2016

Overview of HPNDP Policies

The following section includes all the policies of the Plan. Each topic section contains background information arising from the engagement and evidence gathering process. The policies identify: the key issue raised by the community, objectives, the policy, justification and how the policy supports the overall objectives of the Plan.

Ref.	ECONOMIC	Pg.
ECN1	Support for Local Businesses	15
ECN2	Working from Home	16
ECN3	Broadband and Mobile Connectivity	17
ECN4	Protection of Commercial Premises	18
ECN5	Public Realm	20

Ref.	FACILITIES & INFRASTRUCTURE	Pg.
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FI4	Retention of Assets of Community Value	52
FI5	Developer Contribution	53

Ref.	ENVIRONMENT	Pg.
HPE1	Prevention of Coalescence	24
HPE2	Natural Environment and Bio-diversity	26
HPE3	Protection of Local Green Space	27
HPE4	Strutt Memorial Ground	29
HPE5	Sport and Recreation Provision	31
HPE6	Protection of Landscape Setting	32
HPE7	Flooding and SuDS	38
HPE8	Heritage	39

Ref.	HOUSING	Pg.
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HO3	Affordable Housing	60
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ECONOMY

Hatfield Peverel contains a range of services used by residents of the surrounding rural area. The Parish looks to Witham as the main town for provision of higher-level services within the Braintree District. Hatfield Peverel's road connections give access to Chelmsford and Maldon which both provide an alternative range of higher-level services and employment opportunities. 60% of respondents to the Business Survey stated their catchment area was a 10 mile radius.

The local economy shares challenges with the rest of the District including an inadequate road infrastructure, parking and lack of super fast broadband⁵. Comments made at engagement events expressed a desire for more employment in the Parish to include the younger generation and part time opportunities.

Economic activity in the Parish consists of local businesses offering a range of services including vehicle repairs and servicing, leisure, IT development, retailing, environmental control activity, estate agency, dry cleaning, hairdressing and restaurants. Other businesses, mainly trades services operating as sole traders and those offering commercial, administrative and financial services, work from residential properties within the Parish. Retail activity is centred on the two main streets with units rarely becoming available and being filled quickly once vacant.

Take away food outlets and convenience stores including a Co-op Local are well supported reflecting the volume of passing trade generated from the position of The Street at the junction of the main link from Maldon to the A12.



The Street

Economy Key Issues

Planning

- Provide a range of employment opportunities, supporting and encouraging local business activity and growth within the Parish in order to continue to service a growing population with adequate parking
- Supply of suitable premises required for new start-up businesses and expansion/development of existing
- Increase opportunities to work from home to reduce commuting by car and increase local employment options
- Enhanced super fast broadband connection will help address the constraints currently experienced by businesses and when working from home
- Retain properties for commercial use including retail services in preference to housing within the Plan Area and increase the range of facilities and services available
- Attention paid to the kerb appeal of the village encourages a more cared for street environment improving the shopping experience and fostering community identity

Non-Planning

- Business premises should be well maintained
- The community needs a hub or centre for people to meet in the daytime. This could be provided by a tea room or similar facility
- Lack of centre for Nounsley once provided by the Sportsman's Arms
- Advertising and promoting Hatfield Peverel externally to support business
- Improve mobile phone service

Economic Policy

Key issue: Provide a range of employment opportunities, supporting and encouraging local business activity and growth within the Parish in order to continue to service a growing population with adequate parking.

Objectives:

- To support employment growth through an increase in the number of active small businesses or expansion of existing ones
- To encourage local working decreasing the need for extended car journeys
- To meet employment needs of local residents
- To maintain the rural nature and small scale mix of business premises in an environmentally sensitive way

ECN1 Support for Local Businesses

New business uses defined as offices, light industrial units, tourism and hospitality uses and leisure, health and education related activities, and the expansion of existing businesses will be supported throughout the Parish provided that:

- ◇ The business employs no more than 20 people on site
- ◇ There is no unacceptable impact on residential amenity
- ◇ Any new buildings are of a scale and design that respects the landscape character of the area in which it is located
- ◇ Any historic, cultural or architectural features are retained or enhanced
- ◇ There is an acceptable impact on the local road network including the management of vehicular movements on the surrounding road network to prevent congestion and damage to road surfaces and verges
- ◇ Satisfactory access and egress arrangements and vehicular parking and covered, secure cycle parking provision can be made
- ◇ Satisfactory arrangements can be made for the containment and disposal of any waste

- ◇ Satisfactory arrangements can be made for the containment and disposal of any waste

Proposals for warehousing and storage uses including open air storage will be resisted.

Justification:

New businesses are encouraged throughout the Parish subject to a number of criteria which seek to ensure that the impact of any new development is acceptable. Expansion of existing business within the same criteria is supported.

The Business Survey indicated that 80% of locally based businesses employed up to 20 people. For this reason, 20 has been taken as the benchmark upper limit when considering small businesses being established in the Parish.

The type, size and volume of vehicle movements associated with warehousing activity is not considered compatible with the capacity of the road network either within the built up area coming from the main A12 trunk route or onward into the wider rural parish. The sizes of associated buildings are difficult to accommodate without a negative impact on rural surroundings and it is an inefficient use of land space compared to the employment generated.

In order to maintain basic employment and business opportunities, reducing the need to commute outside the area, attention should be paid to providing for and improving the retail and commercial services available within the Parish.



Maldon Road

Economic Policy

- **Key issue:** Increase opportunities to work from home to reduce commuting by car.

Objectives:

- To encourage any new housing development to allow for future growth of home working, either as a full time business or infrequently on behalf of an employer
- To decrease the environmental impact of travelling to work through reducing journeys

ECN2 Working from Home

Any new or redesigned dwellings should include provision to enable a home office to be accommodated. This could be achieved through the design of the building to allow conversion of roof space or similar area into an office or workspace area or by providing space within the internal layout.

New larger housing schemes should, where appropriate, make provision for work hubs which are readily accessible by foot or by bicycle from new homes and can provide business and social facilities with services for the community.



Community meeting hosted at Crix

Justification:

There has been a significant increase over the last ten years in home working nationally from 2.9 million in 1998 to 4.2 million in 2014⁶. This ranges from more people working from home, perhaps for a day a week for an employer or by basing their business at home. Working from home is generally regarded as a non-planning issue because planning permission is not required in most situations. However, enabling working from home has potential to contribute to the achievement of sustainable development.

It can reduce out-commuting, boost local economies through more use being made of local facilities and enhance individual spending power as a result of lower commuting costs.

Good building design should provide flexibility within the property to enable easy conversion for home working. This widens the employment choices for individuals.

A work hub is a flexible workspace offering professional facilities for micro businesses and mobile workers, including those who work from home. A work hub serves more businesses than a traditional office can house. Shared facilities may include bookable 'hot' desks, formal and informal meeting spaces, super fast broadband and costly professional equipment. Work hubs offer an important, professional front for small and start up enterprises. These provide the ability to meet clients, receive business advice and support and have friendly professional staff handling their phone calls and post. They provide a relaxed working environment helping collaboration and the exchange of ideas and are an antidote to isolation.

Work hubs should be provided on any sites allocated by BDC in the Parish. Where not viable developer contributions towards work hubs provision should be considered in line with policy FI5.

⁶Office of National Statistics

<http://webarchive.nationalarchives.gov.uk/20160105160709/http://www.ons.gov.uk/output/rel/mac/characteristics-of-home-workers/2014/rpt-home-workers.html>

Economic Policy

Key issue: Enhanced super fast broadband connection will help address the constraints currently experienced by businesses and when working from home.

Objectives:

- To maximise the ability of business to operate competitively while based outside a main town environment
- To improve the quality of life for residents through better connectivity enabling social interaction and inclusion beyond the immediate area

ECN3 Broadband and Mobile Connectivity

The development of new, superfast broadband and mobile infrastructure to serve the Parish will be supported.

Proposals for new development must demonstrate how they will contribute to, and be compatible with, superfast broadband and high quality internet connectivity. This could be through a 'connectivity statement' accompanying a planning application. Such statements should consider land use, the anticipated connectivity requirements, their speed, and known data networks, including a realistic assessment of connection potential or need to contribute to any such networks.

Where no internet provider is available, as a minimum (subject to viability), suitable ducting that can accept superfast broadband should be provided to the public highway, a community led local access network or another suitable location.

Where possible additional ducting should be provided that contributes to a local access network for the wider community. The costs associated with this can be considered alongside any other requirements and be subject to viability testing.

Justification:

Superfast broadband and better mobile connectivity can make a significant difference to those living and working in villages and rural areas. Both the Resident and Business Surveys confirmed that broadband speed in the Parish is slow.

In line with Broadband Delivery UK, part of the Department for Culture, Media and Sport, the Government is keen to see improvements to broadband and mobile infrastructure. The NPPF supports high quality communications infrastructure. It specifically states that the development of superfast broadband technology and other communication networks plays a vital role in enhancing the provision of local community facilities and services. BDC also recognises these benefits. Cabinets and Poles should be sited in accordance with the Cabinet Siting and Pole Siting Code of Practice.

ECC recommends that broadband installation should be provided for all new developments without a distinction between small and large scale development.

The policy requires developers have early regard to the connectivity of their proposals.



Broadband Box, Stonepath Drive

Economic Policy

Key issue: Retain properties for commercial use in preference to housing within the Plan Area and increase the range of facilities and services available.

Objectives:

- To recognise three commercial zones within Hatfield Peverel built area (see map page 19) along The Street and Maldon Road
- To avoid a loss of business and retail premises in these zones
- To provide a good level of services for a growing community and decrease the need for car journeys
- To protect new commercial developments from future change of use through Permitted Development throughout the Parish

ECN4 Protection of Commercial Premises

Change of Use

Proposals for the change of use of commercial premises from employment or community activity in the Parish will only be supported if it can be satisfactorily demonstrated that:

- ◇ The use is no longer viable and the premises has been appropriately marketed for at least six months at a reasonable market rate or
- ◇ There is no longer a need for the facility or a suitable replacement has been provided in a suitably convenient location elsewhere

Any new proposals for commercial premises are likely to have permitted development rights removed to retain a supply of commercial premises.

Commercial Zones

Three commercial zones have been identified in Hatfield Peverel and are shown on Map of Central Commercial Zones in Hatfield Peverel (page 19). Within these areas, growth and diversity of economic activity is encouraged to continue to provide small scale shops, services and community facilities to meet the needs of the local population.

Change of use from residential to economic or business or community related uses will generally be supported within these zones.

Justification:

In order to provide local shopping and services for the community positive action is required to protect and enhance commercial premises. This contributes to reduced car journeys, providing local employment and training opportunities.

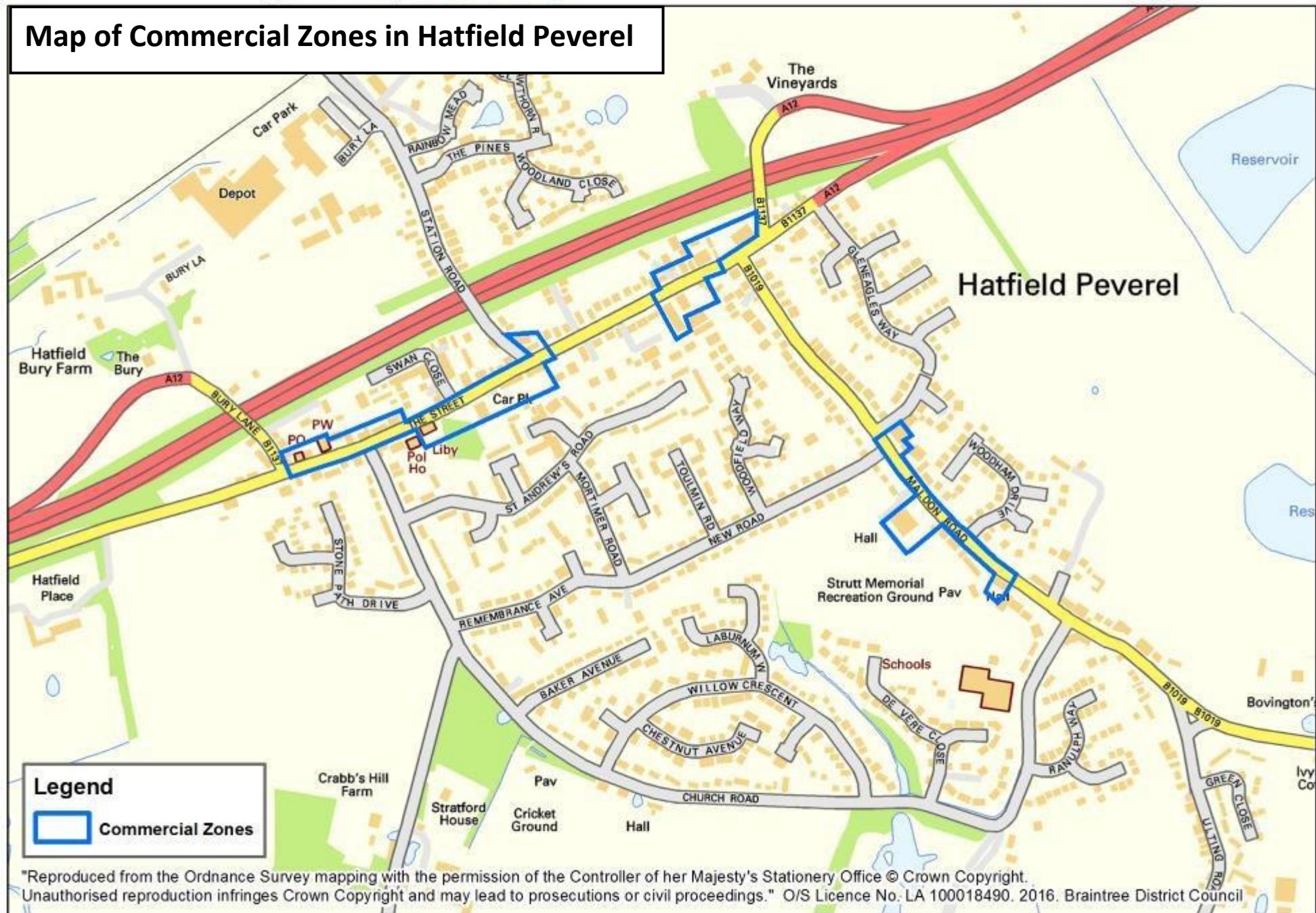
In addition to the two Local Centres identified by BDC the Plan identifies three commercial zones. The zone along Maldon Road incorporates existing retail premises, the Village Hall and Community Association which runs a bar and the former Salvation Army Hall which includes office facilities and parking. The two zones along The Street incorporate the BDC local centres and expands them to include neighbouring commercial premises. These zones would be best placed for economic rather than housing growth.

The Regulation 14 draft of HPNDP identified the former Arla site as suitable for mixed use development. 87% of respondents agreed with the policy.

Commercial activity such as local shopping tends to be concentrated along the main thoroughfares making it easier to access a variety of businesses conveniently. Suitable commercial premises are limited and their loss would tend to decrease the accessibility and attractiveness of services and trades offered. Residents have stated that they would like to see Hatfield Peverel develop more speciality shopping units as in the past it included a butchers, bakers, greengrocers, haberdashers etc. A number of these former businesses are now converted for residential use. The community would also welcome a café/tea room.

It is important to maintain a varied selection of commercial premises in the wider Parish to support diversity, local employment and prosperity.

Map of Commercial Zones in Hatfield Peverel



Economic Policy

Key issue: Attention paid to the kerb appeal of the village encourages a more cared for street environment improving the shopping experience and fostering community identity.

Objectives:

- To create an appealing environment that people wish to work, shop and stay in
- To create meeting places
- To encourage residents and businesses to have a pride in the community

ECN5 Public Realm

Businesses will be expected to consider the visual impact they make on the area and to take every opportunity to enhance it through reference to guidance such as the Essex Design Guide and the Hatfield Peverel and Nounsley Character Assessment or other relevant guidance as it becomes available.

This will include elements of the streetscape such as well-designed street furniture and signage, lighting, landscaping, and open spaces. The purpose of any enhancements would be to improve conditions for pedestrians and cyclists moving around the village and help to create focal points for business activity and community interaction.

Development (including a bypass) should include provision of sensitive enhancements to the Public Realm along existing roads where appropriate such as: widening of pavements, improved surfacing, tree planting, improved crossing points, traffic calming and the creation of areas of shared surface.

Justification:

The streetscape gives visitors their first impression of the village. Residents have said that they feel this now lacks cohesion and continuity and could be improved. An appealing streetscape encourages people to use the businesses and facilities available. To achieve this there needs to be a more co-ordinated approach. Individual planning applications need to be assessed in the context of the wider public realm, this will include increasing parking space, providing community services, improving signage and visual appeal of the street scene.

Improving the appeal of the area will encourage use of the businesses not just in the commercial zones but also in the wider local area. The community supports improvements to Hadfelda Square as outlined by the BDC Open Space Action Plan (2016)

There has been ongoing discussion around the provision of a Maldon Link road bypassing the village. Residents have said they are in favour of this. This and any road improvement that significantly reduces traffic flow would give the opportunity to enhance public realm provided improvements meet the requirements of ECC and Highways Agency.



Hadfelda Square

ENVIRONMENT

A major attraction of the Parish is its rural location while being close to the road and rail networks, open spaces, countryside views and well established network of paths contributing to the overall appeal (see Map Environment and Parish Features page 22). It is this character that the community want to retain when considering any developments. A separate document, the Hatfield Peverel Landscape Character Assessment (2015) commissioned by the Parish Council identifies areas of particular significance and describes the environment of the Parish. New building outside development boundaries should be appropriate to the countryside to protect and enhance the landscape character and biodiversity, geodiversity and amenity of the countryside.

At it's southern boundary the village of Hatfield Peverel is separated from Nounsley by a strip of fields. The community wishes to keep this degree of separation. The growth of the town of Witham to the east, also causes concern. The community wish to retain the separate identities and distinctiveness of the settlements.

There are three Protected Lanes in the area; Sportsmans Lane (BTELANE2), Bumfords Lane (BTELANE1) and Terling Hall Road (BTELANE3). Sportsmans Lane was re assessed in 2012 and the protected lane designation was extended along its entire length which increased its archaeological potential. There are no specific bridleways.

Open spaces are enjoyed by the community who wish to see them retained for amenity and outdoor pursuits. Opportunities will be sought to expand or improve the sites. BDC's Open Spaces Action Plan (2016) identifies areas in the parish that it will support when funding becomes available through Section 106 contributions.

Open views and sites used for recreation that have been identified by the residents as being important will be protected and supported for future amenity and recreational use.



Field between Hatfield Peverel and Nounsley



Bluebells along Footpath 30 in Moor Gardens Wood

Map Environment & Parish Features



Environment Key Issues

Planning

- Prevent the encroachment of the nearest town, Witham and the merging of Hatfield Peverel and Nounsley to protect the uniqueness and separation of these settlements
- Preserve and enhance natural habitats
- The community consider a number of views to be important. In preserving the rural landscape setting of the village
- Protect and expand recreation facilities and spaces for community well-being
- The allotments are an important amenity to the Parish as they provide green space and opportunity for health and wellbeing
- The footpaths in the Parish are important for access, health and recreation and have been established over a long period
- The introduction of bridleways could provide more off road routes for horse riders and cyclists
- Concern about development on areas prone to flooding. Storm water management areas to be used to enhance the area and encourage wildlife
- Hatfield Peverel has a long history and its links to that heritage should be protected whilst allowing the Parish to move forward

Non-Planning

- Waterways in the Parish are underutilised as an amenity and recreation facility especially for the younger generation. It is also important they are well maintained



Allotments off Church Road (old site)



Footpath from Maldon Road to Spring Lane

Environment Policy

Key issue: Prevent the encroachment of the nearest town, Witham and the merging of Hatfield Peverel and Nounsley to protect the uniqueness and separation of these settlements.

Objectives:

- To prevent coalescence between Hatfield Peverel and Nounsley
- To prevent coalescence between Hatfield Peverel and Witham
- To ensure that any new developments maintain the rural nature of both settlements of Hatfield Peverel and Nounsley by maintaining green wedges

HPE1 Prevention of Coalescence

A green wedge will be created along the eastern development boundary of Hatfield Peverel and at the eastern boundary of the Parish with Woodend Farm to avoid coalescence with Witham. (See map page 25)

A similar green wedge will be created that will preserve the open space between the built area of Hatfield Peverel and the hamlet of Nounsley.

In these areas the following development will be permitted provided it maintains the open nature of the area.

