

Cabinet AGENDA

Monday, 11th March 2019 at 7:15pm

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

THIS MEETING IS OPEN TO THE PUBLIC
(Please note this meeting will be webcast and audio recorded)

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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

| | |
|--|--|
| Leader of the Council | Councillor G Butland (Chairman) |
| Environment and Place | Councillor Mrs W Schmitt (Deputy Leader of the Council) Councillor R van Dulken |
| Planning and Housing | Councillor Mrs L Bowers-Flint Councillor Mrs G Spray |
| Economic Development | Councillor T Cunningham Councillor K Bowers |
| Health and Communities | Councillor P Tattersley Councillor F Ricci |
| Finance and Performance | Councillor D Bebb |
| Corporate Services and Asset Management | Councillor J McKee |

Invitees

Representatives of the Labour Group, Halstead Residents Association Group and Green Party and Chairman of the Overview and Scrutiny Committee and Governance Committee.

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).

The Council reserves the right to decline any requests to register to speak if they are received after this time. Members of the public can remain to observe the public session of the meeting.

Please note that there is public Wi-Fi in the Council Chamber, users are required to register in order to access this. There is limited availability of printed agendas.

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Documents

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We welcome comments from members of the public to make our services as efficient and effective as possible. If you have any suggestions regarding the meeting you have attended you can send these via governance@braintree.gov.uk

AGENDA

| No | Title and Purpose of Report | Pages |
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| 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 the Cabinet held on 11th March 2019 (copy previously circulated). | |
| 4 | Public Question Time (See paragraph above) | |
| 5 | OVERALL CORPORATE STRATEGY AND DIRECTION | |
| 5a | Leader's Update Leader of the Council to give a brief update on key issue and activities. | |
| 5b | Annual Plan 2019-20 | 5 - 18 |
| 6 | FINANCE AND PERFORMANCE | |
| 6a | Third Quarter Performance Management Report 2018-19 | 19 - 52 |
| 7 | PLANNING AND HOUSING | |
| 7a | Open Spaces Supplementary Planning Document - Open Spaces Action Plan | 53 - 58 |
| 7b | Bradwell with Pattiswick Neighbourhood Plan | 59 - 161 |

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|---|--|--------------------------|
| Annual Plan 2019-20 | | Agenda No: 5b |
| Portfolio | | |
| Corporate Outcome: | Overall Strategy and Direction | |
| | Delivering better outcomes for residents and businesses and reducing costs to taxpayers | |
| Report presented by: | Councillor Graham Butland, Leader of the Council | |
| Report prepared by: | Andy Wright, Chief Executive | |
| Background Papers: | | Public Report |
| Annual Plan 2019-20 | | Key Decision: Yes |
| Executive Summary: | | |
| <p>The Annual Plan sets out our actions and performance targets for 2019/20. These actions and targets will support the last year of our Corporate Strategy 2016 – 2020, which was agreed in February 2016. The actions and performance targets are aligned to each of our corporate strategy themes:</p> <ul style="list-style-type: none"> • Environment and Place • Strategic Growth and Infrastructure • Economic Development • Health and Communities • Finance and Performance • Overall Strategy and Direction <p>Progress made against these actions and targets will be reported to Cabinet quarterly.</p> <p>Last year we signed up to The Future of Essex which is a vision shared by more than 100 partners dedicated to improving the county over the next 18 years. Once again, we have referenced how we will be supporting this vision.</p> | | |
| Recommended Decision: | | |
| To approve the Annual Plan 2019/20. | | |
| Recommended Decision: | | |
| To agree the Council's key priorities and actions for 2019/20. | | |

| Any Corporate implications in relation to the following should be explained in detail | |
|--|--|
| Financial: | The projects in the Annual Plan have been considered as part of the annual budget setting process and budgets were approved in February 2019. Each project will have its own budget which will be monitored as part of the project management process. Budget issues will also be reviewed as part of the quarterly reporting process. |
| Legal: | As part of the project management process for each project, there will be an assessment of the legal implications. |
| Safeguarding | Any safeguarding concerns will be assessed in the planning for each project. |
| Equalities/Diversity | An equalities impact assessment will be completed for each relevant project. |
| Customer Impact: | Customer Impact will be considered in the planning for each project. |
| Environment and Climate Change: | The Environment and Place priorities have a number of actions which seek to protect our environment. Further information on this is available in our Corporate Strategy. |
| Consultation/Community Engagement: | Consultation has been carried out as part of the budget setting process and will be carried out as part of the planning for individual projects where required. |
| Risks: | If the annual plan priorities are not endorsed, then there will be no basis for a work programme to deliver the corporate priorities. Risk assessments are carried out as part of the project planning and business planning process. These are considered at a service level and at a management board level. Portfolio holders will also consider strategic risks which may arise from or affect the delivery of the annual plan priorities and performance targets. |
| Officer Contact: | Tracey Headford |
| Designation: | Business Solutions Manager |
| Ext. No. | 2442 |
| E-mail: | tracey.headford@braintree.gov.uk |