- ◇ Agricultural purposes
- ◇ Outdoor recreation and sports facilities
- ◇ Cemeteries
- ◇ Replacement of existing building
- ◇ Redevelopment of previously developed land
- ◇ Transport infrastructure
- ◇ Utilities (e.g. power, water, gas, sewage)
- ◇ Developments brought forward under a Community Right to Build Order

Justification:

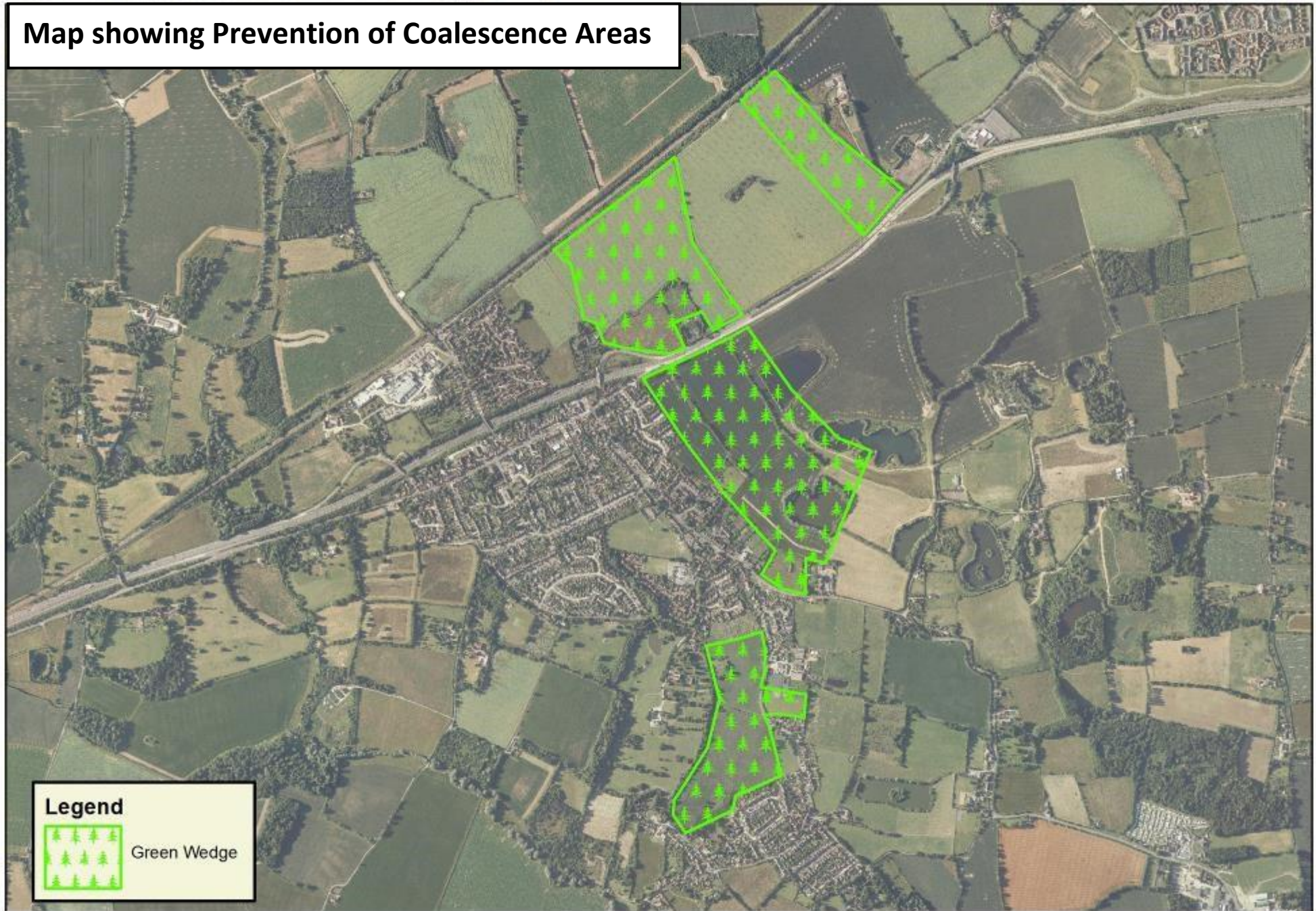
Strong support has been given to the retention of a green wedge in order to prevent coalescence between built up settlements within the Parish and adjoining authorities.

A high level of concern was expressed in the engagement activity that Witham and Hatfield Peverel will merge with one another. There are already well developed plans to extend Witham on the western side as part of BDC's Strategic Growth Area. If there is development on the eastern side of the village boundary south of the A12 this starts to erode the gap between the two settlements where the open farmland landscape contributes to a sense of separation between Hatfield Peverel and Witham which are just 1.8km apart. North of the A12, inserting a green wedge to the east of The Vineyards preserves the sense of an empty landscape which prevails across the swathe of farmland between the rail and road corridors, characterised by the same elevation, scale and rectangular arrangement. A similar green wedge at the eastern end of this farmland will also prevent coalescence. This area is part of landscape area 4 and the southern part of landscape area 3 in the Hatfield Peverel Landscape Character Assessment. The landscape guidelines identify these areas as "contributing to the sense of separation between Hatfield Peverel and Witham".

Three quarters of the respondents to the engagement exercise stated that it was either very important, or important that the gap between Hatfield Peverel and Nounsley be maintained. There was a strong feeling that the open countryside be kept so that there was a clear delineation between them. This area forms part of landscape area 6 in the Hatfield Peverel Landscape Character Assessment (2015) which states "the open farmland should be retained to maintain the sense of separation between village and hamlet and preventing the coalescence of the two."

It is recognised that some areas of land within the green wedges are working countryside and that other types of development often found and suited to the countryside could be permitted within these areas without significant harm to the overarching objective of ensuring that the separate and individual identities of Hatfield Peverel, Nounsley and Witham are retained. To this end, the policy flexibly identifies certain types of development to ensure that the rural economy can continue to function and be viable.

Map showing Prevention of Coalescence Areas



Environment Policy

Key issue: Preserve and enhance natural habitats.

Objectives:

- To protect and enhance biodiversity
- To protect wildlife through safeguarding and enhancement of green corridors

HPE2 Natural Environment & Biodiversity

Development should retain and enhance existing trees, hedgerows and habitats which are important for their historic, visual or biodiversity value unless the need for, and the benefits of the development in that location clearly outweigh any loss. Any such loss will be appropriately mitigated.

Strong support will be given to the retention of natural boundary treatments and the provision of new areas of natural planting and habitat as part of new developments. This will help to promote wildlife corridors and, where appropriate, provide natural screening to help integrate development with existing built-up areas.

Development should also:

- ◇ Restrict planting on a development to locally native species
- ◇ Protect the best and most versatile agricultural land
- ◇ Have regard to and respect the character of the landscape and its sensitivity to change
- ◇ Enhance the locally distinctive character of the landscape in accordance with the Hatfield Peverel Landscape Character Assessment (2015)
- ◇ Take account of the potential impacts of climate change and ensure the protection and enhancement of the natural environment, habitats, biodiversity and geo-diversity of the Parish

- ◇ Proposals to develop a network of wildlife corridors alongside public rights of way will be supported
- ◇ Where revisions to existing rights of way are necessary to accommodate planned development alternative routes should avoid the use of estate roads for the purpose wherever possible. Proposals that include appropriately designed and surfaced footpaths through landscaped and open areas will be supported

Justification:

The countryside is rich in natural flora and fauna. The Hatfield Peverel Landscape Character Assessment 2015 (HPLCA) has identified a number of key local characteristics to be protected and enhanced including:

- ancient or species-rich hedgerows
- ancient trees or trees of arboriculture value

Mitigation measures should enable the preservation, restoration and recreation of wildlife habitats, and the protection and recovery of priority species.

There are three lanes, Terling Hall Road, Bumfords Lane, and Sportsmans Lane which have met the threshold for Protected Lane status.

Residents have commented on the varied wildlife within the Parish. This includes feral peacocks in Nounsley, deer, buzzards, kites, hedgehogs, bats etc. In a study on the Stonepath Meadow Site (2000 - 2016) 107 faunal species were identified including various rare and some endangered species. Several of the birds are on the RSPB red list.



Stonepath Meadow

Environment Policy

Key issue: The community has identified open spaces that it values. Some of these need protecting from development into the future.

Objective:

- To protect and improve identified green spaces to ensure their existence in perpetuity for the benefit of the community and visitors

HPE3 Protection of Local Green Space

Proposals for development which would result in the loss of the identified Local Green Spaces within this plan will not be permitted.

The identified areas are:

- ◇ The Green
- ◇ The Duck Pond

Justification:

Designated Local Green Spaces (LGS) have special significance for the Parish.

The NPPF (Paras 76 to 78) clearly sets out the criteria for designation of a Local Green Space.

“Local Green Space, which cannot be a large swathe of land, must be of particular importance and in reasonably close proximity to the local community and will be protected from development except under very special circumstances.”

Continued on next page.

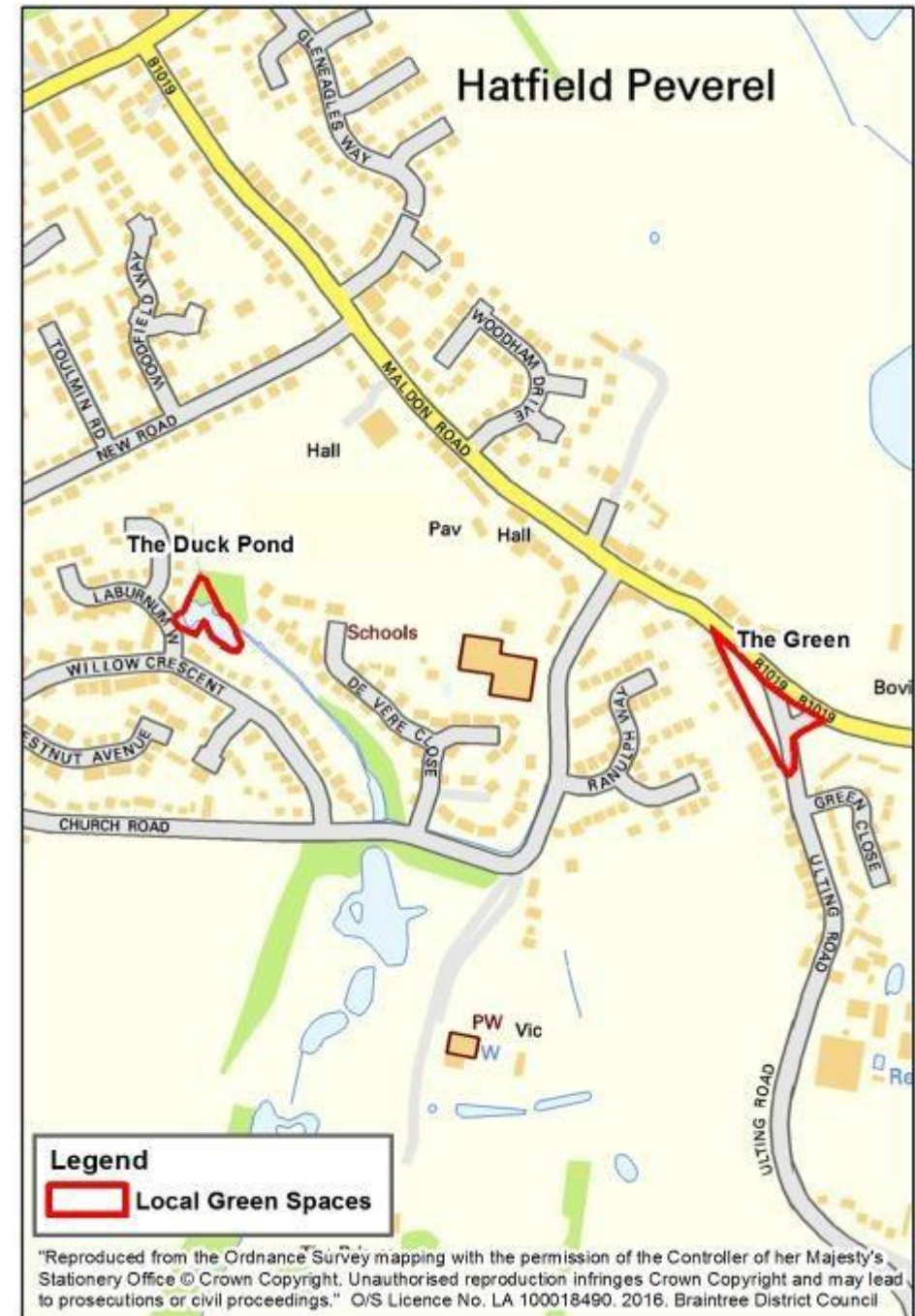




Table of Local Green Space

NAME OF LOCAL GREEN SPACE	CLOSE PROXIMITY TO THE COMMUNITY	DEMONSTRABLY SPECIAL TO THE COMMUNITY	OTHER CHARACTERISTICS
<p>The Green</p> 	<p>At the junction of Maldon Road and Ulting Road</p> <p>OS Co-ordinates: Easting (x)579975 Northing (y)211322</p>	<p>Open grassed area which gives pleasant aspect on entering the built area of the village from Maldon. Planted with daffodils in Spring. Surrounded by a number of different housing types some listed (The Brewery) showing how the area has evolved.</p>	<p>The Village sign Red telephone box Post box Traditional finger post sign Seating area. Small open green area Mature trees New planting</p>
<p>The Duck Pond</p> 	<p>Close to the Strutt Memorial Ground located alongside the access route from Willow Crescent and easily accessible to the whole village</p> <p>OS Co-ordinates: Easting (x)579469 Northing (y)211409</p>	<p>A small, tranquil, wildlife friendly area with a potential for enhancing its benefit to the community. Visiting the ducks has been an enjoyable pastime for families for years.</p>	<p>Has potential as a focus for community based projects, clearing and maintaining the area, pond dipping etc.</p>

Environment Policy

Key issue: The community values the Strutt Memorial Ground (the Rec) as an open space and wishes it be protected but to allow for projects that enhance the leisure use/experience of the area to be possible in the future.

Objectives:

- To maintain and improve Strutt Memorial Ground for the benefit of the Parish in perpetuity
- To allow for limited buildings to be erected e.g. toilets; changing facilities that will enhance the use of the area for the community

HPE4 Strutt Memorial Recreation Ground

No building will be allowed on the Strutt Memorial Recreation Ground (the Rec) unless it is to provide for clearly identified and evidenced needs directly associated with recreational use.



Strutt Memorial Recreation Ground (the Rec)

Justification:

The Strutt Memorial Recreation Ground acts as a “green lung” within the village. It is used extensively for recreational purposes by the community including children and families, joggers and dog walkers providing a safe area in the heart of the village.

As it is located next to the Village Hall and is a large area within the centre of the village it is an ideal place for events. It is hoped that in the future more use can be made of this area. It can be both tranquil and vibrant at different times.

The Strutt Memorial Ground is owned by HPPC covenanted for use as a public open space and recreation ground in lasting memorial to Edward Gerald Strutt. Uses include facilities for exercise, recreation and social activities. The engagement activities identified the need for toilets and an outside gym. Changing facilities would also be acceptable.

OS Co-ordinates: Easting (x) 579581 Northing (y) 211502



Environment Policy

Key issue: Protect and expand recreation facilities and spaces for community wellbeing.

Objectives:

- To maintain, improve and develop recreation and sports facilities to meet the diverse recreational needs of an expanding population
- To protect green, open spaces not covered by the LGS designation
- To maintain/increase the network of footpaths, cycle paths and bridleways

HPE5 Sport and Recreation Provision

Proposals for development which would result in the loss of any recreational facilities will be permitted only in circumstances where a replacement facility of equal or enhanced quality will be provided.

The provision of additional sports and recreation facilities will be encouraged in appropriate locations.

Support will be given to proposals that improve and extend the existing footpath network and create a cycle path and bridleway network, allowing greater access to housing, village centres, green spaces and the open countryside.

The loss of existing footpaths and cycle paths will be resisted.

The current allotment sites will be protected.

The Dannatt's quarry site will be protected for recreation use.

Justification:

The community feels that although there are some good facilities, in particular those identified by BDC and shown on the map of Green Areas and Recreation on page 31. These could be expanded and improved to meet the recreation, health and wellbeing needs of the community in the future. Facilities identified as needed were an outdoor gym, tennis courts, changing facilities and investigating greater use of waterways for recreational purposes.

In addition, HPPC are hoping to secure the old Dannatt's quarry site on Wickham Bishops Road to be run by a Community Interest Company (CIC) as a Community Park. Improved footpath access to this and the Keith Bigden Memorial Ground on Wickham Bishops Road is necessary.

Various footpaths that lead to the surrounding countryside are highly valued and used frequently by residents. When asked to rank the importance of the different open spaces, the local footpaths came third highest. ECC has stated that they consider the footpaths to be protected.

The open spaces and associated recreation facilities within the Parish contribute to physical and mental health. It is important for overall wellbeing to maintain areas for both exercise and peaceful relaxation. They also enhance a sense of belonging for individuals.

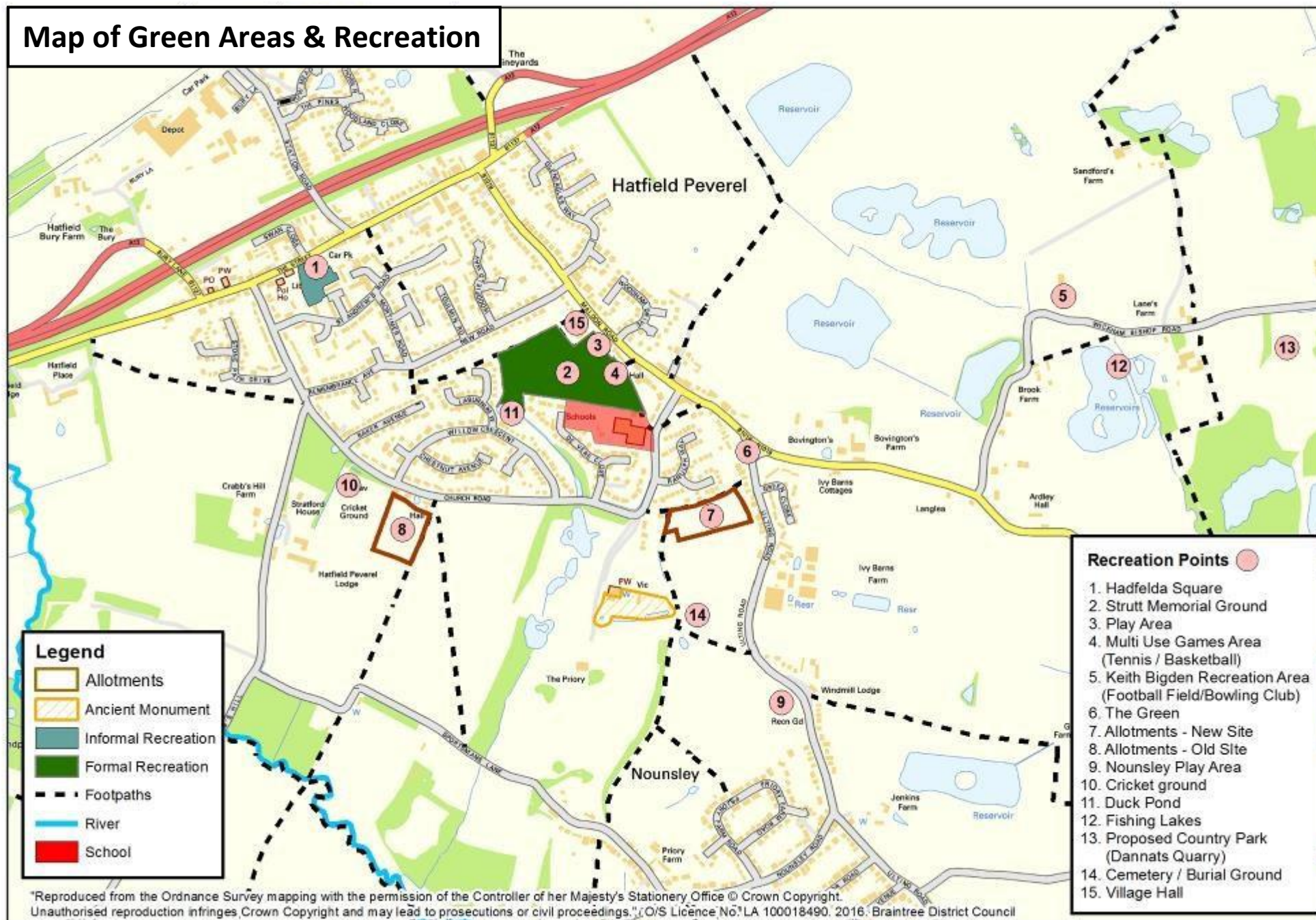
Allotments fulfil both the above criteria as well as providing home grown produce and an enhanced area for nature.

It is important to maintain these spaces to meet the diverse recreational needs of an expanding population as well as enhance the biodiversity and rural character of the village.



Former Dannatt's quarry,
(proposed Community Park)

Map of Green Areas & Recreation



Environment Policy

Key issue: The community consider a number of views to be important. in preserving the rural landscape setting of the village.

Objectives:

- To preserve the rural character setting of the village
- To protect views and open spaces that are valued by the community and form part of the landscape character

HPE6 Protection of Landscape Setting

The Plan seeks to protect the landscape setting of the village through preservation and enhancement of views identified by the community (see pages 33-37) and the Hatfield Peverel Landscape Character Assessment (2015).

Any proposed development, or alterations to an area within these views, must ensure their key features can continue to be enjoyed including distant buildings, areas of landscape and open agricultural countryside.

Justification:

The engagement process highlighted a desire to protect the rural landscape setting of the built area of the Parish. The Residents Survey asked which views best demonstrated this feature. A photographic competition allowed residents to identify and vote on views taken of the Parish, and a village walkabout helped identify special views for inclusion in this policy along with photographs taken by residents.

The views south and west towards Danbury were noted as being the most aesthetically pleasing. Residents also felt that views to the north and east were important in accentuating the rural feel of the outer Parish around the built areas and that erosion of these by development within the Parish or from neighbouring settlements could threaten the landscape setting in those areas.

The Hatfield Peverel Landscape Character Assessment (2015) identified many views across the Parish. The most important of these have been identified for protection and are identified on the map on page 33.

The HPLCA (2015) states that:

“the existing views in the valley landscape around the southern fringes of the village are framed by blocks of woodland and hedges associated with the valley slopes and the stream corridor itself. Baddow Ridge is occasionally glimpsed in views from the valley slopes in the north of the character area, while the impression of Hatfield Peverel in views from the south is limited to glimpses of properties nestling within a framework of mature vegetation in the vicinity of Church Road and Sportsman’s Lane. The location, characteristics and visual qualities of these views should be retained and enhanced to ensure the setting of the southern fringes of the village”

It echoed support for the views looking east from the village by stating:

“the broad open views across arable farmland on the gently falling valley slopes, in which occasional glimpses towards the steep ridge at Wickham Bishops are possible, are to be safeguarded. The stands of trees that fringe the fishing lakes/reservoirs within the open farmland landscape, punctuating these views, should be retained and enhanced through management and new planting with species characteristic of the valley landscape of the River Blackwater”.

It also makes reference to the views from outer areas of the Parish towards the built up area as having a significance which could be affected by development.




Not all the features identified by the community require protecting or will be subject to development e.g. the Ford, outlying areas and river scenes. Although not included in the Plan these are important and




recorded in the evidence base.




Map of Important Views



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Table of Important Views showing Landscape Setting

No. on Ma	Site	Key Features	Value to the Community	
1	From Church Road looking across Stonepath Meadow and footpath 43 towards Baddow Ridge HPLCA Area 2	<p>The foreground is a meadow with mature trees and hedgerow</p> <p>The distant view is over the Ter Valley towards the Little Baddow Glacial Ridge (rising to the highest point in Essex)</p> <p>Also visible are historical features including the Marconi Radar Tower, Hatfield Place (Grade II*)</p>	<p>Accessed by many residents from the heavily used footpath</p> <p>Well documented biodiversity</p> <p>View commended by CPRE in 2006</p>	
2	From footpath 37 off Church Road leading diagonally to Sportsmans Lane behind the Scout and Guide HQ HPLCA Area 7	<p>The foreground view is open pasture including the Ter valley which is framed by blocks of woodland and hedges associated with the valley slopes and the stream corridor itself</p> <p>Beyond is the view of rural Danbury and Little Baddow Glacial Ridge</p> <p>The Priory, one of the Parish's Grade II* listed properties is visible to the South East</p>	<p>Accessed by many residents every day for recreation, dog walking and access to Nounsley</p> <p>The Scout and Guide HQ is used frequently by residents for events and the car park accommodates recycling facilities</p>	
3	From footpath 22 off Ulting Road opposite Rose Cottage looking towards Baddow Ridge HPLCA Area 6	<p>The foreground is open arable land that comprises the rural gap between Hatfield Peverel village and the hamlet of Nounsley</p> <p>The mid-ground in the view has a few large ancient oaks</p> <p>The distant view is over the Ter Valley towards the Little Baddow Glacial Ridge (rising to the highest point in Essex)</p> <p>The boundary to the west is the trees and mature shrubs edging the parkland of the historic Hatfield Priory</p>	<p>Accessed regularly by many residents from the footpath. The view is also visible from footpaths 20 and 50</p> <p>An area that the residents wish to preserve to prevent coalescence between the built areas of Hatfield Peverel and Nounsley</p>	

No. on Ma	Site	Key Features	Value to the Community	
4	From Bovingtons/Ivy Barns looking towards Baddow Ridge HPLCA Area 6	<p>The foreground is grazing meadow</p> <p>The mid ground is of Ivy Barns farms and Nounsley housing</p> <p>The distant view is over the Ter Valley towards the Little Baddow Glacial Ridge (rising to the highest point in Essex)</p> <p>The housing on The Green, Hatfield Peverel is visible to the West</p>	<p>Entrance to the village</p> <p>Rural view seen by many as they enter or leave the built area of the village</p>	
5	From Gleneagles Way area looking towards Witham HPLCA Area 4	<p>The foreground is open arable farmland with established trees and hedgerow</p> <p>Open fields with several lakes remaining from redundant gravel pits with vegetation around them</p> <p>Line of tall trees</p>	<p>An area that the residents wish to preserve to prevent coalescence with Witham</p> <p>Lakes used for recreational fishing</p>	
6	From the railway footbridge on footpath 40 north of The Vineyards looking across the A12 to Wickham Bishops and south towards Hatfield Peverel HPLCA Area 3	<p>The foreground is open farmland with hedgerow and mature trees bordering the A12</p> <p>Beyond this is a distant view of Wickham Bishops</p> <p>This is the highest point in the village</p>	<p>It is a very popular area for dog walkers who appreciate the views as part of their walk</p> <p>The seasonal changes in the view are of particular merit</p> <p>Confirms rural nature of Parish boundary</p>	

No. on Ma	Site	Key Features	Value to the Community	
7	From the railway bridge looking towards Terling Hall HPLCA Area 3	Open farmland with a mix of pasture and arable production, fields enclosed by a network of hedgerows and trees along the course of the River Ter, which link with blocks of woodland at the edge of the floodplain Farm buildings. the former Arla site buildings on left	View for many from the train and station on their daily commute Rural view on entering or leaving the built area of the village	
8	From Terling Hall Road looking across to Hatfield Peverel by railway station HPLCA Area 10	The foreground is open arable farmland and countryside The mid ground is mature trees, hedgerow, farm buildings and cottages The distant view is River Ter valley with trees and rising above them in the distance agricultural fields and the built area of Hatfield Peverel by the railway Station and the former Arla site Area in the distance will change with the redevelopment of the former Arla site	Demonstrates the setting of the village in the rural landscape	
9	From footpath 13 near Spitmans Gardens looking to Hatfield Peverel built area across the back of Crix and Hatfield Place HPLCA Area 2	The foreground is arable farmland and countryside The mid ground is woodlands and mature trees The River Ter valley crosses the centre of the view The rear of Crix and Hatfield Place, both listed buildings in large parkland can be seen The distant view is fields, trees and housing on the plateau of Hatfield Peverel	Important area because of its historic value Used for country pursuits	

No. on Ma	Site	Key Features	Value to the Community	
10	From Mowden Hall Lane looking across to Hatfield Peverel and Nounsley HPLCA Area 8	The foreground is open arable fields The mid ground is the River Ter Valley and mature trees The distant view is of the built areas, fields and trees of Hatfield Peverel and Nounsley	Demonstrates the setting of the village in the rural landscape	
11	From footpath 20 off Sportsmans Lane looking up towards Hatfield Peverel HPLCA Area 6	The foreground is arable farmland, rising up to the roofline of the built area of Hatfield Peverel The boundary hedge of the Priory is on the north west	The footpath is used daily by residents This area forms the lower part of the gap between Hatfield Peverel and Nounsley Area used by migrating geese in winter	

Environment Policy

Key issue: Concern about development on areas prone to flooding. Storm water management areas to be used to enhance the area and encourage wildlife.

Objectives:

- To maintain awareness of areas liable to flooding and avoid the risks involved in building there
- To ensure that Sustainable Drainage Systems (SuDS) are used to improve the area accompanying development
- To direct development to the lowest areas of flood risk using sequential and exceptions tests and using a risk based approach to ensure development does not exacerbate flooding

HPE7 Flooding and SuDS

Any proposed development will include mitigation measures against future risk to properties, residents and wildlife from flash flooding and by keeping development away from areas prone to flooding.

The use of Sustainable Drainage Systems (SuDS) will be expected where an engineering and ground assessment indicates feasibility.

Where a Sustainable Drainage Systems (SuDS) is proposed consideration of the site and the positive benefits it could have for the environment should be demonstrated in the planning application.

Should it be demonstrated that infiltration is not possible then water should be discharged to a watercourse or a sewer with appropriate attenuation and treatment to ensure that flood and pollution risk is not increased and where possible betterment is provided.

Justification:

There are two rivers that run through the Parish, the Ter and the Chelmer. Both are prone to breaching their banks.

All development proposals need to take account of the potential impacts of climate change and ensure the protection and enhancement of the natural environment, habitats, biodiversity and geo-diversity of the district.

The map Environment and Parish Features on page 22 shows the areas in danger of being flooded at the time this document was produced. Advice should be sought on the most recent assessment of risk from the Environment Agency. Please refer to www.maps.environmentagency.gov.uk for up to date information.

BDC will minimise exposure of people and property to the risks of flooding by following the national guidance laid out in NPPF/Planning Practice Guidance (PPG) together with advice from ECC as Lead Local Flood Authority.

A sustainable drainage system (SuDS) is designed to reduce the potential impact of new and existing developments with respect to surface water drainage discharges. It should be used wherever possible to reduce problems with increased flash flooding after sudden rain, promote groundwater recharge, enhance biodiversity and provide amenity benefit, unless, following an adequate assessment, soil conditions and/or engineering feasibility dictate otherwise.



Nounsley Ford

Environment Policy

Key issue: Hatfield Peverel has a long history and its links to that heritage should be protected whilst allowing the Parish to move forward.

Objectives:

- To conserve heritage assets of significance
- To identify areas, features and buildings which contribute to the character of the Parish and need conservation

HPE8 Heritage

Any development will enable the conservation and sustainability of the historic environment to maximise the wider social, cultural, economic and environmental benefits such conservation can bring while developing opportunities to draw on the contribution made by the historic environment to the local character and distinctiveness.

An appropriate assessment of the significance of any heritage asset(s) in the Parish, including the contribution made by their setting, the impact of a development on the asset(s) and how such development could conserve and enhance the asset(s) will need to be included in any planning application that effects the asset(s) using information from the Essex Historic Environment Record, guidance from relevant experts and where appropriate using the Building in Context Toolkit (Historic England).

Developers will be expected to respect these areas and buildings, whatever their state of repair, and to ensure no harm comes to them as a result of their plans. This will include the setting of the asset.

The Parish will be open and receptive to innovative but sensitive uses of a heritage asset in order to support its conservation, enhancement and future use.

Justification:

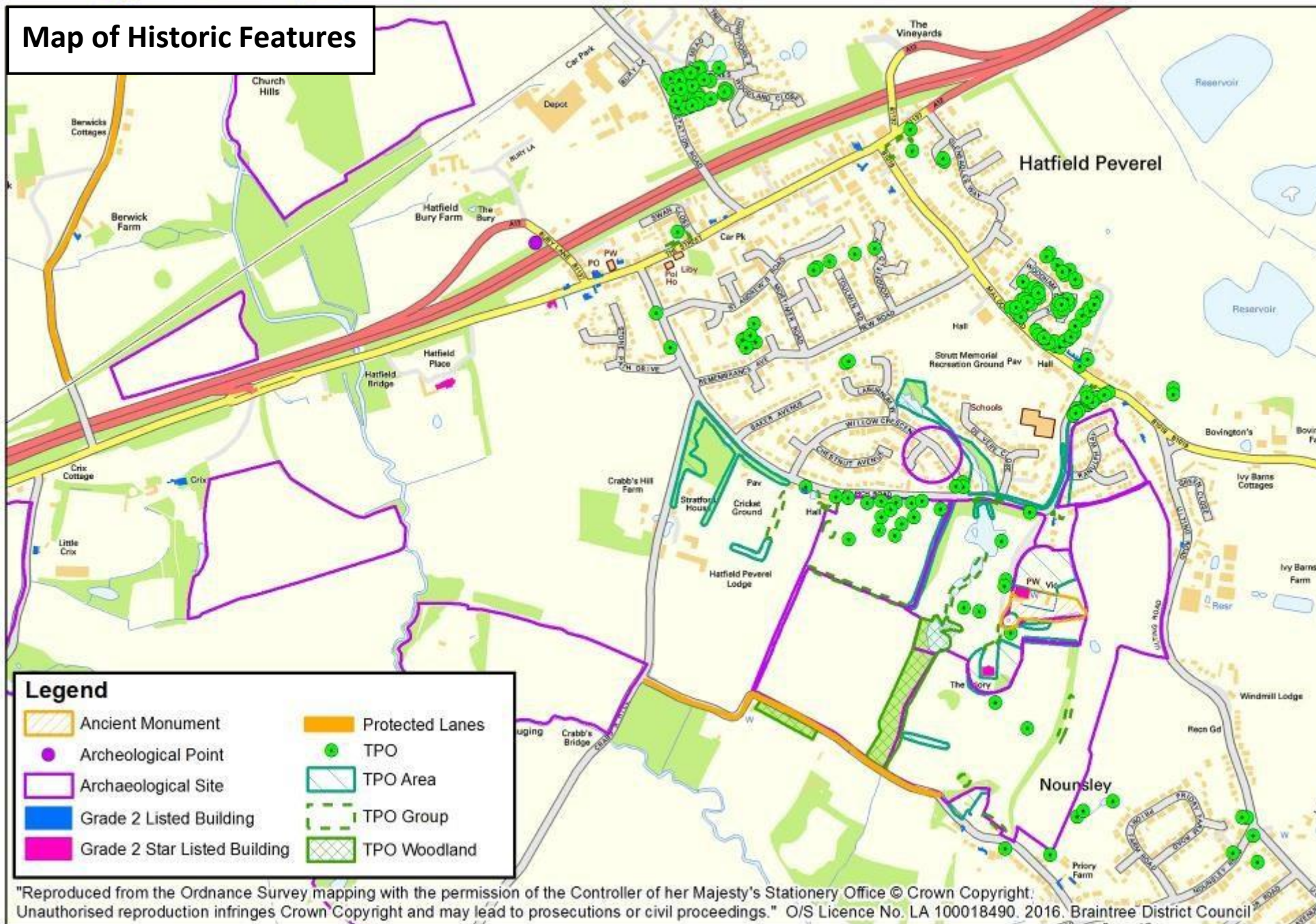
All heritage assets both designated and non-designated are held in high regard by the Parish and subject to this policy. The NPPF describes heritage assets as: “a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest” and requires that there should be a positive strategy for the conservation and enjoyment of the historic environment.

There are a number of non-designated heritage assets with archaeological interest throughout the Parish as identified on the Essex Historic Environment Record and illustrated on the map on page 40. Developers may be required to submit an archaeological desk-based assessment and to conduct an archaeological evaluation to inform their planning applications. Other heritage assets are documented in the BDC publication - Braintree District Historic Environment Characterisation Project 2010. A local list of heritage assets for the Parish is being produced in line with guidance from Historic England. There are a number of Tree Preservation Orders (TPOs) in the Parish and the community need to identify significant trees that should be considered for further orders to protect the rural identity of the Parish.

Information about the significance of the historic environment of the Parish that is secured through the planning process should be made publicly available by developers. English Heritage and CABE's 'Building in Context Toolkit' provides information on heritage and design issues to stimulate a high standard of design when development takes place in historically sensitive areas.

It can be prohibitively expensive to maintain and restore heritage assets. Creative uses to make them self-sustaining (e.g. café/tea room, parkland/buildings for events or ceremonies; boutique shops; gardens etc.) will be supported where it can be demonstrated that no harm will come to the asset. These solutions will stop any loss of significance, and secure the positive contribution that conservation of heritage assets can make to the Parish.

Map of Historic Features



FACILITIES AND INFRASTRUCTURE



Hatfield Peverel Railway Station

Facilities and infrastructure enhancements benefit all sections of the community and are of most concern to the residents. Many of these issues cannot be addressed directly by the policies within the Plan but constrain sustainable growth.

The most significant transport links for the Parish are provided by the A12 trunk road and the London-Norwich railway line which has a station at Hatfield Peverel. These links give direct access to Chelmsford and onwards to London in one direction and towards Colchester, Ipswich, Norfolk and the coast in the other (see map showing location of Hatfield Peverel and Road network page 42).

The railway station is both an economic and social asset. A significant percentage of the village commute by train (17.7% Hatfield Peverel commuters travel over 40Km to work compared to 11.1% for Essex and 4.9% for England).⁷ Bus routes serve the Parish with links to Chelmsford, Witham, Colchester and Maldon, providing transport for commuters, school children and the elderly. Local taxi firms also provide a service to residents and a taxi bus service can be booked. For the community to remain sustainable easy access to various modes of transport is required.

⁷ Distance Travelled to Work (Census 2001, UV35), Travel to Employment Centres
Department of Transport 2011
HPNDP Post Submission Version

Hatfield Peverel currently provides access to the A12 to and from Maldon District. The Parish has experienced an increased volume in traffic flow over the last few years as evidenced by ECC highway surveys and counts. Hatfield Peverel is designated by ECC /Highways England as an emergency route when there is a closure of the A12. The government announced a proposal to widen the A12 from Boreham to Marks Tey. The provision of a spur between Junctions 20b and 21 would provide for a Maldon Link road bypassing Hatfield Peverel. Improvements to the A12 and the creation of a bypass are considered by residents as important to mitigate traffic problems.

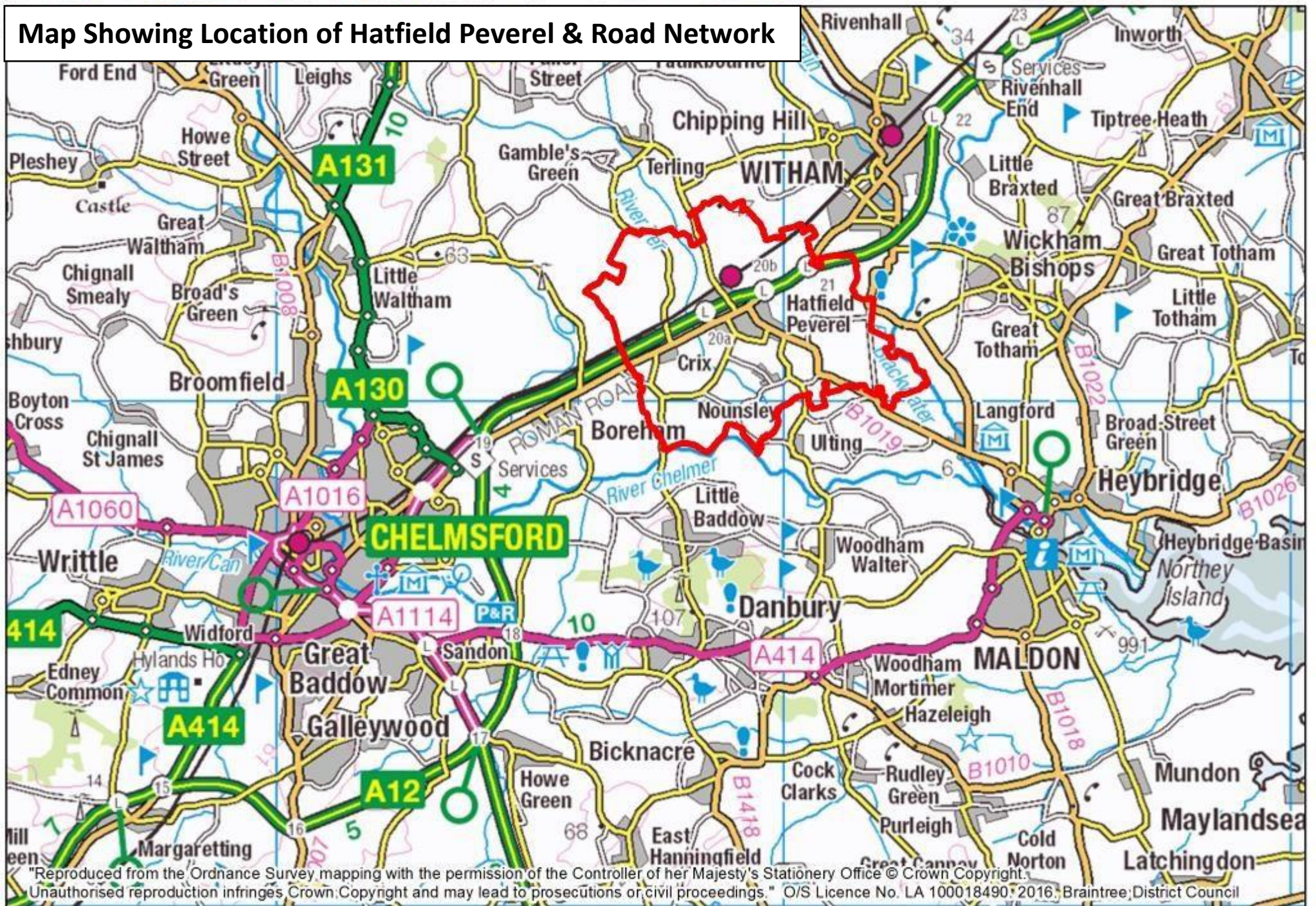
There is a perception of speeding within the Parish. Hatfield Peverel has an active Speedwatch group, which operates a Police approved speed camera, together with four Speed Indicator Devices (SIDs) which record passing car speeds and has resulted in further action being taken.

In addition to being a thoroughfare Hatfield Peverel also has parking problems. Restricted parking on a number of streets, and double yellow lines near junctions, the school and other areas has partially addressed some of the issues. Pavement parking is a problem on Maldon Road and The Street. Hadfelda Square car park is the only public parking area in the village centre and is currently limited to 2 hours free parking.



A12 Chelmsford Bound

Map Showing Location of Hatfield Peverel & Road Network



The Parish is proud of its education provision. There are currently 2 day nurseries that provide after school clubs. Neither of them at present provide care for under 2 year olds. Hatfield Peverel Infant School (4-7 yrs.) and St Andrew's C of E Junior School (7-11yrs) are near capacity and the current sites do not allow for expansion. There is no secondary school within the Parish. Pupils either use public transport, provided buses or private transport to access their allocated or chosen school. Education should not just be considered for the young and the Parish supports adult education provision.

Hatfield Peverel Sidney House Surgery and its partner surgery, The Laurels, in nearby Boreham provide Primary Care services for both villages and the wider area. The surgery has a dispensary which offers a service for residents outside a one-mile radius. Those inside the one-mile radius are able to use the nearby pharmacy in Hadfelda Square. There is a NHS dental practice, which has capacity for new patients and no optician in the Parish. Secondary Care is provided at Broomfield Hospital, Chelmsford. A 'Dial a Ride' service and the Chelmer Valley Park and Ride provide transport links to the hospital. The Parish has an ageing population and growth following development will increase demands on already stretched health care provision. It is very important to the community that these local facilities are protected and enhanced.

Other facilities and organisations in Hatfield Peverel help to create a strong community, for details see Appendix 1. HPPC owns a number of facilities which are held in perpetuity for the benefit of the community. The provision of a vibrant core to the village and the retention of open spaces for recreation help to mitigate the negative effects of isolation (including mental health issues) experienced by all sections of the population. A Map of Hatfield Peverel Amenities can be found on page 44.



Hatfield Peverel Infant School



Hatfield Peverel Junior School

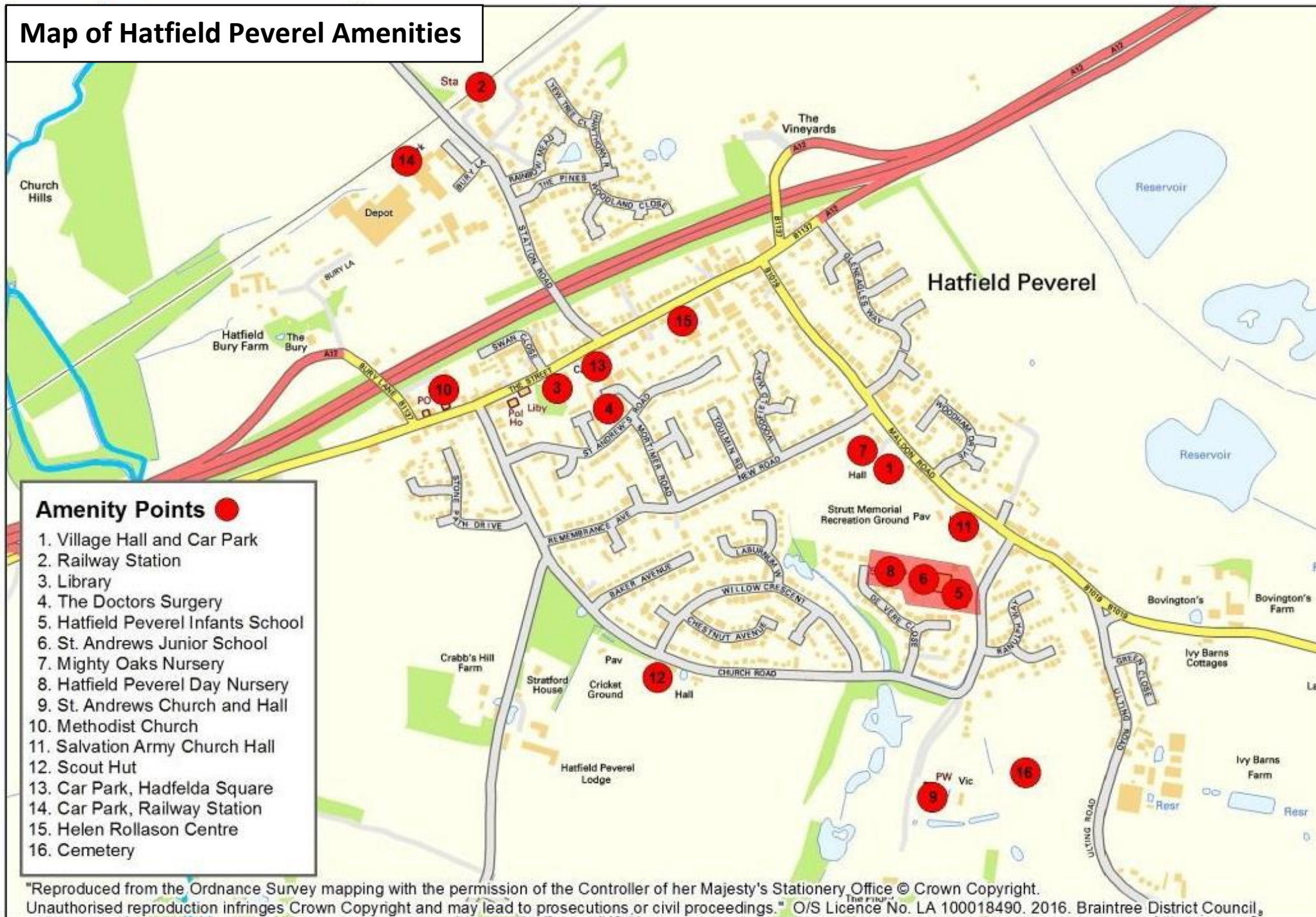


Sydney House Surgery



Dentist, The Street

Map of Hatfield Peverel Amenities



Key Issues

Planning

- The impact of traffic including vehicle size, volume and speed on the movement of Parish residents is a cause of concern
- Improvements to footpath, cycling and public transport opportunities to access employment, amenities and recreation in order to reduce over-reliance on private cars
- The railway station must be a long term feature of the Parish and the provision of a frequent and reliable service should be a priority
- The layout of the main roads through the village has developed from old street patterns with housing very close to the road which reduces pavement width in places, increasing risks to pedestrians and property and restricts expansion
- Commuter parking on residential streets, parking to access healthcare care facilities, and general lack of availability of parking is of concern
- The Parish does not currently have a public electric vehicle charging point
- Provision of local schools, nurseries, surgery and pharmacy in the village is important. Impact of new development will affect their ability to cope
- Lifelong learning opportunities are encouraged within the Parish
- A site has been identified for a new Primary School as part of strategic development at Lodge Farm, Witham. The route to the proposed school is alongside the A12 trunk road and is unguarded. School journeys would therefore be likely to involve driving and parking would be an issue
- Hatfield Peverel lies very close to Witham south which is already experiencing significant housing growth. The GP surgery boundary encompasses this area of growth and is at capacity

- The GP surgery was extended in 1994, but due to site limitations cannot be further extended
- Both Hatfield Peverel and Nounsley need to have flexible centres (hubs) to foster social interaction and cater for a wide range of people including a tea room/café, meeting place, events venue and enhanced facilities at the Village Hall
- Concern about the loss of local assets and amenities and the benefits of retaining these for community use (e.g. Sportsman's Arms)
- More sports facilities are needed e.g. outdoor gym
- Many of the issues raised by the community are important and can be resolved through the use of developer contributions, financial or direct provision

Non-Planning

- Motorists do not observe the speed limits and fail to stop at the zebra and school crossings
- The slip road on to the A12 towards Witham is hazardous because of the road layout and speed of traffic
- High level of noise from the A12 could increase with the proposed 3-lane improvements
- HGV movements cause traffic problems, congestion, road damage due to the size of the vehicles and air pollution
- The current car parking facility at the railway station is considered too expensive and consequently this leads to increased on road parking in some local residential streets
- The bus services are inadequate to meet the needs of the community, especially the more rural areas. There is no bus service running in tandem with the railway timetable
- A considerable number of children in the Infant and Junior Schools are from outside the village

- Parking in the vicinity of the school is a problem. There is only limited on-site parking for staff members
- Travel out of the area to secondary schools is by car, bus or train. Public transport costs are of concern
- Expansion of neighbouring towns and villages may impact on Hatfield Peverel children when they come to apply for secondary places because the Parish is not in a priority school catchment
- NHS funding reduction is an issue for the GPs and the staffing levels needed to support the surgery services required in this community
- The existing GP surgery will struggle to cater for any further population growth as the patient list is now operating at full capacity. The closure of a GP walk-in service in nearby Springfield has exacerbated the situation
- There can be a long wait for an appointment with a specific doctor due to the way the surgery operates its appointment system
- Residents of Nounsley using public transport to access the village GP surgery or neighbouring towns for the opticians are limited to a bus service operating every two hours
- The Village Hall is an important facility that needs on-going investment and community support. Its use should be reviewed and creative ideas for future development to ensure sustainability e.g. relocating the library, café/ tea room, public toilets
- The Sportsmans Arms, Nounsley, has historically been a valuable resource and has been protected as an Asset of Community Value. This could be an important hub and community centre for the future which would have to be replaced with an alternate site if proposed for residential development
- There are a large number of cyclists in the village and it would be good to encourage a club/group to form
- The village would benefit from having a public toilet especially near the Rec



Village Hall



Ride for Helen 2015

Facilities and Infrastructure Policy

Key issues: The impact of traffic including vehicle size, volume and speed on the movement of Parish residents is a cause of concern. Improvements to footpath, cycling and public transport opportunities to access employment, amenities and recreation in order to reduce over-reliance on private cars.

Objectives:

- To support, promote and encourage alternative travel options
- To encourage more sustainable modes of transport, by improved connectivity, providing links to public transport and better walk and cycle infrastructure (including safe storage)
- To ensure that routes to schools are safe for families
- To reduce traffic and parking issues
- To ensure streets are designed to be places rather than just corridors for traffic
- To manage and mitigate adverse effects of development on the roads of the Parish

FI1 Transport and Access

Development proposals must be supported by a Transport Statement or Assessment which must reference ECC Development Management Policies (2011), and in particular Policy DM13, which specifies the thresholds (Appendix B) when such statements will be required.

Proposals for all new developments should prevent unacceptable risks from emissions and all forms of pollution (including air, water and noise pollution) to ensure no deterioration of current standards. All applications for development where the existence of/or potential for the creation of pollution is suspected must be supported by relevant assessments.

New development must provide appropriate safe pedestrian and cycle routes to public transport hubs e.g. bus stops and the railway station and recreational, educational and retail facilities. Where

possible these routes should link to other local and national networks. Safe links from Maldon Road to Keith Bigden Memorial Ground and Bury Lane to the station are required.

Access for all should be the standard. Where possible, shared use cycle ways/footpaths should be provided. The needs of those with mobility problems and visual impairment should be considered e.g. dropped kerbs, textured surfaces. This will also meet the needs of people with pushchairs.

Developments will be required to implement 'shared spaces' or 'living streets' to reduce both the speed and dominance of motorised transport, by removing unnecessary street furniture/road markings, introducing specific materials and a speed limit of 20 mph. Church Road from The Street to De Vere Close and New Road are seen as suiting shared spaces.

Any new public parking areas should provide secure covered cycle bays or storage. Increased secure cycle parking will be provided at local amenities e.g. school and station to meet demand, encouraging residents to use cycles instead of cars.

Justification on next page



Cycle parking at Hatfield Peverel Station

Facilities and Infrastructure Policy

Justification:

Traffic flows through the village in peak hours are consistently high. Development within the Parish needs to avoid increasing local traffic. Highways England consultation on the A12 widening⁸ shows main junctions along The Street are unable to meet demand at peak times. The reliance on cars and the restrictive street pattern in the village creates a need for alternatives to private car use to be provided. Partnership working to ensure safety, reduce pollution from queuing cars and create free flow of traffic is required. There are no dedicated cycle routes or bridleways in the Parish. This policy aims to encourage a reduction in car use and increase the use of bus and train services which the community would like to see maintained and enhanced.

Public Rights of Way (PROW), footpaths, bridleways and quiet lanes will be protected and maintained by ECC as the highway authority. Any amendment to an existing or provision of a new PROW will be advertised, and the Parish Council will provide comments accordingly.

It is essential we make our streets safer and more welcoming. Being able to walk and cycle safely improves the quality of life and fitness of the whole community. Access for all standards will ensure people with disabilities are able to mobilise within the community. Through designing 'shared spaces' users will feel that, taking due care, they can move through a space freely and with confidence.

Encouraging families to walk to school through the enhancement and proper maintenance of existing walking routes and the creation of appropriate paths from any new development site will reduce some of the parking issues around the schools. The ECC's Statement of Education Policy August 2015 states the legal definition of an available walking route is a route along which, accompanied as necessary, a child can walk with reasonable safety to school. A parent has a right to challenge the availability of such a route.

⁸ https://highwaysengland.citizenspace.com/he/a12-chelmsford-to-a120-widening-scheme/supporting_documents/A12%20Chelmsford%20to%20A120%2020Options%20Assessment%20Report%20OAR.pdf



The Street, Duke of Wellington Junction



Footpath 29 from Latneys

Facilities and Infrastructure Policy

Key issues: Commuter parking on residential streets, parking to access healthcare care facilities, and general lack of availability of parking is of concern.

The Parish does not currently have a public electric vehicle charging point.

Objectives:

- To retain and increase public parking areas in the village particularly in the vicinity of important community facilities
- To ensure adequate parking is provided within the site perimeter for all new developments
- To discourage on-street parking by commuters within residential development by providing adequate affordable parking for the railway station
- To maintain free flow of traffic
- To provide charging facilities for electric vehicles
- To provide for the anticipated increase use of eco-friendly vehicles

FI2 Parking

Development will be required to provide vehicular and cycle parking in accordance with the current adopted Essex County Council Parking Standards.

Residential parking

- ◇ Off street parking for each dwelling with provision for deliveries and services, guests, healthcare personnel e.g. patient transport pick up/drop off and other transient visitors.
- ◇ The use of tandem parking on properties or large parking courts to the front part of developments will be discouraged.
- ◇ Where garages are provided they must be designed to reflect the style of the house they serve and set back from the street frontage.

General parking

- ◇ When proposals for development and planning applications are being considered opportunities to provide public car parking near to community services will be identified.
- ◇ Any existing public parking area e.g. Railway Station, Hadfelda Square will be retained unless an equivalent or improved facility is provided nearby.
- ◇ Proposals that improve parking facilities enhancing safe and suitable access to the train station will be supported.

Business parking

- ◇ Business developments will be required to provide appropriate off road parking for customers, deliveries and staff.

Electric Charging Points

- ◇ New public car parking provision should include charging points as standard. The provision of charging points in existing public car parks will be encouraged and supported.
- ◇ New developments will show that they have made or have the potential to have provision for electric vehicle charging for each dwelling.
- ◇ New developments should include provision of a public charging point/s in communal parking areas.

Facilities and Infrastructure Policy

Justification:

BDC have adopted the Essex Parking Standards (in the process of being updated) which are considered to be acceptable for new developments within the Parish at the time of writing.

Adequate parking provision including visitor/delivery spaces within the perimeter of all new housing is considered to be an essential requirement to prevent vehicles impacting surrounding roads with overflow parking. New developments need to address the full range of vehicle movements required including: emergency services, refuse collections, delivery services.

Residents report high volume of commuter parking in residential streets. There is a desire to find solutions to this problem through planning or non planning measures. There are also parking issues around healthcare facilities. Staff and patients have reported that they frequently find it difficult to park within the vicinity of the surgery as parking was restricted nearby due to commuter parking. Parking on pavements has been reported, preventing access for people with mobility problems, visual impairments and pushchairs.

High traffic flow and demand for parking at certain times of the day has been highlighted through community engagement. The Street and Maldon Road are both narrow roads with limited parking places for shops and businesses. On street parking blockages create safety and traffic flow issues.

The rise in electric car ownership has nationally increased 2012—2015 an average of 152.66% per year⁹. The increase in electric vehicles gives rise to the need for charging points for hybrid or all electric vehicles.



Hatfield Peverel Station Car Park



The Street

⁹NASDAQ March 2016 The rise of electric vehicles by the numbers.

<http://www.nasdaq.com/article/the-rise-of-electric-vehicles-by-the-numbers-cm595564>

Facilities and Infrastructure Policy

Key issues: Provision of local schools, nurseries, surgery and pharmacy in the village is important. Impact of new development will affect their ability to cope.

Lifelong learning opportunities are encouraged within the Parish.

Objectives:

- To facilitate sustainable schooling provision which can provide places for all early years and primary age children within the Parish
- To promote education facilities for all ages
- To support and promote the provision of health care facilities in the Parish
- To encourage facilities for promotion of mental health

F13 Education and Health Infrastructure

The provision of education facilities for all ages within the Parish will be encouraged in appropriate locations.

The provision of new physical and mental healthcare services within the Parish will be encouraged in appropriate locations.

Loss or degradation of education or healthcare services will be resisted.



St Andrew's Church of England Junior School

Justification:

Sustainable schooling should provide places for all Early Years and Primary age children within the Parish. Where children have to be transported from outside the area to a local school and vice versa there is a potential impact on traffic congestion, the environment, health, safety and wellbeing. Various factors mean that a number of children come from further afield to local schools leading to children within the Parish being unable to take up places. Further development will increase the need for school places. At present ECC have said that they have no plans to expand local schools. The possible move to Academy or other similar status during the plan period may provide an opportunity for reviewing the options to increase capacity which could include development. The current sites have limited space for expansion. Lifelong learning can be delivered in many different ways and provides a useful social function promoting wellbeing and mental health. It can also assist with change of employment direction and other lifestyle changes. Provision for lifelong learning is supported.

Healthcare facilities e.g. surgery, pharmacy and dentist are of importance to residents. It is strongly desired that the current levels of service are maintained and improved. The impact of an ageing population and housing development will require management to avoid diminishing the service.

The redevelopment of existing education and health sites to increase capacity is supported. Relocation of existing provision to an alternative site in the Parish is supported provided it is in place before redevelopment of the existing site takes place.

Over the Plan period there is the potential for significant change in the provision and funding of education and healthcare facilities. This policy seeks to ensure that positive benefits from these changes are achieved for the residents of the Parish.

Facilities and Infrastructure Policy

Key issue: Concern about the loss of local assets and amenities and the benefits of retaining these for community use.

Objectives:

- To support Assets of Community Value (ACV) being identified, retained and operated by or on behalf of the community

FI4 Retention of Assets of Community Value

Proposals that will result in the loss of, or substantial harm to, an ACV will be strongly resisted.

Loss of an ACV will only be permitted when there is no longer a need for that facility or a replacement facility of equal or enhanced quality is available or can be provided as part of any scheme.



Sportsmans Arms before

Justification:

“Under the Localism legislation, voluntary and community organisations and parish councils can nominate an asset to be included in a ‘list of assets of community value’. The local authority will then be required to maintain this list. If the owner of a listed asset then wants to sell the asset a moratorium period will be triggered during which the asset cannot be sold. This is intended to allow community groups time to develop a proposal and raise the required capital to bid for the property when it comes onto the open market at the end of that period.”¹⁰

There is strong community support to safeguard village assets. The Parish is fortunate to have a number of assets but only the Sportsmans Arms, in Nounsley, is currently listed as an ACV with BDC and is supported by an active local group seeking to bring it back into use to provide a community hub. The NPPF confirms that the planning system plays an important role in facilitating social interaction and the importance of planning positively for the provision and use of shared space including community facilities and services.

Other sites/buildings suitable for inclusion on the list of ACVs within the Parish will be considered by the Parish Council throughout the Plan period. The community are encouraged to nominate buildings or land that are considered important to social wellbeing as ACV's accepting that such assets will require community support and funding if they become at risk in the future and are to be retained. The benefit of listing community assets is that it effectively stops the clock on the sale of assets to allow community groups to make a bid to purchase the asset and so preserve its social value. Such assets may be for instance the local shop, library, pub, church buildings, heritage building or open space.

¹⁰Locality Quick Guide to the Community Right to Bid

Facilities and Infrastructure Policy

Key issue: Many of the issues raised by the community are important and can be resolved through the use of developer contributions, financial or direct provision.

Objective:

- To ensure that where there is support available as the result of a developer contribution, financial or in kind (Section 106 Agreement/Community Infrastructure Levy (CIL)) it is used for the greatest benefit of the Parish

FI5 Developer Contribution

Any planning applications for new development within the Plan Area must demonstrate how they can contribute towards the delivery of community development. This may be via a Section 106 Agreement or through payment of any future CIL or payment contribution method.

Provision towards infrastructure, either through direct provision of new facilities or through financial contributions, will be expected from all development subject to the guidance set out in the National Planning Policy Framework including the ability for development to be delivered viably.

Any contribution secured as a result of development within the Plan Area shall be prioritised towards the delivery of targeted community objectives wherever possible. If any unilateral undertaking is proposed to directly deliver any of the Parish Council objectives, the acceptability of any scheme must first be agreed in writing by the Parish Council. Otherwise, it is intended that the Parish Council will prioritise any general financial contribution towards provision of a specific project.

Justification:

New housing development will put additional demands on services such as healthcare and education, community facilities, utilities and infrastructure. To mitigate these demands, developer contributions will be sought to ensure the Parish is a thriving sustainable community. Contributions are in proportion to the scale of development. Without large growth major infrastructure improvements may be unlikely. The Parish does not support large scale development. The requirements of the community will change over the Plan period. A list of varying scaled projects has been identified and is kept up to date and reviewed by the Parish Council which can be found on the Parish Council website. Development contributions for use by the Parish should be used to implement items from this list as prioritised by the Parish Council.

The BDC Open Spaces Action Plan (2016) sets out a list of outline proposals for the provision and enhancement of spaces within the Parish, which enables BDC to demonstrate where financial contributions from developments under their Open Spaces Supplementary Planning Document will be spent. These open spaces are enjoyed by the community who wish to see them retained and improved. The Parish Council input in the periodic review of the Open Space Action Plan.



Duck Pond

HOUSING

The Housing policies seek to ensure that any new housing developments are of good quality and design, add to the existing characteristics of the Parish and meet the needs of the community. Large, high density developments are regarded as detracting from the rural nature of the Parish. Some new housing provision will be required. It is critical for sustainability that infrastructure constraints, such as road congestion, limited school places and GP capacity are taken into account.

There is a higher than average level of detached homes in the Parish (44.9% compared to the English average of 22.3%) with the majority of housing being owner occupied (73% of households, English average 64%¹¹). There is a higher than average car ownership in Hatfield Peverel (85.8% of households having one car or more, English average 75.3%¹²). The Parish has a population of 4,375 people with a bias towards the 60 plus age group (1015 individuals - 23.1% of total residents, England average 16.1%) The Residents Survey reflected the highest engagement by the 45 to 59 age group.

The community has identified that there is a need for more options for the older population to downsize into bungalows or ground floor accommodation and starter homes for the younger population of the Parish. It is recognised that the provision of affordable housing is primarily achieved through a mix of housing types on larger sites. Meeting these housing requirements within the Parish will help stem the trend of outward migration, enhance the local economy and keep facilities in use. A thriving community relies upon a mix of ages and skills to be sustainable, with exchange of experience and knowledge.

Hatfield Peverel has various Grade II Listed Buildings located along Maldon Road, The Street and in Nounsley. Remnants of the architectural styles and building materials such as timber framing with pastel coloured render, red brick and red clay roofing tiles can be seen on the older buildings within the Parish. The 1970s saw an increase in residential development in the Parish of mixed design. Nounsley has its own more rural identity. The Hatfield Peverel and Nounsley Character Assessment gives a detailed study of the built form within the Parish and supports policies within the Plan.

BDC New Local Plan process identified that the District should deliver 862¹³ new homes per year between 2013 and 2033 to meet the objectively assessed need for new homes. Hatfield Peverel was not identified in the Braintree District Council Core Strategy 2011 as a growth area unlike the settlement of Witham, whose development to the south west brings Witham closer to Hatfield Peverel. BDC Local Plan Sub Committee agreed on 15th December 2016 to allocate a comprehensive development area in the emerging Local Plan including: the former Arla site (HATF608), Sorrells Field (HATF313) and Bury Farm (HATF630) which could provide in excess of 200 homes (see map on page 55). This will exceed the identified local needs of the Parish and contributes significantly to the needs of the District. As an emerging Local Plan this could be subject to change. During the engagement and consultation process the community has shown support for the redevelopment of the former Arla site for mixed use. The NDP policy HO6 provides detail on this site allocation.

National Policy supports development of brownfield over greenfield sites. Brownfield sites identified within the Parish are: adjacent to the Co-op Store on The Street (formerly Cowards Garage) and the former Arla site. The land adjacent to the Co-op Store had planning permission granted for 9 dwellings on 18 August 2016.

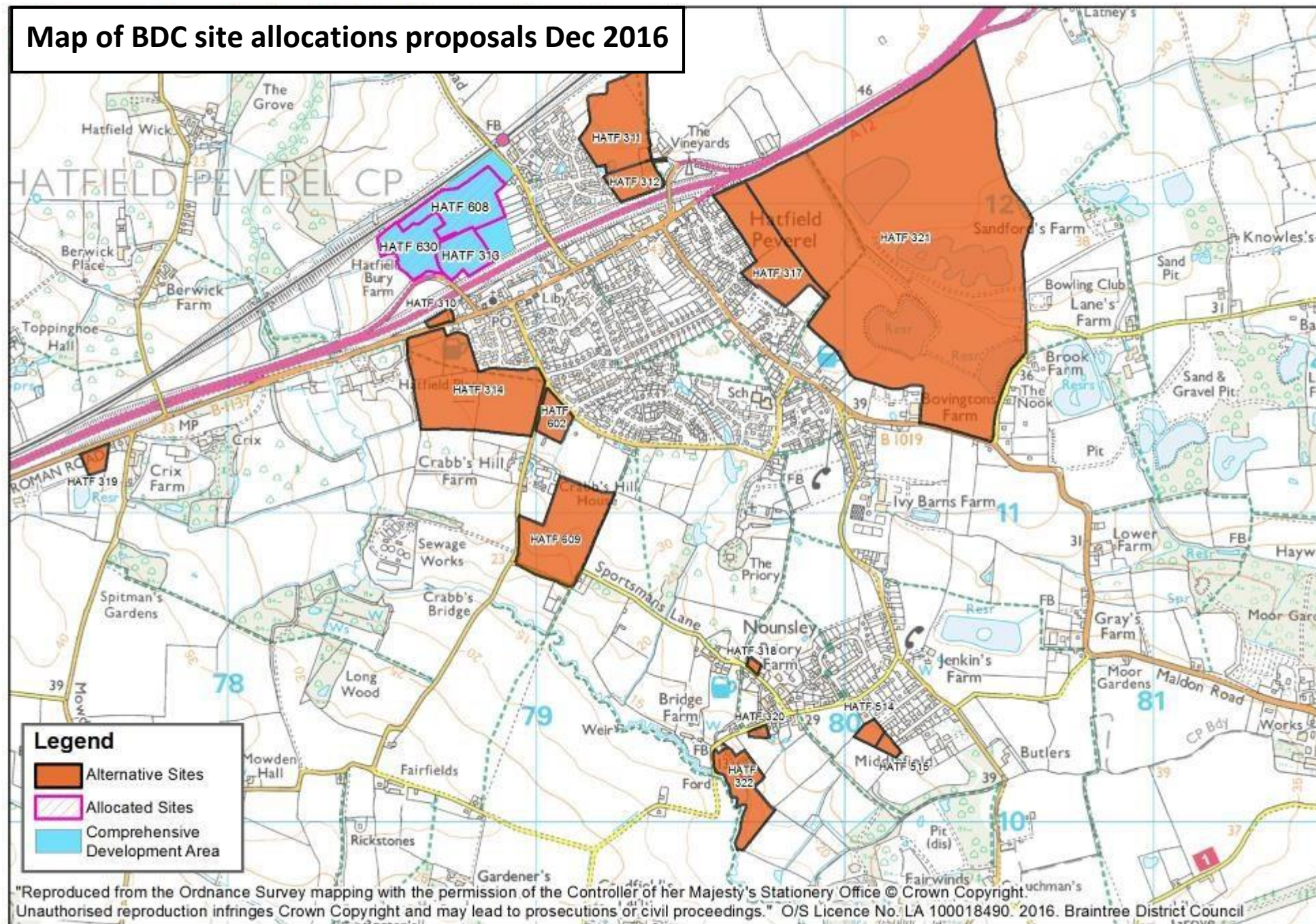
Any development on sites unallocated in BDC's emerging Local Plan should be small scale as supported by the Residents Survey.

¹¹ English Housing Survey 2014-15

¹² Rural Community Profile for Hatfield Peverel <http://www.essexinfo.net/hatfieldpeverel/assets/documents/hpcommprofile>

¹³ Local Plan sub-committee on the 10th November 2016

Map of BDC site allocations proposals Dec 2016



Housing Key Issues

Planning

- Concern that new developments would detract from the rural nature of the Parish. Smaller, creatively designed developments, with less impact are preferred over larger sites
- Family members are unable to move locally due to the gap between house prices and income
- Accessibility/inclusiveness should be actively promoted e.g. flats or apartments built in the area should have lifts to cater for those with mobility difficulties, buggies or heavy shopping
- There is a shortage of suitable housing for the ageing population which leads to under occupancy, older residents living in unsuitable homes and the local market becoming stagnant
- There is a need for bungalows in the Parish to support independent living for residents with a disability or for downsizing from larger family homes
- Easy access to local amenities is important to the ageing population
- The lack of affordable housing (see Glossary) in the Parish is resulting in younger people having to live with parents or move out of the area
- Residents are concerned that there is trend to smaller gardens and private areas leading to increased density of building and decreased amenity
- Residents want to continue to live in and move around the Parish safely
- Closure of the Arla factory caused loss of employment in the village. The site gives an opportunity to provide mixed residential and commercial facilities for the Parish. As a brownfield site it is suitable for development to prevent dereliction

Non-Planning

- There is a need for property to rent at affordable prices to avoid people having to move away
- The split between rented and intermediate for the affordable housing in the Parish is set too low to take account of the apparent limited capacity to secure lending
- There is concern that housing is being taken up by people not local to the area and residents are keen to promote a “locals first” policy



Cutts Close



Stonepath Drive

Housing Policy

Key issue: Concern that new developments would detract from the rural nature of the Parish. Smaller, creatively designed developments, with less impact are preferred over larger sites.

Objectives:

- To ensure the development of new homes or extension of existing developments adds to or maintains the rural nature of the Parish
- To create safe, well designed and easily accessible places to live

HO1 Design of New Developments

This applies to all development whether it is a new site or an addition to an existing development.

The Hatfield Peverel and Nounsley Character Assessment along with Building for Life 12 and the Essex Design Guide should inform the design of new proposals.

New residential developments will be considered appropriate if they can demonstrate that the following have been addressed within the proposal:

- ◇ Provision of a mix of housing types for a socially inclusive community
- ◇ Density of development must have regard to that within the immediate and surrounding area. Where there may be an impact on the natural environment a lower density may be considered acceptable or a higher density where the design is both innovative and of a high standard and in a highly sustainable location
- ◇ Layout, height and overall elevation design should be in harmony with the character and appearance of the surrounding area, including views into and out of the site. Materials should reflect the development's context
- ◇ Developments on unallocated sites should be for small numbers of houses of up to 30 houses or bungalows

- ◇ On developments of 10 or more mixed housing types at least 1 wheelchair unit will be provided per 10 dwellings. (e.g. 27 dwellings = 2 units)
- ◇ Good connection and permeability – short, safe and direct routes for pedestrians, wheelchair users, cyclists and mobility scooters connecting through the development to the rest of the village
- ◇ The changing needs and lifestyles of the population have been considered, building to Lifetime Homes Standard (see Glossary) in accordance with current national guidance
- ◇ Innovation to achieve low carbon sustainable design that meets the BREEAM Home Quality Mark Standard Excellent where viable (see Appendix 3)
- ◇ New development will be encouraged to adopt a 'fabric first' approach to reduce energy demand and provide energy in the most cost effective way
- ◇ The creation of shared spaces for all users, alternatives to the car and streets that encourage low speeds are encouraged
- ◇ The use of high quality surface materials are expected in order to help with marking out parking areas and shared spaces
- ◇ The provision of a well-designed landscaping scheme to soften the impact of the development, provide new wildlife habitats and enable cohesion with the existing settlements
- ◇ Careful consideration should be given to the materials used in marking boundaries on those plots bordering the public realm for visual appearance, safety and security
- ◇ Allowance for the efficient functioning of the BDC waste and recycling scheme with convenient, well screened storage space for bins and recycling
- ◇ Provision of new facilities incorporated into the scheme or through developer contribution should be available for use by the general public
- ◇ Any residential development subsequently coming forward will

need to be subject to a project level Habitats Regulations Assessment (HRA) and secure sufficient mitigation measures to avoid a Likely Significant Effect, until such time as an Essex Coast Recreational Avoidance Mitigation Strategy (RAMS) is approved.”

Any mitigation, including allocation of recreational land, must also consider any adverse effects from pollution.

Housing Policy

Justification:

The two main settlements within the Parish of Hatfield Peverel and Nounsley, have a distinctive character which is worthy of protection. The community is committed to both maintaining and enhancing the quality of the environment. Any new development will be expected to make a positive contribution and be of a high design quality. Developments must be places that are visually attractive, safe, functional, accessible and inclusive.

Incremental small scale growth is preferred by residents over large scale development on unallocated sites and therefore up to 30 dwellings has been selected as an appropriate level to achieve the following aims:

- New housing should be fully integrated into the built area as outlined by the Hatfield Peverel and Nounsley Character Assessment, in a sustainable location, avoiding a single large development that is perceived as a separate place.
- This will ensure that residents in the new homes feel part of the existing community with easy access to existing facilities.
- Provision for an appropriate mix of house types to meet the communities needs, including bungalows.
- It is important that any development resulting in additions and alterations to the development boundary respects and reflects the surrounding area and rural feel of the Parish.

Where it is proposed to add to an existing development it is important that the same criteria are applied to ensure quality of design,

permeability and connectivity. The living experience of both existing and incoming residents should be enhanced by good design and opportunities taken to provide improved amenities.

The effects of changing needs and lifestyles can be mitigated through good initial property design ensuring adaptations are easily accommodated. Lifetime Homes and Building for Life 12 (see Appendix 3) give clear guidance to meet these requirements. Community Housing) figures¹⁴ show there are just 12 specialist older person and 13 one bed bungalow housing association homes in the Parish. Small bungalows rarely appear for sale on the open market and are often subjected to redevelopment to two stories.

The lack of suitable properties means that older residents or those with a disability have no option other than to stay in larger family homes or move out of the Parish.



Church Road



The Street

14

https://www.braintree.gov.uk/housingstatnav/downloads/file/325/Hatfield%20Peverel%20key_housing_needs_statistics_2015

Housing Policy

Key issue: There is a shortage of suitable housing for the ageing population which leads to under occupancy, older residents living in unsuitable homes and the local market becoming stagnant.

Objective:

- To provide housing that enables owner occupiers to downsize to smaller, easily managed properties, near to services and facilities enabling independent living

HO2 Retirement Housing

Proposals for bungalows will be supported.

Proposals for retirement housing that respects and enhances the character of the Parish will be considered appropriate providing they can meet the following criteria:

- ◇ The development must provide an appropriate landscaping scheme which incorporates acceptably designed outside communal amenity areas for occupiers of the development whilst protecting the amenity of neighbouring residents
- ◇ Accessibility – unobstructed safe footpaths to cater for mobility scooters and wheelchairs. Easy access to public transport options and communal facilities such as Doctor's Surgery, Library and food shops
- ◇ All accommodation must be suitable for wheelchair users
- ◇ Properties should be built to Lifetime Homes Standards

Justification:

Older people need a variety of options to enable them to live full lives within the community and encourage downsizing. Well-designed houses and environment will improve their independence and accessibility to the wider community. Developments need to be in the right location: near shops, services and transport links. Limited downsizing opportunities keeps larger properties out of the market. This makes it difficult for people to meet changing requirements at different life stages. Our community wishes new developments to

provide a number of bungalows allowing our ageing population to stay locally where families, social connections and familiar facilities exist. Engagement results showed a desire for 2 or 3 bed bungalows with generous living space as a practical replacement for their 3 to 5 bedroom house. Families staying together within the Parish enables them to share caring responsibilities for both young and older members, helping to preserve communities.

Home Builders Federation published data in 2012 stating by 2033 60% of new household growth will be those aged over 65. In February 2012, a YouGov poll for Shelter said that 33% of people over 55 are interested in specialist housing for older people, which equates to more than 6 million people. The population in Hatfield Peverel is an ageing one compared to the national average (Rural Community Profile 2013).

"If communities are to work for today's and tomorrow's older populations, planners must focus on how we can ensure that our communities are places that deliver much more than the basics." (David Sinclair and Jessica Watson 'Making our Communities Ready for Ageing - a call to action' 2014)."

Planning Practice Guidance states that "the need to provide housing for older people is critical given the projected increase in the number of households aged 65 and over accounts for over half of the new households (Department for Communities and Local Government Household Projections 2013). Plan makers will need to consider the size, location and quality of dwellings needed in the future for older people in order to allow them to live independently and safely in their own home for as long as possible, or to move to more suitable accommodation if they so wish. Supporting independent living can help to reduce the costs to health and social services, and providing more options for older people to move could also free up houses that are under occupied. Many older people may not want or need specialist accommodation or care and may wish to stay or move to general housing that is already suitable, such as bungalows, or homes which can be adapted to meet a change in their needs."

Housing Policy

Key issue: The lack of affordable housing (see Glossary) in the village is resulting in younger people having to live with parents or move out of the area.

Objective:

- To ensure that new housing developments provide a number of affordable houses which would be available to local people reducing the number of “hidden households”

HO3 Affordable Housing

Any residential development 11 or more dwellings will be expected to provide 40% affordable homes.

Housing type should reflect that identified as being required by applicants with a local connection on the Housing Register.

In order to promote social inclusion, the affordable housing provision must be integrated within the market housing and not located on the periphery of the development.

Tenure will be on an 80/20 split of rented and intermediate housing, unless it can be demonstrated that the ratios should be adjusted to meet local demand.

First occupation of any dwelling will be specifically for people with a local connection to the Parish of Hatfield Peverel with a housing need in accordance with the prevailing Allocations Policy of the Local Authority . This requirement will form part of the Section 106 Agreement.

Local connection is defined by:

- ◇ Have lived in the Parish for 5 years of the last 8 years and/or
- ◇ Have immediate family (parents, children, siblings) that have lived in the Parish for 5 years or more
- ◇ Employed in the Parish for 5 or more years
- ◇ Must be registered on the District Housing Register

Justification:

Meeting the demands for affordable housing in the Parish will help stem the trend of outward migration, enhance the local economy and keep facilities in use. A thriving community relies upon a mix of ages and skills to be sustainable. Lack of affordable houses for residents wishing to remain in the village reduces opportunities for caring responsibilities to be shared within families. Despite the higher than average level of home ownership in the Parish concealed households (those living in a household wanting to move to their own accommodation to form a separate household), are largely unable to enter the housing market due to the gap between income and house prices.

BDC policy requires residential development of 11 or more dwellings to provide 40% affordable homes, a level which contributes to identified need while allowing viable development. Figures from StatNav show that there is a low turn over in tenancy. 34 households in Hatfield Peverel were identified as requiring housing association homes in the Parish. The number of bids that occurred on properties when they became available was an average of 133 bids for a 2 bed house during 2009 and 2014. These included those without a local connection. This strengthens the case for first occupation for people with a local connection. The 2014 BDC Strategic Housing Market Assessment (SHMA) quotes peoples' reasons for wanting an affordable home was to be nearer family and employment. BDC SHMA states 65% of those requiring Affordable Housing wished to rent from a Registered Provider (RP) and 35% desired shared ownership through RP intermediate housing.

The RCCE Housing Needs Survey in March 2015 identified there was a housing need within the community. The ability to secure a property on the open market in the Parish was limited due to affordability. A suitable split for affordable housing in the Parish should be set at a higher rate to the District. 80:20 split between rented and intermediate takes account of the apparent limited capacity to secure lending.

Housing Policy

Key issue: Residents are concerned that there is trend to smaller gardens and private areas leading to increased density of building and decreased amenity.

Objective:

- To prevent over development of an area affecting the environment of the village and the wellbeing of the residents

HO4 Minimum Garden Sizes

Houses when built will have a minimum private garden size of 100m².

Exceptions to this requirement will be:

- ◇ One and two bedroom dwellings – a minimum private garden area of 50m² will be required
- ◇ Three bed terrace dwellings – private gardens shall be a minimum depth of 2.5m x the width of the house (except where the provision exceeds the 100m²) to a minimum private garden size of 100m²
- ◇ For flats and apartments - minimum balcony area of 5m² where appropriate with a similar size private area for the ground floor dwelling and a private communal area for all which shall be to a high specification design, hard and soft landscaped garden area of 25m² per flat or apartment



Local garden pond

Justification:

The village is valued for its rural setting. Historically many of the properties have had large gardens which contribute to the feeling of openness. Not everyone wants a large garden but high density build with small amenity spaces gives rise to a cramped and closed environment. Gardens are important for many reasons especially for health and mental well-being: access to fresh air, a safe place for families to play, a place for tranquillity and relaxation, exercise, gardening and growing food, wildlife habitats, education and outside living space.

The Essex Design Guide has recommended minimum garden sizes of 100m² as a requirement for most new housing types since 1973. This size has been found to provide an acceptable and workable minimum standard to accommodate most household activities and offer an area associated with the property for private relaxation space. BDC relies on the Essex Design Guide to inform its policies on minimum garden sizes, however within the guide is also a reference to private amenity space which allows for a smaller area to be provided for new dwellings. This reduced provision has recently led to the approval of a housing scheme with less than desirable amenity area which the community have voiced they do not wish to see repeated in the village.



Local vegetable garden

Housing Policy

Key issue: Residents want to continue to live in and move around the Parish safely.

Objective:

- To ensure that the design of new residential developments provides safe places for people to live within and visit

HO5 Creating Safe Communities

Developments will provide safe play spaces and design out crime.

Children's play space must be located centrally within a development, where good passive surveillance from surrounding properties is achieved whilst having regard to the residential amenity of properties close by.

Secured by Design methods will be incorporated into any new residential development to design out crime and create a feeling of a safe place to live and move through.



Traffic barrier between
Glebefield Road and Gleneagles Way

Justification:

It is good sense and good planning that opportunities to remove the risk of crime are incorporated into any new development. 'Designing out Crime' looks at the relationship between private space and public space, environmental design and physical security. Any measures that reduce the vulnerability of people and property should be incorporated into new developments to improve people's quality of life.

The NPPF paragraph 58 states that Neighbourhood Plans should "create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion"

If communities feel safe with facilities and services within easy access by foot or cycle then more people will be encouraged not to use their vehicles for short journeys.

Secured by Design is "the official UK Police Flagship initiative which combines the principles of designing out crime with physical security" Secured by Design Website 2016.



Play equipment on Strutt Memorial Recreation Ground

Housing Policy

- **Key issue:** Closure of the Arla factory caused loss of employment in the village. The site gives an opportunity to provide mixed residential and commercial facilities for the Parish. As a brownfield site it is suitable for development to prevent dereliction.

Objectives:

- To ensure that maximum benefit to the Parish is derived from re-development of the site
- To ensure the use of brownfield sites in preference to greenfield sites to provide for the needs of the Parish
- To ensure the development of the site provides for mixed use including residential and commercial
- To ensure the right mix of housing on the site, including bungalows
- To ensure the use of brownfield sites to provide for the Parish requirements in preference to greenfield sites.

HO6 Allocation of the former Arla site

The redevelopment of the former Arla site (HATF608) (see map page 55) will be supported provided that it includes:

- ◇ Affordable housing
- ◇ Bungalows
- ◇ Retirement housing
- ◇ Apartments/starter homes
- ◇ Small business units e.g. workshops, offices, gym facilities, nursery
- ◇ Work hub/Café/tea room
- ◇ Safer access onto Station Road
- ◇ Contributions towards highways enhancements on Bury Lane including safer access from the A12 slip road, to be agreed with the relevant Highways Authorities
- ◇ Contributions towards enhanced pedestrian and cycle access on Station Road and Bury Lane, linking up to The Street

- ◇ Contributions to improved access to and from The Street via Bury Lane
- ◇ Provide improvements to the unsafe access onto Station Road from the station car park
- ◇ Mitigates adverse noise and air pollution from the A12 and railway

- 1) A satisfactory assessment of potential contamination of the site and remedial action plan.
- 2) If the development is not capable of providing adequate green infrastructure to mitigate against significant effect on local SPA/Ramsar sites it must provide a package of mitigation measures as follows:
 - a) Promoting the local footpath network by supplying all new residents with a map and guide to local (circular) walking routes.
 - b) A proportionate financial contribution towards improvements to the Public Rights of Way network within the vicinity of Hatfield Peverel and subject to agreement with the Rights of Way Team at Essex County Council.
 - c) A proportionate financial contribution towards visitor monitoring surveys on the Blackwater Estuary (to be undertaken by Colchester Borough Council) as required by Braintree District Core Strategy (2011). This is necessary to raise awareness of visitor disturbance to the Natura 2000 sites.

Justification:

BDC has carried out a site appraisal including SEA/SA of the former Arla site. It was the preferred option in engagement as the only available brownfield site within the existing development boundary in the Parish. The development of greenfield land outside the present development boundary is not supported. The Parish supports redevelopment in order that maximum benefit is achieved from a well-designed, sustainable mixed use site, providing social and economic development. The redevelopment would have a positive environmental impact and improve the landscape amenity. Close

proximity to the station and key facilities are valued. The site provides for more than the Parish's identified local housing need identified in the RCCE Housing Needs Survey (2015).

The benefits of redevelopment will be:

- Improvements to the appearance of the village approaching from Terling or when viewed from the train
- Stopping the site becoming derelict
- Local economic development to allow shorter journeys to work for locally employed staff and mitigate the loss following Arla dairy closure
- Provision of a mix of housing types including bungalows to allow downsizing, starter homes and those coping with disabilities to move within the village close to support network

A summary of the evidence in relation to this site can be seen in the accompanying Hatfield Peverel Site Assessment (2017)

Appendix 1:

Other Facilities and organisations in Hatfield Peverel

The Strutt Memorial Ground (known as the Rec) is a large green open space in the centre of the village beside the Village Hall. It provides a green area for recreation and is also used for large events like Party in the Park. The Rec has play equipment purchased with grants obtained by HPPC. It has the potential for further leisure and recreational development.

The Keith Bigden Memorial Ground is situated further from the centre of the village, and provides an area for the Football and Bowls Clubs to meet. The disadvantage is that the access to the ground is along an unlit footpath beside Maldon Road and a country lane. The area has the potential for further leisure and sports use.

Nounsley Play Area has play equipment purchased with grants obtained by HPPC. This area also has the potential for further leisure and recreational development.

The Hatfield Peverel Review provides information on events and is circulated to every home in the Parish bi-monthly.

The Village Hall was provided by and for the community on a self-help basis in the 1980s and is used for the benefit of the community as a whole. There is a large main hall with a stage, built with a high roof for sports use, several smaller meeting rooms and a lounge bar (open 7-11pm). The facility is now beginning to suffer from lack of support both financially and from community involvement. This amenity has potential for greater use.

There are 2 allotment sites off Church Road run by the Allotment Association and a Horticultural Society which meets regularly and holds a Spring and Autumn Show.

There are various Clubs and Societies who meet regularly: Hadfelda Ladies Choir, Folk Dance, Wine and Flower Clubs, W.I., Every Members Club, Mother & Toddler Groups, Edward Bear Club, in the Village Hall, Church Hall or the Scout & Guide HQ. Bingo, poker, darts, and brag are organised by the Community Association in the lounge bar of the Village Hall. Hatfield Peverel Art Group meet regularly and hold exhibitions. Other Sports and Activities include: Football, Exercise, Dance, Bowling, Table Tennis, Badminton and Tai Chi groups. The Cricket Club meet on their own ground in Church Road. Hatfield Peverel Walkers lead organised walks in the area.

There are two churches: St Andrews (C of E) and Methodist Church which have services and groups of their own for various ages. They often hold coffee mornings.

Uniformed Organisations including Beavers, Cubs, Scouts and Explorers for boys and girls, and Rainbows, Brownies and Guides are well represented in the Parish and meet at their HQ in Church Road. There is also a branch of the British Legion.

The Library puts on various events but is now only open 4 half days per week. Book and Knitting groups use the facility.

WEA (Worker's Educational Association) has had a long time presence in the village providing regular courses, day time and evening on a wide variety of subjects.

Helen Rollason Centre provides support to those with cancer.

A map of Hatfield Peverel Amenities can be found on page 44.



Parish Council Noticeboard,
Hadfelda Square



Party in the Park July 2015

Appendix 2: Non Statutory Planning Community Action Plan (NSPCAP)

This section provides an Action Plan arising from the non-planning issues identified during the engagement phase of preparing the HPNDP that residents consider should be addressed to improve the quality of life and wellbeing in the Parish. Taken together with the policies of the Plan, the Action Plan will inform residents and other stakeholders on how the community seeks to move forward.

This Action Plan does not form part of the development and land use policies in the Plan and is not subject to the examination process or referendum.

The Action Plan sets out how delivery of these projects is envisaged, the stakeholders considered necessary to achieve the desired result, and how any required funding if identified will be secured.

The Action Plan sets out projects in four categories: -

1. Business and Services Projects (Economic)
2. Countryside & Environmental Projects
3. Community Wellbeing Projects (Infrastructure)
4. Road & Transport Projects



Hatfield Peverel Pram Race 2016



Boys Football at Party in the Park 2015

Name	Topic	Aspiration	Hatfield Peverel Parish Action	Stakeholders	Funding
Village Identity & Pride	Public Realm	Encourage community pride in having an attractive village	Support activities such as Guerrilla Gardening, Britain in Bloom, Open Gardens	Horticultural Society Community Groups Flower Group	Fundraising
Broadband	Economy	Improve Broadband connection across all areas to superfast quality	Lobby Providers, Developers working with community groups Investigate community network Support and enforce HPNDP Broadband policy on new housing development applications	Local Businesses Residents Network Providers	Grants
Business and Retail Marketing	Public Realm	Advertising and promoting Hatfield Peverel internally and externally to support business	Develop Hatfield Peverel Marketing Strategy Consult with businesses and local economic partners	Hatfield Peverel marketing strategy Consult with businesses and local economic partners	Local Businesses Parish Council funds
Live/Work Opportunities	Community and Wellbeing	Work / Social Enterprise Hubs throughout Hatfield Peverel e.g. Village Hall Tea Room/Café	Appropriate support to be given to community group or commercial enterprise seeking to establish a Tea Room/Café or work hub within the village.	Parish Council Local Business Groups Development partners	Self-financing Grants
Sports Facilities	Community and Wellbeing	More Sports facilities are needed e.g. Outdoor Gym, Tennis Club	Consult further with Community e.g. Party in the Park	Sports groups Residents Parish Council	Developer Contributions Fundraising

Name	Topic	Aspiration	Hatfield Peverel Parish Action	Stakeholders	Funding
Bio Diversity	Environment	Protect and Improve Bio Diversity Carry out Bio Diversity Survey and develop a plan to support wildlife corridors e.g. improve the area around, and including, the duck pond, Strutt Memorial Recreation Ground and other green spaces	Create working groups Engage with the community, schools and other stakeholders Encourage greater awareness of the importance of wildlife habitat and green corridors Follow up support and evidence from Residents Survey Promote at events i.e. Party in the Park	Parish Council Community Groups Residents Landowners	Grants Fundraising
Community Park	Environment	Develop Danatt's quarry as a Community Park Improve access and footpaths	Support ECC if/when court action is taken to claim the land Set up Community Enterprise Initiative to organise development of site	ECC Parish Council Landowner	ECC Parish Council funds
Footpaths	Environment	The footpaths in the village are important for access, health and recreation and have been established over a long period	Continue to maintain and promote footpaths and extend the network	Parish Path Partnership ECC	
Waterways	Environment	Improve the waterways as an amenity and recreation facility It is also important they are well maintained	Work with waterway user groups	Environment/Waterway agencies	Grants
Bridleways	Environment	Investigate provision of a series of Bridleways	Contact User Groups	Horse riders Cyclists	Fundraising

Name	Topic	Aspiration	Hatfield Peverel Parish Action	Stakeholders	Funding
Lamp Standards Safety and Security	Public Realm	Lamp maintenance and repair for community safety and security	Consideration of their age and suitability for upgrade to LED	Parish Council County Council	Grants Developer Contributions
Village Hall	Community and Wellbeing	Enhance village hall as a meeting place and improve facilities Creative ideas for future use to ensure longevity e.g. tea room/café, public toilets and relocating the library etc.	Review provision of services and use. Feasibility study Consult user groups. Seek support from the community e.g. at Party in the Park	Parish Council User Groups Community	Grants Developer Contributions Parish Council funds
Keith Bigden Leisure/ Recreational Facilities	Community and Wellbeing	Encourage Youth Club or other Sports, Community Activities Creation of permissive path to Keith Bigden Memorial Ground	Identify Volunteer Group. Promote opportunities at Keith Bigden Memorial Ground as leisure area Negotiate with current landowner for access path	Parish Council Landowner Community Volunteers	Parish Council funds Grants
Play Areas	Community and Wellbeing	Improve Play Areas e.g. Nounsley Play area, Strutt Memorial Recreation Ground Play Area, (other Community Assets)	Maintenance and Support initiatives e.g. support provision of adult exercise and play equipment	Parish Council Community Children User Groups	Grants Developer Contributions Parish Council funds
Community Assets	Community and Wellbeing	Retention of Community Assets	Parish Council supported and community led nominations for Assets of Community Value Consult with landowner and support in developing site for community use Challenge any proposed development of the site Encourage involvement at Parish events	Parish Council Community User Groups	

Name	Topic	Aspiration	Hatfield Peverel Parish Action	Stakeholders	Funding
Infant and Primary Schools	Education	Ensure sufficient infant and primary school places for children that live in the village Parking in the vicinity of the school is a severe problem A considerable number of children in the infant and junior schools are from outside of the village	Work with key stakeholders to identify suitable options to deliver the required additional primary school places and if necessary, seek ways to bring these forward through planning process	Schools Essex County Council School Governors and other interested stakeholders	
Secondary Schools and Further Education	Education	Ensure there are sufficient secondary school places for Hatfield Peverel children in neighbouring towns and villages, notably Witham, Boreham, Chelmsford and Maldon Reduce transport costs associated with children attending secondary schools	Support the provision of good quality educational facilities for all ages Lobby to ensure secondary school catchments for neighbouring villages with secondary schools include Hatfield Peverel	Schools Essex County Council School Governors and other interested stakeholders	
GP Surgery	Healthcare	Ensure GP services can cater for any further population growth Car parking is an issue for both Surgery Staff and Patients due to problems caused by train commuters	Lobby Providers Developers working with community groups	NHS England GP Surgery Parish Council	
Pharmacy	Healthcare	Improved pharmacy arrangements	Work with key stakeholders to improve services	Boots GP Surgery NHS	

Name	Topic	Aspiration	Hatfield Peverel Parish Action	Stakeholders	Funding
Cycling	Roads and Transport	Develop safe cycle routes around the village and encourage cycling to school Provide adequate cycle storage facilities e.g. near school and also railway station to encourage rail users to consider travelling to the station by bike rather than by car Link cycle routes to Sustrans National Cycle Route Network	Encourage a cycling club/group to form Identify community groups interested in developing a cycling strategy. Identify suitable sites and funding for bike racks and safe cycling routes	Schools Residents Community Groups Sustrans	Developer Contributions Community Fundraising
A12 Road Congestion, Noise and Slip Road Safety	Roads and Transport	Decrease high levels of noise from the A12 Control potential increase with proposed 3-lane improvements Special surfacing of the road adjacent to the village and speed reduction in the area Improve the slip road on to the A12 towards Witham	Encourage joined up thinking to address traffic issues Work with BDC and Highways and interested stakeholders to find ways of improving traffic congestion	Essex County Council Highways England Parish Council	
Road Safety	Roads and Transport	Motorists to observe speed limits More Speed Indicator Devices (SIDs) and traffic safety measures Investigate other devices to monitor/log speed especially when A12 closed	SIDs owned by HPPC	Speedwatch volunteer team/group overseen by Essex Police	Grant Funding

Name	Topic	Aspiration	Hatfield Peverel Parish Action	Stakeholders	Funding
Railway	Roads and Transport	<p>The railway station must be a long term feature of the village and the provision of a frequent and reliable service should be a priority</p> <p>It would encourage people within the village to use the rail service more and thus avoid private means of transport, which in turn would help to alleviate traffic and congestion through the village</p>	Negotiations with railway operators and other relevant parties re maintaining station for the long term	Rail Operators Parish Council	
Collaborative Transport Projects	Roads and Transport	Encourage collaborative transport projects to look at congestion and overuse of main roads	Lobbying Highways Involve MP	Parish Council Braintree District and Maldon District Council	
Bus Shelters & Services	Roads and Transport	<p>Bus Shelters - for safety, security and shelter</p> <p>Ensure the bus services within the villages are adequate to meet the needs of the community, especially the more rural areas</p>	Creative solutions need to be found to enhance sustainability of public transport options - shuttle bus to the station, village surgeries or neighbouring towns for other services scheduled in tandem with railway timetables	Community Transport Operators Parish Council	Grant Funding Developer contributions

Name	Topic	Aspiration	Hatfield Peverel Parish Action	Stakeholders	Funding
Car Parking	Roads and Transport	Existing car parks to be protected Reduce commuters on street parking in residential areas Need to improve parking for businesses and retail on the street Consideration should be given to where the use of single and double lines would help alleviate the parking problems	The parking restrictions throughout the village should be reviewed Discussion with BDC/Highways Propose protection of Hadfelda Square car park, train station car park as community assets Work with stakeholders and landowners Ensure provision of appropriately designed parking to support new developments and adequate controls in HPNDP Policies Ensure provision of appropriately designed parking to support new developments and adequate controls in HPNDP policies Investigate and record car parking abuse	Parish Council Landowners BDC Essex County Council Highways Agency Developers	
Air Quality	Roads and Transport	Reduce air pollution from cars and lorries coming through the village Consider providing an electric vehicle charging point in the village			

Appendix 3: Glossary

Affordable Housing - Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision. Social rented housing is owned by local authorities and private registered providers (as defined in section 80 of the Housing and Regeneration Act 2008), e.g. housing associations, for which guideline target rents are determined through the national rent regime. It may also be owned by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency. Affordable Rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable).

Intermediate housing is homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the Affordable Housing definition above. These can include shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but not affordable rented housing.

Homes that do not meet the above definition of affordable housing, such as “low cost market” housing, may not be considered as affordable housing for planning.

Amenity - An element that contributes positively to the overall character or enjoyment of an area.

Biodiversity - Degree of variation of life forms within a particular ecosystem. Biodiversity is a measure of the health of an ecosystem. Human activity generally tends to reduce biodiversity so special measures often need to be taken to offset the impact of development on natural habitats.

Braintree District Council - The Local Planning Authority for Hatfield Peverel.

BREEAM Home Quality Mark - Building Research Establishment Environmental Assessment Method Home Quality Mark is a rigorous and relevant standard for new homes, using a simple 5-star rating to provide impartial information from independent experts on a new home’s design and construction quality and running costs. It will also show the impact of the home on the occupant’s health and wellbeing, as buildings become more airtight, respiratory conditions rise and our population gets older. It will demonstrate the home’s environmental footprint and its resilience to flooding and overheating in a changing climate. In addition, the Mark will evaluate the digital connectivity and performance of the home as the speed, reliability and connectivity of new technology becomes ever more critical. The Home Quality Mark will enable housing developers to showcase the quality of their new homes, and identify them as having the added benefits of being likely to need less maintenance, cheaper to run, better located, and more able to cope with the demands of a changing climate.

Brownfield - Previously developed land.

Building for Life 12 - A technique for assessing the quality of housing proposals using 20 criteria including sustainability, urban design and social/community factors.

Coalescence - The merging or coming together of separate towns or villages to form a single entity.

Community Facilities - Facilities providing for the health, welfare, social, educational, spiritual, leisure and cultural needs of the community.

Community Infrastructure Levy (CIL) - Allows Local Authorities to raise funds from developers undertaking new building projects in an area. Money can be used to fund a wide range of infrastructure such as transport schemes, schools and leisure facilities.

Core Strategy - A development plan document forming part of the Braintree District Council Local Plan which sets out a vision and core policies for the development of the District.

Design out Crime - A resource created to help professionals understand more about how design can be used to combat crime. http://www.designcouncil.org.uk/resources/guide/designing-out-crime-designersguide
Development - Defined under the 1990 Town and Country Planning Act as the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any building or other land. Most forms of development require planning permission.
Development Plan - A document setting out the policies and proposals for the development and use of land in the area.
Evidence Base - The researched, documented, analysed and verified evidence for preparing the Neighbourhood Plan.
Examination - An independent review of the Neighbourhood Plan carried out in public by an independent examiner.
Fabric First - A building's fabric is intended to be the longest standing part of the construction, so the adoption of a fabric first approach is designed to ensure long-term performance that will help reduce energy demand to the lowest possible level, and provide energy in the most cost-effective way.
Green Corridors - Green spaces that provide avenues for wildlife movement, often along streams, rivers, hedgerows or other natural features. Green corridors connect green spaces together.
Green Wedge - These comprise the open areas around and between parts of settlement which maintain the distinction between the countryside and built up areas, prevent the coalescence (merging) of adjacent places and can also provide recreational opportunities.
Infrastructure - basic services necessary for development to take place e.g. roads, electricity, water, education and health facilities.
Intermediate Housing - See definition under Affordable Housing.

Lifetime Homes - The Lifetime Homes standard is a set of 16 design criteria that provide a model for building accessible and adaptable homes. Each design feature adds to the comfort and convenience of the home and supports the changing needs of individuals and families at different stages of their lives.
Local Green Spaces - Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used: <ul style="list-style-type: none"> • where the green space is in reasonably close proximity to the community it serves; • where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquility or richness of its wildlife; and • where the green area concerned is local in character and is not an extensive tract of land.
Localism Act - An Act of Parliament introduced in November 2011. The Act gives communities the right to draw up 'Neighbourhood Development Plans' for their local area.
Local Plan - A collection of documents prepared by Braintree District Council for the use and development of land and changes to the transport system. Can contain documents such as development plans and statements of community involvement.
Market Housing - Properties for sale or rent where prices are set in the open market.
Public Realm - space that is free and open to everyone, publicly accessible, including streets, squares, forecourts, parks and open spaces.
Service Village - The larger villages in the District (over 3000 population) which act as local centres for the smaller villages and rural areas around. There are 5 proposed Service Villages in the Braintree District. Previously known as key service villages.
Shared Space - A street or place designed to improve pedestrian movement and comfort by reducing the dominance of motor vehicles and enabling all users to share the space rather than follow the clearly defined rules implied by more conventional designs.

Appendix 4: Abbreviations Used

ACV	Assets of Community Value
BDC	Braintree District Council
CA	Character Assessment
CIC	Community Interest Company
CIL	Community Infrastructure Levy
CLT	Community Land Trust
DPD	Development Plan Document
DfT	Department for Transport
ECC	Essex County Council
HPLCA	Hatfield Peverel Landscape Character Assessment
HGV	Heavy Goods Vehicles
HPNDP	Hatfield Peverel Neighbourhood Development Plan
HPPC	Hatfield Peverel Parish Council
JSNA	Joint Strategic Needs Assessment
KSV	Key Service Village
LAA	Local Area Agreement
LCA	Landscape Character Assessment
LDF	Local Development Framework
LI	Local Indicator
LGS	Local Green Space
LSP	Local Strategic Partnership
LTP	Local Transport Plan
MUGA	Multi use games area
NDP	Neighbourhood Development Plan
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

NSPCAP	Non Statutory Planning Community Action Plan
ONS	Office of National Statistics
PCT	Mid Essex Primary Care Trust
RCCE	Rural Community Council of Essex
RP	Registered Provider
RSS	Regional Spatial Strategy
SCI	Statement of Community Involvement
SEA/SA	Strategic Environmental Assessment / Sustainability Appraisal
SHMA	Strategic Housing Market Assessment
SIDs	Speed Indicator Devices
SuDS	Sustainable Urban Drainage Systems
PPS	Planning Policy Statement



Strutt Memorial Recreation Ground

Appendix 5: Accompanying Documents

Basic Conditions Statement

Consultation Statement

Hatfield Peverel Site Assessments (2017)

Hatfield Peverel Local Landscape Character Assessment (2015)

Hatfield Peverel and Nounsley Character Assessment (2016)



Sunset over Stonepath Drive

Acknowledgements

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Katherine Devlin	Sean Osborne
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Hatfield Peverel Neighbourhood Plan Decision Statement (Regulation 18(2))

Summary

Following an independent examination undertaken by written representations, Braintree District Council now confirms that the Hatfield Peverel Neighbourhood Plan (The Plan) will proceed to a Neighbourhood Planning Referendum.

This decision statement will be available on the Council's website page and office at Causeway House.

Background

In January 2015 Braintree District Council formally designated the area shown at appendix 1 as the Hatfield Peverel Neighbourhood Area, at the request of the qualifying body Hatfield Peverel Parish Council.

Following the submission of the Plan to Braintree District Council, it was publicised under Regulation 16 of the Neighbourhood Plan Regulations (2012) (As amended) and representations were invited. The publicity period ended on the 17th July 2017.

The District Council appointed Mary O'Rourke BA(Hons) DipTP MRTPI as Independent Examiner with agreement of Hatfield Peverel Parish Council, to examine whether the Plan met the basic conditions as set out in Schedule 4B of the Town and Country Planning Act 1990, and whether the Hatfield Peverel Neighbourhood Plan should proceed to referendum.

The Examiner's initial assessment of the Plan indicated that additional work, and consultation would be required. As such further consultation took place in 2018 and 2019 with the last consultation period closing on the 25th March 2019.

The Examiner's Report recommended a number of modifications so that the Plan is able to comply with the "basic conditions" and other relevant statutory provisions, and that the draft plan as modified can be submitted for referendum.

The Examiner's Report (Date) main findings are as follows;

"From my examination of the Hatfield Peverel Neighbourhood Development Plan (the Plan/HPNP19) and its supporting documentation including the representations made, I have concluded that subject to the policy modifications set out in this report, the Plan meets the Basic Conditions.

I have also concluded that:

- The Plan has been prepared and submitted for examination by a qualifying body – The Hatfield Peverel Parish Council;*
- The Plan has been prepared for an area properly designated – the parish of Hatfield Peverel as marked on the map on page 5 of the Plan;*
- The Plan specifies the period to which it is to take effect – 2015 to 2033; and*
- The policies relate to the development and use of land for a designated neighbourhood area.*

I recommend that the Plan, once modified, proceeds to Referendum on the basis that it has met all the relevant legal requirements.

I have considered whether the referendum area should extend beyond the designated area to which the Plan relates and have concluded that it should not."

Recommendations, Decisions and Reasons

The Neighbourhood Planning (General) Regulations 2012, Regulation 18 requires the Local Planning Authority to outline what action to take in response to the recommendations of an examiner made in a report under Paragraph 10 of Schedule 4a of the Town and County Planning Act 1990 (as applied by Section 38A of the Planning and Compulsory Purchase Act 2004).

Having considered the recommendations made by the Examiner's report, and the reasons for them, Braintree District Council has agreed to accept the modifications made to the draft plan under paragraph 12(6) of Schedule 4B of the Town and County Planning Act 1990 in response to the Examiner's recommendations/modifications.

To meet the requirement of the Localism Act 2011, a referendum will be held which poses the question;

(Question to be finalised following Cabinet decision on 9th September 2019)

The wording of the referendum question is prescribed under paragraph 1 of Schedule 1 of The Neighbourhood Planning (Referendums) Regulations 2012.

The date the referendum will be held on is Thursday *(Date to be confirmed in accordance with the Regulations)*

Review of Strategic Options for Surplus Council Owned Land		Agenda No: 10a
Portfolio	Homes	
Corporate Outcome:	A well connected and growing district with high quality homes and infrastructure	
Report presented by:	Councillor Bowers, Cabinet Member for Homes Councillor McKee, Cabinet Member for Corporate Transformation	
Report prepared by:	Aidan Kelly, Interim Head of Strategic Investment	
Background Papers:		Public Report
Corporate Strategy 2016-2020 Reports and Minutes of Cabinet 23rd May 2016 , 12th September 2016 and 9th July 2018		Key Decision: Yes
Executive Summary:		
<p>In the context of the Council's strategic investment programme, the Strategic Investment Team (SIT) continues to work on delivery of Corporate Objectives through:</p> <ul style="list-style-type: none"> • The acquisition of land for development. - Sites include land at Horizon 120, Chapel Hill, Witham and Sible Hedingham • Option appraisals of the development potential of Council owned surplus land. - Sites include land at Manor Street, Chapel Hill and various, small sites across the District. <p>SIT has worked with a Housing Members Reference Group, now chaired by Councillor K Bowers, Cabinet Member for Housing, in respect of thirteen Council owned sites with perceived potential for residential development. The Group has sought to crystallise the Council's objectives, in respect of housing supply, and has commissioned capacity studies and option appraisals.</p> <p>The Group reviewed a range of options and considered that the Council's key objective was to improve the supply of new market and affordable homes. Of equal importance is the potential financial contribution to the Council, and it was recognised that the likely revenue streams, and/or capital receipts, generated by development, would be positive contributions.</p> <p>One option particularly considered was the creation of a housing development company (DevCo) to enable the Council to directly undertake the development and sale of new homes on a shortlist of eight sites, which were judged to present the least contentious potential for planning permission for new homes.</p>		

Professional advice was commissioned from external surveyors and sales agents. Following this, Grant Thornton generated financial models testing the viability, of individual sites, and the cumulative potential benefit of undertaking development through a DevCo.

In summary, the outcome is that development, of seven sites (excluding Chapel Hill), did not demonstrate a sufficient level of viability and would generate no greater financial return than sale of the land for development by others. The benefits of development, by a DevCo, was considered to be negative, for the listed sites. This was a result of the Council's likely procurement costs, the small scale of the potential development programme and the lack of continuity.

This report is therefore an interim report recommending disposal of seven specific sites and requesting delegated authority to enter into contracts for their sale at market value

Recommended Decision:

It is recommended that Cabinet:

1. Grants delegated authority to the Corporate Director of Growth (interim), in consultation with the Cabinet Member for Corporate Transformation and the Corporate Director (Finance) to authorise the disposal of individual sites, or a combination of sites, on a subject to planning basis, at:
 - a. Church Road, Stambourne
 - b. Little Hyde Road, Great Yeldham
 - c. New Park, Castle Hedingham
 - d. New Street, Halstead
 - e. John Barr House, Panfield
 - f. Conrad Road, Witham
 - g. Harkiless Way, Braintree
2. Notes that the business case, for a wholly owned housing development company, is not proven and that the concept will be postponed for future consideration in the context of the proposed garden communities

Purpose of Decision:

To expedite the sale, at market value, of seven Council owned sites which are surplus requirements and to encourage local small developers to deliver new homes.

Any Corporate implications in relation to the following should be explained in detail.	
Financial:	<p>A capital budget of £495,980 was approved by Full Council in July 2018, to bring forward housing sites. Expenditure incurred to date is £221,256, including capitalised salaries of £37,382. The funds used to pay for this expenditure will be replenished from the proceeds of sale.</p> <p>Capital receipts generated from the sales (net of any other disposal costs) will add to the Council's overall capital resources. Capital receipts are restricted to being used only for capital purposes, although whilst held, any interest generated on the cash balance will be credited to the General Fund revenue account.</p> <p>It is the Council's intention to elect to tax sites to ensure full VAT recovery on costs incurred. On this basis VAT will be added to the price agreed with any prospective purchaser.</p> <p>A budget of £130,000 was previously approved as part of the District Investment Strategy to support a review on the feasibility of establishing a housing development company. To date £118,396, has been spent against this budget and which has been charged to the General Fund revenue account (funded from New Homes Bonus).</p>
Legal:	The Council is obliged, by S123 Local Government Act 1972, to obtain the best value reasonably obtainable in the market. The Council is not required to follow any particular process.
Safeguarding:	This report and recommendation does not raise any issues in respect of safeguarding
Equalities/Diversity:	This report and recommendation does not raise any issues in respect of equalities and diversity
Customer Impact:	If the sites are sold, the probable outcome is development by others and an increase in the supply of new homes
Environment and Climate Change:	New homes, if developed by others, will meet current Building regulations
Consultation/Community Engagement:	Not applicable
Risks:	There is no guarantee that sales will be secured but this risk is considered nominal
Officer Contact:	Aidan Kelly
Designation:	Interim Head of Strategic Investment
Ext. No:	2592
E-mail:	Aidan.kelly@braintree.gov.uk

BACKGROUND AND UPDATE

1. Strategic Investment Programme

- 1.1 The Council has launched a £100 million Strategic Investment Programme to deliver Corporate Objectives around employment growth, town centre regeneration, health/wellbeing and housing supply.
- 1.2 In the context of the Council's strategic investment programme, the Strategic Investment Team (SIT) continues to work on delivery of Corporate Objectives through:
- The acquisition of land for development
 - Sites include land at Horizon 120, Chapel Hill, Witham and Sible Hedingham
 - Appraisals of the development potential of Council owned, surplus land
 - Sites include land at Manor Street, Chapel Hill and various, small sites across the District
- 1.3 It is recognised that some projects will require significant capital contributions, from the Council, whereas others, particularly Horizon 120, are expected to generate positive financial returns.
- 1.4 Two of the listed sites have previously been considered for transfer, to a Registered Provider, for development as affordable housing. On 4th February 2013, Cabinet authorised the transfer of land at New Street, Halstead. On 4th February 2016, Cabinet authorised the transfer of land at John Barr House, Panfield. Both transfers were to be at zero consideration but did not occur as the sites were held for consideration by a proposed housing development company.

2. Housing Members Reference Group

- 2.1 This Group is now chaired by Councillor Kevin Bowers, Cabinet Member for Homes, and has met on six occasions.
- 2.2 The Group considered and crystallised the Council's objectives in respect of Corporate Objectives on housing supply, with a consensus that the highest priority was to increase the rate of delivery of new homes, both for market sale and affordable tenures.
- 2.3 The Group has considered a range of options for thirteen identified sites and supported the principle that the two smallest sites, at Hyde Road, Great Yeldham and Church Road, Stambourne, should be sold. The Group requested that design capacity studies, surveys and cost advice be commissioned, on the following shortlist of sites, with a view to planning applications in due course.

Site Name	Location	Approx. Units
New Park	Castle Hedingham	8
New Street	Halstead	7

John Barr House	Panfield	7
Conrad Road	Witham	11
Harkilees Way	Braintree	14
Chapel Hill	Braintree	80
Total New Homes		121

2.4 A range of options was considered and included:

- Development followed by a long lease, to a Registered Provider (RP), for management as affordable homes – Rejected as the Council retained the development risk and the financial margin was nominal. As the Council is not a residential developer, its procurement costs are likely to be relatively high and a 5% variation would eliminate the lease-term revenue margin.
- Development by a RP on a long lease. – Rejected as the financial margin was nominal. The predicted revenue surplus, of less than £10,000 per annum was eroded by the required Minimum Revenue Provision and did not justify the likely overhead cost of administering the lease.
- Development for sale by the Council – Rejected – would require a DevCo and did not offer sufficient financial return. The Grant Thornton financial model projected an 11% margin, including land value, which compares unfavourably to a typical developers margin of 20/25% of total sales values in addition to land value.
- Development by the Council as market rent investment properties – Rejected as would require both a DevCo and an investment company and the financial returns were insufficient. Market rents are inherently volatile, driven by market conditions. The normal advice is to budget for 30% loss of income to void periods, agent fees, maintenance, insurance and dilapidations. Combined with the required Minimum Revenue Provision, it was a challenge to achieve break-even.
- Partnership with established local residential developer – Rejected as the listed sites do not meet their requirements. Established developers require sites which typically provide for a minimum of a year's sales at one per week. The seven sites are too small to be of interest.

2.5 The Group requested that scheme viability be financially modelled and that particular consideration be given to the business case for, or against, a DevCo to enable the Council to directly undertake the development and sale of new homes.

3. Outcome of Review

3.1 In summary, the outcome of the viability assessment was that

3.1.1 The Chapel Hill site justifies further consideration as the Council has acquired land which secures access and is working towards the release of land currently leased to a tennis club.

- 3.1.2 The recommendation to sell the small sites, at Great Yeldham and Stambourne, is correct
- 3.1.3 Appraisals of the development, of the remaining five sites, do not project a sufficient level of profitability given the Council's likely costs of procurement and the risk exposure involved. Similar returns will be achieved by sale, of the sites, for development by others.
- 3.1.4 The need for a DevCo at this point, is not proven as reflecting the existing powers already held by the Council. This will be kept under periodic review.

4 Summary and recommendations

- 4.1 It is therefore recommended that the following sites are offered for sale for development by others
- Church Road, Stambourne
 - Little Hyde Road, Great Yeldham
 - New Park, Castle Hedingham
 - New Street, Halstead
 - John Barr House, Panfield
 - Conrad Road, Witham
 - Harkiless Way, Braintree
- 4.2 Following advice from local agents, it is recommended that offers are invited on a "subject to planning" basis and that there is no added advantage in securing outline planning permission in advance.
- 4.3 It is further recommended that offers are invited for individual sites or for any combination of sites, and that Registered Providers and small, local developers are specifically encouraged to bid.
- 4.4 The business case for a DevCo is not proven and the concept should be deferred for future consideration, probably in the context of the proposed garden communities.

Braintree Town Centre Regeneration Project – Manor Street - Update following tender exercise and consequential matters		Agenda No: 11a
Portfolio	Corporate Transformation	
Corporate Outcome:	A sustainable environment and a great place to live, work and play A well connected and growing district with high quality homes and infrastructure Residents live well in healthy and resilient communities where residents feel supported	
Report presented by:	Councillor John McKee, Cabinet Member for Corporate Transformation	
Report prepared by:	Aidan Kelly, Interim Head of Strategic Investment	
Background Papers:		Public Report
Agenda and Minutes of Cabinet: 9th June 2011 , 30th November 2015 , 18th July 2016 , 14th May 2018 Cabinet District Investment Strategy Report 23rd May 2016 Corporate Strategy 2016-2020		Key Decision: Yes
Executive Summary:		
This report provides a high-level summary, of the Manor Street project proposals, particularly for new members. Its central purpose, and focus, however is to address the outcome of the recent tender, for construction works, and to recommend an amended capital contribution to ensure that the project proceeds within the required timescale.		
Recommended Decision:		
That Cabinet: <ol style="list-style-type: none"> 1. Confirms its continued support for the proposed regeneration project and continued approval for its implementation because it will significantly enhance the vitality, of the town centre, with 35 new homes, a hotel, over 100 new jobs and improved public transport and health facilities. 2. Approves the proposal for Braintree District Council to fund and deliver the Braintree Town Centre Regeneration Project together with the recommendation to Council to approve a capital budget for all professional, construction and associated scheme development costs, including capitalised interest. 		

3. Waives the condition, agreed in May 2018, that the above contract would require a completed legal agreement to be in place for the Live Well Hub
4. Grants the following delegated authority, in addition to the delegations approved in May 2018, to a Corporate Director in consultation with the Cabinet Member for Corporate Transformation to:
 - a. Approve the execution of a Design and Build construction contract, with Kier Construction Ltd.
 - b. Approve the terms of a sale of all thirty-five dwellings, in the scheme, to a Registered Provider, on the best available commercial terms.
 - c. Approve the terms of a sale, to a Registered Provider, of twelve dwellings as affordable housing, and twenty three dwellings on the open market, in the event that the proposed sale to a Registered Provider, is not concluded on satisfactory terms or in sufficient time.
5. Grants the following delegated authority to a Corporate Director and the Corporate Director (Finance) in consultation with the Cabinet Member for Corporate Transformation, and the Cabinet Member for Finance and Performance Management:
 - a. To approve revised scheme costs with the ability to vary costs or revenue up to a 5% variation of the total scheme costs.
6. Grants the following delegated authority to the Corporate Director (Finance):
 - a. To utilise the Council's cash balances, to minimise interest charges during development, as and when it is considered to be prudent to do so.
7. Recommends to Council:
 - a. That it notes that Cabinet confirms its continued support for the proposed regeneration project and continued approval for its implementation because it will significantly enhance the vitality, of the town centre, with 35 new homes, a hotel, over 100 new jobs and improved public transport and health facilities.
 - b. That it approves a capital budget for all professional, construction and associated scheme development costs including capitalised interest.
 - c. That it approves delegated authority to accept up to a 5% increase in total scheme costs.
 - d. The use of additional funds from capital reserves, if the above delegated authority is applied.

Purpose of Decision:

To confirm financial arrangements to enable this strategically important project to proceed.

Any Corporate implications in relation to the following should be explained in detail.**Financial:**

The revised total scheme cost which is an increase over the original scheme approved in May 2018. The main contributory factor to the increased cost is the final sum agreed for the contractor's build cost and assuming the lowest tendered bid is accepted. Mitigating the overall increase in build cost are reductions in the estimate for professional and other fees, and planning related contributions, the provision for which is met through the overall scheme design and facilities proposed.

The scheme cost includes an allowance for capitalised interest which is lower than originally anticipated due to re-phasing of the capital receipts generated from the sale of the residential units. Any delay in these receipts from that assumed would potentially increase the interest cost of the scheme. An alternative scenario, which is subject to the Council's overall treasury management position, is that development expenditure may temporarily be paid from the Council's own cash balances held for other purposes, and referred to as "internal borrowing". This would reduce the cost of the scheme as it would reflect the opportunity cost of foregoing income on short-term investments

The report provides an update on expectations for the level of income that could be realised from the sale of the residential units, which is now predicted to fall short of the original assumed value. A proposal is made to transfer the residential units to a Registered Provider. This approach mitigates future sales risk but does mean the value of receipts is reduced

The combined effects of the higher overall scheme costs and lower capital receipt from the residential element means there is a funding gap. The original approved scheme assumed prudential borrowing, repayable over 40 years from the commercial lease rents. Indications were that this would have short-term cost implications for the General Fund revenue account before achieving an annual net income position. The report therefore proposes that the level of borrowing remains unchanged and, therefore, the

	<p>funding gap is to be met from the Council's balance of capital resources (i.e. capital receipts).</p> <p>Delegated decision making is requested to approve a revised scheme cost with the ability to vary costs or revenue by up to 5% variation of the total scheme costs. Consequently, approval of the recommendation in this report results in a potential further commitment of up to expenditure and/ or reduced revenue from residential sales, which, if required, would also need to be met from the Council's balance of capital resources.</p> <p>The consequences of this higher contribution is that it reduces the availability of capital resources for other projects. Also, to the extent that balances would be used quicker than was previously anticipated, this will have an impact on the Council's overall treasury management position and resources available for investment. A review is currently being undertaken to assess the extent to which some of the additional funding can either be met from existing Planning Section 106 balances through deed of variation, and/ or replenished from future Section 106 receipts, where agreements relate to the provision of public health and transport infrastructure and conditions allow retrospective application.</p> <p>The proposed transfer of residential units to a Registered Provider will require further VAT advice to ensure any agreement continues to allow the Council to recover all VAT incurred on the scheme. Similarly, a review will be necessary to ensure the final commercial lease terms are consistent with the previous VAT position assumed</p> <p>Section 3 of the report provides details of the commercial lease arrangement proposed for the development, including some variation to the lease terms proposed for the Pharmacy. The original scheme approval and the revenue consequences, including the net General Fund position after deduction of borrowing costs, was based on a number of key assumptions that have yet to be enshrined in legally binding lease agreements. Until such time that this is achieved, there will continue to be ongoing risk around the long-term revenue impact of the scheme.</p>
Legal:	<p>Agreement of all lease documents, determination of Title and agreement of the construction contract are being undertaken by Dentons Solicitors. The scheme solicitors were selected following a competitive procurement process led by the Council's Governance Team.</p> <p>All professional team appointments have been made in compliance with the relevant procurement regulations.</p>

	<p>Selection of Kier Construction Ltd as main construction contractor has been via a competitive tender process, compliant with the requirements of the 'Official Journal of the European Union' (OJEU) procurement rules.</p> <p>The main contractor will be engaged on the basis of an appropriate and robust design and build contract to reflect risk and to protect the Council's interests.</p> <p>Given that this is a mixed-use scheme, there are various statutory rights for tenants, including rights of first refusal of the immediately superior interest should it be disposed of. There are also issues related to the management of service charges which are also impacted by the structuring of the legal ownership of the site. It is considered that there is benefit in creating a holding corporate structure with ownership and control vested in the Council to manage these risks. This is still subject to detailed work and it is proposed that the final determination is delegated to the Corporate Director subject to the appropriate delegation.</p>
Safeguarding:	<p>All members of the professional team and the eventual main construction contractor are required to provide satisfactory safeguarding policies as a prerequisite for selection.</p>
Equalities/Diversity:	<p>The new buildings will comply with all relevant disabled access requirements.</p> <p>All members of the professional team and the eventual main construction contractor are required to provide satisfactory equality and diversity policies as a prerequisite for selection.</p> <p><u>An Equality Impact Assessment (EIA) has been completed for the project.</u> This concludes that the scheme will make numerous positive impacts across the range of statutory protected groups. The analysis has not identified any material negative or potentially negative impacts on any of the protected groups which cannot be managed or mitigated.</p>
Customer Impact:	<p>The scheme will have a significant beneficial impact on customers, including access to primary healthcare for existing and future residents. The hotel, café, retail and new homes will increase footfall in Braintree Town Centre, potentially generating trade for local businesses.</p> <p>A potential 131 full-time equivalent jobs will be created</p>

Environment and Climate Change:	<p>The new buildings will be built to at least comply with prevailing Building Regulations and all current environmental and climate change requirements.</p> <p>The healthcare facility will meet the BREEAM 'Very Good' standard, in accordance with NHS England requirements.</p>
Consultation/Community Engagement:	A number of public consultation events have been held, most recently as part of the planning application process
Risks:	Please see Section 6.0 'Risk and Liabilities'
Officer Contact:	Aidan Kelly
Designation:	Interim Head of Strategic Investment
Ext. No:	2592
E-mail:	Aidan.kelly@braintree.gov.uk

1. Background

- 1.1 On 14th May 2018, Cabinet approved the implementation of the Braintree Town Centre Regeneration Project, in Manor Street, and a total scheme budget supported by anticipated sales receipts, prudential borrowing and a capital contribution, from reserves. The project budget was predicated upon a pre-tender estimate, of construction costs, prepared by Potter Raper Associates, the Council's appointed employer's agent and cost consultant.
- 1.2 Pursuant to the delegated authority granted;
 - a. A detailed planning application was submitted on 24th July 2018 and consent granted on 12th March 2019
 - b. An agreement to lease was entered into with Travelodge. This agreement requires a start, of construction works, within eight months of the grant of planning permission, i.e. no later than 12th November 2019
 - c. An Invitation to Tender was issued on 25th March 2019 and tenders were received and opened on 3rd June 2019
 - d. Negotiations have continued with the CCG but without a clear indication of commitment from the originally intended group practice occupier. Firm interest has now been confirmed from a health service provider, who have also confirmed interest in taking on the lease of the pharmacy unit. Solicitors have been instructed but contracts not yet exchanged. As per previous reports, the CCG has given a written undertaking to underwrite the obligation to pay rent.
- 1.3 Five companies were invited to tender and three tenders were received with the lowest being from Kier Construction Ltd.
- 1.4 The form of tender allowed for negotiation with all parties and therefore all three tenderers have been invited to negotiation meetings and to submit proposals to "value engineer" (VE) the project in order to mitigate cost without sacrificing value.
- 1.5 In view of the time constraint, imposed by the Travelodge Agreement to Lease, consideration has been restricted to proposals which can be accepted without triggering a further planning application with attendant delay. The terms, of the Travelodge agreement, also precluded consideration of any changes within the hotel area.
- 1.6 Regrettably, early negotiations established that all three tenderers has omitted significant cost items, e.g. the building warranty premium. It was further established that a number of provisional sums, e.g. for services diversions and ground contamination, had been understated. As a result, the early indications were that tender prices would rise.
- 1.7 VE negotiations have continued and the highest tenderer has been invited to withdraw. At the time of writing, the lowest tender is from Kier Construction Ltd.

- 1.8 Sales values have been reviewed and the latest advice, from Joscelyne Chase, compared to the business case approved in May 2018.
- 1.9 A local Registered Provider has worked closely, with the Strategic Investment Team (SIT) to assist the Council to realise value, from the thirty-five apartments and to help ensure delivery of a critically important, town centre project. The Registered Provider has submitted two proposals:
- a. To purchase the twelve units in the “East Block” as the 12 affordable homes required as a condition of the planning permission
 - b. To purchase all thirty five residential units, accepting the sales and marketing risk and delivering the twelve smallest units as the required affordable homes.
- 1.10 The proposals are based upon the upper decile, of the achievable range of values, as advised by Joscelyne Chase. This level of discount is very much at the lower range, of discount, being accepted on block residential sales in the region. 15/20% is not unusual. The discount is mitigated by stage payments during development and there being no requirement for a marketing agent. The latest figures, have been used to recreate a financial model to inform this report and recommendations.

2 Principles of the Project

- 2.1 The proposed scheme can be considered a first phase of the Council's ambitions for the wider improvement of Braintree Town Centre. As the regeneration site represents the Council's only significant landholding in the area, the proposed physical regeneration scheme will act as a catalyst for wider enhancements.
- 2.2 The Council has led on the development of a 'Braintree Vision' for the Town Centre, with the support of specialist consultancy Design South East. A partnership, comprising elected Members and officers of both the Council and Essex County Councils, local businesses and other town centre stakeholders have created the following shared vision for Braintree Town Centre: *'Braintree is a modern market town; superbly located; set in a rich productive landscape, this is a place to come for great local produce and products; made in Braintree, grown in Braintree and sold in Braintree. The independent retail and cultural heart of Essex, this is an historic place, with a townscape formed through centuries of industry and trade. Braintree is living history, brought to life by a thriving specialist food market for local produce and independent retailers in the people centred High Street, a short walk to the new cultural quarter, around the beautiful Town Hall. An inclusive place, Braintree welcomes people of all ages but this historic weaving town has always been and always will be a place for industry, invention and innovation, now home to a new generation of twenty first century makers and producers'.*

- 2.3 The District Landscape Architect, acting as the Council's lead officer, has commented: 'Braintree District Council, in partnership with Essex Country Council and stakeholders from across the town centre, has created a vision statement for the future of the town. The vision helps in two ways; by defining a positive and strong future for the town, and as a unifying device that the whole town can work towards. A key vision concept is to refocus the town centre as a destination that appeals to a wide audience and broadens the town centre purpose with a rich mix of cultural, leisure, heritage, retail and service attractors; of which the development at Manor Street is a significant step towards'
- 2.4 Cabinet accepted, in May 2018, that the purpose, of this project, was to deliver a positive regeneration and social impact. It is accepted that the financial return will reflect these objectives and will be lower than other "for profit" projects, such as Horizon 120.
- 2.5 The project will deliver performing assets and an initial, income stream. This income represents an initial yield on the Council's total financial commitment, net of sales proceeds. This yield exceeds the current cost of funds but does not provide sufficiently for Minimum Revenue Provision. It is therefore recommended that the approved level of prudential borrowing remains unchanged and that the balance is met from a capital contribution from revenue reserves.
- 2.6 It should also be noted that the initial finance period is forty years and that the new building will be a permanent feature, of the town centre, generating social impact and a financial return in the long-term.
- 2.7 The project is a multi-purpose building and includes:

Use	Detail
Healthcare Facility	Approx. 1,598m ² GIA First-floor and part ground-floor 12 parking spaces dedicated 25 parking permits (on a first-come, first-served basis)
Pharmacy	Approx. 174m ² GIA Ground-floor
Hotel	Approx. 2,717m ² GIA 70 rooms Restaurant (open to non-guests)
Residential Units	35 apartments (inclusive of 30% affordable housing) comprising: 13 1-bed 20 2-beds 2 3-beds
Bus Interchange	9 stands

Use	Detail
Car Park	104 spaces of which: 12 spaces dedicated for healthcare facility 63 spaces for the general public (includes 25 permit spaces for the healthcare facility on a first-come, first-served basis) 35 spaces dedicated for residential
Public Realm	Primarily to rear of Town Hall Shared design language with wider Town Centre vision
Café/Retail Unit	Approx. 179m ² GIA
Retail Unit	Approx. 96m ² GIA

3 Project proposals

- 3.1 Live Well Hub: The provision of this facility forms an integral part of the project and directly supports the planned housing and population growth in the District. Located on the first-floor of the building fronting Manor Street, the facility is served by its own stairwell and lifts and accessed either from the car park or from a purpose-built ground-floor entrance on Manor Street. The facility delivers in excess of 1,500m² (gross internal floor area) of primary healthcare space. The Council is working in close partnership with MECCG and NHS-England to shape the precise services to be provided, at the new facility, and are likely to include a combination of primary services, including additional GP capacity, community and out of hospital services. This remains subject to contact but MECCG has confirmed, in writing, that it will underwrite the required rent.
- 3.2 Pharmacy: To complement the healthcare facility a pharmacy is proposed. There has been significant market interest in this opportunity, all of which is conditional upon the healthcare facility being delivered. The pharmacy will be on the Manor Street frontage, with its own entrance from the street, along with an entrance from the ground floor healthcare facility's foyer. On behalf of the Council, Agents have agreed terms, in principle, with a local, licence-holding pharmacy operator. The proposed lease term is 20-years. It should be noted that this is a reduction from the rent assumed in the scheme approved in May 2018 and reflects that the proposed occupier, of the Live Well Hub, is not a generic doctor's group practice.
- 3.3 Hotel: As summarised above, an Agreement to Lease has been exchanged with Travelodge. In order to secure agreement on the terms, a 9 month rent reduction has been agreed.

- 3.4 Residential Units: The project includes 35 apartments, as summarised in paragraph 2.4 above. Twenty three apartments are within the central, multi-use block and twelve in a standalone block, referred to as the “East Block”. This standalone block represents the retention and refurbishment of the existing Drill Hall, together with eight purpose-built homes. The retention of the Drill Hall serves to improve a quality building, of local importance, and to provide a buffer between the existing residential housing on Victoria Road and the new scheme. The scheme will deliver 30% affordable housing, in accordance with Council planning policy. The intention is to deliver all affordable units for shared ownership.
- 3.5 Bus Interchange: The proposed bus interchange includes provision for nine on-site stands, the maximum number of bays achievable. The proposal represents an increase from the current six on-site stands. There are currently no legal agreements with Essex County Council in relation to the existing use as a bus station. It is proposed, therefore, that a formal lease and service charge agreement is put in place.
- 3.6 Public Car Park: There will be 104 spaces in total, comprising 12 dedicated spaces for the healthcare facility, 63 car parking spaces for public use (including 25 permits issued to the healthcare facility on a first-come, first-served basis) and 35 for the apartments. Hotel users will be given vouchers, enabling them to park in any Council-owned Town Centre car parks, on a first-come-first-served basis. The healthcare facility will also benefit from vouchers on this basis. There will be a policy compliant number of six wheelchair spaces. The proposed estimated net income (after deduction of direct operating costs) has been calculated after consultation with relevant Council officers in Operations and Finance. It is assumed that the central management and enforcement, including that provided by the North Essex Parking Partnership, would continue at the same level and cost as the existing Manor Street and Victoria Road car parks.
- 3.7 Café and Retail Unit: These units will be marketed as soon as construction works commence.
- 3.8 Public Realm: The proposed project includes a quadrangle of open space, bounded by the new buildings, the rear of the Town Hall, the library and, to Manor Street, the existing, listed brick wall. This area will be fronted by the café and will be a mix of hard and soft landscape.
- 4 Impact on Braintree Town Centre
- 4.1 In common, with many towns, Braintree’s town centre is changing to reflect the growth in on-line retail. Braintree is particularly affected by the retail, leisure and restaurant offer in the nearby Braintree Village. Despite the advantage, of two town centre supermarkets, the Braintree retail offer is reducing and its evening and leisure offer remains weak.

- 4.2 The thirty-five apartments, and the seventy bedroom hotel, create the potential for an additional one hundred and fifty persons in the town centre each evening and at the weekends. In particular, the hotel will create significant additional demand for local restaurants, shops and bars.
- 4.3 Access to public transport will be enhanced via the delivery of a modern bus interchange with increased capacity.
- 4.4 The Live Well Hub, and pharmacy, will improve local healthcare provision and will also increase foot-fall during its hours of operation.
- 4.5 The Government Employee Density Guide indicates that the hotel, retail and healthcare elements, of the project, can be expected to generate 131 full-time equivalent jobs.

5 Financial impact

- 5.1 The current position taking into account the lowest tendered bid (Kier Construction Ltd) is that build cost is higher than was originally anticipated. With the increased estimated build cost it has also been necessary to review the overall project contingency. However, these additional costs have been partially offset by a reduction in the budget required for professional and other fees and provisions for planning related costs. The latter has been reduced on the basis that the scheme as designed already makes significant provision for items such as public transport, public realm, and other town centre improvements, which would often be delivered through a S106 agreement.
- 5.2 A development allowance is included in the scheme which relates to the capitalised salaries of the Strategic Investment Team where activities undertaken meet the strict conditions required for classification as capital expenditure. This arrangement was included as part of the overall funding mix for resourcing a permanent Team structure and would also include the role of a Construction Manager engaged to oversee the building contract.
- 5.3 The scheme includes a budget for interest incurred on external borrowing during the construction period. This is projected to be lower than was originally estimated. The main reason for this reduction is the assumption that the agreement for the transfer of residential units will include provision for phased payments during the construction period. This reduces the amount of temporary borrowing required, whereas in the original scheme it was assumed that capital receipts would only overlap construction in the latter stages and would continue to be received for a number of months post completion. Should it not be confirmed that phased payments are acceptable and proceeds are not received until completion, this will increase the development. The actual requirement for borrowing during the construction phase will be interdependent on the Council's overall treasury management position. An alternative scenario is that some or all of the cash flow is met from internal borrowing, i.e. temporarily using cash held by the Council for other reasons. This would have the effect of reducing the overall scheme cost as the impact would be the opportunity cost from foregoing income on short-term investments). A project rate has been applied; however, at the current time rates are likely to be lower subject, however, to what may happen to financial markets post Brexit.

- 5.4 The proposed acquisition of all units by a Registered Provider is estimated to generate capital receipts, which are lower than the original scheme and lower than the revised maximum achievable values, as recently advised by Joscelyne Chase. The original scheme was predicated on a mix of private and affordable sales and based on a range of estimated market values.
- 5.5 The Council has previously received a design contribution from Essex County Council which has already been applied to part fund expenditure incurred to date.
- 5.6 The original scheme assumed long-term prudential borrowing by the Council over 40 years, with principal and interest payments being funded from the rent obtained from commercial leases. The proposal is to maintain long-term borrowing at this level, and consequently, the balance of funding required from the scheme is proposed to be met from the Council's own capital reserves and balances, resulting in an increased contribution.
- 5.7 If negotiations, for a bulk sale, are inconclusive, the Council can revert to the original proposal that the East Block is sold to a Registered Provider, as affordable housing, and that the twenty three homes, in the main building are sold individually on the open market. Despite increased marketing and carrying costs and if the upper decile, of the recent Joscelyne Chase advice, is achieved, the required capital contribution would potentially reduce. There is a significant risk exposure attached to this as outlined in Section 6 below.
- 5.8 The original contribution towards the scheme was from the District Investment Reserve, created in May 2016 from a combination of General Fund balances and New Homes Bonus. The additional contribution can be met from the Council's existing capital resources (primarily the balance of capital receipts). The consequences of this is that it reduces the capital resources available for other projects. Also, to the extent that balances would be used quicker than was previously anticipated, this will have an impact on the Council's overall treasury management position and resources available for investment. A review is currently being undertaken to assess the extent to which some of the additional funding can either be met from existing Planning Section 106 balances through deed of variation, and/ or replenished from future Section 106 receipts, where agreements relate to the provision of public health and transport infrastructure and conditions allow retrospective application. The Council also has separate plans to generate additional capital receipts from the disposal of land for housing purposes.
- 5.9 The proposed transfer of residential units to a Registered Provider will require further VAT advice to ensure any agreement continues to allow the Council to recover all VAT incurred on the scheme. Similarly, a review will be necessary to ensure the final commercial lease terms are consistent with the previous VAT position assumed.

- 5.10 Section 3 of the report provides details of the commercial lease arrangement proposed for the development, including some variation to the lease terms proposed for the Pharmacy. The original scheme approval and the revenue consequences, including the net General Fund position after deduction of borrowing costs, was based on a number of key assumptions that have yet to be enshrined in legally binding lease agreements. Until such time that this is achieved, there will continue to be ongoing risk around the long-term revenue impact of the scheme.

6 Risk and Liabilities

- 6.1 The 14th May 2018 Cabinet report contained a detailed risk analysis. This report will not repeat that analysis and will focus on new risks, which have been identified, and previously identified risks, which have changed significantly.
- 6.2 Kier Construction Ltd, the lowest tenderer, has been the subject of recent media speculation about its financial stability. The Kier Group has issued a profit warning and announced a re-structuring plan, which includes twelve hundred job losses and the sale of Kier Living, the Group's residential development division.
- 6.3 The Kier profit warning was to the effect that analyst's expectations, of annual profit of £169 million, would not be met and an annual profit of £129 million was now anticipated.
- 6.4 Despite media speculation, Government has continued to treat Kier as "business as usual" recently awarding Kier Construction a £250 million contract to build a prison in Northamptonshire. As part of the Council's due diligence, officers have spoken to a senior official, in the Department of Transport, who confirmed the Government's position.
- 6.5 To protect the Council's position, it has been agreed, subject to Cabinet approval, that the contractual arrangements, with Kier Construction Ltd, will include:
- A Performance Bond
 - A Premier Warranty including standard insolvency cover
 - This provides the same cover as NHBC Buildmark, i.e. completion of the twelve affordable housing units and return of purchaser's deposits
 - Monthly confirmation of payments to the supply chain of suppliers and sub-contractors
 - Kier have recently improved their average payment term, of 57 days, to 41 days
 - Access all areas at all times for a Council appointed and experienced construction manager
- 6.6 As with any other contractor, there remains a risk of insolvency leading to disruption, delay and increased costs. The above measures combine to ensure that
- The risk is manageable

- Quality is maintained
 - The supply chain has been paid and is therefore better placed to continue, with minimal disruption, under a replacement contractor or direct control, by the Council, if that is judged necessary and appropriate
 - Early warning signs can be identified
- 6.7 The alternative would be to cease negotiation, with Kier, and to negotiate with the second lowest tender. In this event, there would be significant increased costs and the risk of challenge from Kier.
- 6.8 The May 2018 Cabinet report assumed achievable sales receipts. Neither figure allows for the impact of a “no-deal Brexit”, in which event, the Bank of England (BoE), has predicted increases in mortgage rates and a weakening of the housing market. In one scenario, the BoE has predicted a 35% drop in values over three years.
- 6.9 These predictions may be regarded as exaggerated or alarmist, but an adverse impact, to some extent, seems probable. To mitigate this risk, a Registered Provider has submitted an offer to purchase all thirty-five apartments and thereby to accept the sales risk
- 6.10 As outlined, in paragraph 5.9 above, acceptance, of the Registered Provider offer, will require an additional capital contribution which is included in paragraph 5.8 above. This is recommended as a prudent risk mitigation measure

Cabinet Member Decisions made under delegated powers		Agenda No: 12
Portfolio	See body of report	
Corporate Outcome:		
Report presented by:	Not applicable – report for noting	
Report prepared by:	Chloe Waight, Governance Business Officer	
Background Papers:	Public Report	
Cabinet Decisions made by individual Cabinet Members under delegated powers.	Key Decision: No	
Executive Summary:		
<p>All delegated decisions taken by individual Cabinet Members are required to be published and listed for information on next Cabinet Agenda following the decision.</p> <p>Since the last Cabinet meeting the following delegated decisions have been taken (details as at time of decision):</p> <p>Councillor D Bebb - Cabinet Member for Finance and Performance. Decision taken on 7th June 2019</p> <ol style="list-style-type: none">1. To approve setting aside £50,000 from the Development Management earmarked reserve (funds carried over from 2018/19) to meet the potential one-off costs of recruitment costs as set out in the report.2. To approve a virement of £171,680 from the Development Management planning application fees income budget to the Development Management staffing budget, to meet the cost of additional payments to staff and increased administrative support.3. To approve a virement of £16,280 from the income received from MHCLG to support Neighbourhood Planning, Self-Build Register and Custom Build Register to the Planning policy staff budget.4. To note that additional payments will be reviewed annually.5. To note that any future increased costs arising from the from the revised career grade scheme for Development Management will be reflected in future salary budgets for the service based on an annual assessment of likely staff progression. This will enable;		

- a. To increase the staffing budget for Development Management by £121,677 to fund an increase in the Additional Payment paid to Planning Officers to ensure a competitive salary in order to recruit and retain staff;
- b. To increase the staffing budget for Planning Policy by £34,415 to fund an increase in the Additional Payment paid to Planning Officers to ensure a competitive salary in order to recruit and retain staff.
- c. To set aside up to £50,000 to assist the recruitment process, to fund one-off payments such as 'golden hello' payments, relocation packages or any payments to specialist recruitment consultancies, if required;
- d. To introduce new Career Grade Scheme for Development Management and Planning Policy, which enables (subject to compliance with the relevant criteria) Officers to progress from a Planner (Grade 3-4) to a Senior Planner (Grade 5);
- e. To increase the staffing budget for Development Management by up to £50,000 to fund additional support for the Planning Development Manager and other Managers within the service and to assist with complaints, customer enquiries and general correspondence.

Councillor Bowers - Cabinet Member for Homes. Decision taken on 2nd August 2019

To amend the title of the Homelessness Strategy 2018 – 2013 to the Homelessness and Rough Sleeping Strategy 2018-2013.

Councillor Mrs Schmitt - Cabinet Member for Place. Decision taken on 16th August 2019

To join and support the Essex Countywide Traveller Unit (ECTU) as a Partner Authority for and make financial contribution to ECC.

Cabinet Decisions made by individual Cabinet Members under delegated decisions can be viewed on the Access to Information page on the Council's website.

www.braintree.gov.uk

Recommended Decision:

For Cabinet to note the delegated decisions.

Purpose of Decision:

The reasons for decision can be found in the individual delegated decision.

Any Corporate implications in relation to the following should be explained in detail.

Financial:	None arising out of this report.
Legal:	None arising out of this report.
Safeguarding:	None arising out of this report.
Equalities/Diversity:	None arising out of this report.
Customer Impact:	None arising out of this report.
Environment and Climate Change:	None arising out of this report.
Consultation/Community Engagement:	None arising out of this report.
Risks:	None arising out of this report.
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