Our plans for the District in 2019/20

V 0.10

Welcome to Braintree District Council's Plan for 2019/20

Throughout this decade, local government has seen the continued reduction of its central government funding and by 2020 we will receive no revenue support grant at all.

It has been a challenging time for the entire public sector, a time where we've all had to tighten our belts while feeling the impact of increasing expectations and increasing demands.

Since 2010 we've found £8.6 million through savings but we've also generated £4.4 million with planned and carefully-considered investments, for example by investing in property which has benefited our district's businesses.

Our careful but proactive financial approach means we are in a good position to invest in the services seeing the most increased demand – housing and planning. We're strengthening our planning service, which has had to respond to an increase in applications and appeals, and we're strengthening our housing service too, which has gained new responsibilities under the Homelessness Reduction Act 2017.

Throughout all this our customer satisfaction remains higher than the national average and we've achieved the Customer Service Excellence Standard for the fourth year running.

The highlight of our year was being in a position to announce a £100 million investment boost to the district. We unveiled our plan that will see money invested in the areas that matter to our residents – Health, Homes, Journeys and Jobs. It'll also attract other public and private sector investment and will play an important part in supporting the district as it grows. It has the added benefit of giving a good return on investment that we can plough back into frontline services.

Throughout this document you will see the work we have carried out this past year and the work we plan for the year ahead. You'll also see the areas of work which contribute towards the Essex Vision - a vision where everyone works towards better social outcomes in the county.

Councillor Graham Butland
Leader of Braintree District Council

Andy Wright
Chief Executive



Environment and Place

Vision/Outcome

A sustainable
environment and a great
place to live, work and
play

To support this in 2018/19 we have:

- Installed fencing and bollards to our larger open spaces across the district protecting them from unauthorised access including illegal encampments
- Delivered a cost saving of £35k from the garden waste service
- Led on a county wide framework for street sweeping arisings reducing our costs of collection and disposal
- Worked with other Essex Councils and the University of Essex on a number of initiatives to gain a greater understanding of residents' recycling habits and encourage residents to minimise their waste and recycle more
- Achieved a recycling rate of 50.9%
- Improved the waste collection service for our commercial customers by reviewing the collection routes and implementing changes to how the collections are made
- Delivered a commercial grounds maintenance service to 40 schools, academies, leisure sites and parish councils.
- Achieved 40 awards from the Essex Playing Fields Association for the standards and high quality of the Council's playing areas
- Removed over 800 fly tips within 24 hours of being reported
- Served over 80 fixed penalty notices and prosecuted 12 residents in relation to littering, dog fouling, and fly tipping to keep the district looking clean and tidy
- Upgraded the lighting in our car parks with new energy efficient LED lights
- Delivered an improved low tariff energy switching scheme for both residents and businesses in the district
- Launched a litter reduction campaign aimed at social media and younger audiences
- Provided a seven day cleaning programme in Town Centres including litter picking, bin emptying and sweeping

In 2019/20 we will:

Minimise Waste

- 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
- 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

Green Spaces

- 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.
- Continue to protect our larger open spaces from illegal encampments by creating earth bunds and ditches to prevent disruption and inconvenience to local residents
- Replace the benches in parks and open spaces ensuring they are fit for purpose allowing residents and visitors to enjoy recreational time

Keep the District Clean and Tidy

- Continue to investigate and enforce littering, dog fouling and fly-tipping offences to help keep the district looking clean and tidy
- Deliver a car litter campaign to support the introduction of new legislation

**Vision/Outcome**

A well connected and growing district with high quality homes and infrastructure

To support this in 2018/19 we have:

- Secured £10 million of external funding to support the planning application for the Millennium Way slip roads to help alleviate congestion at Galleys Corner in Braintree
- Granted planning permission for over 1200 dwellings supporting the delivery of much needed housing across the district
- Enabled the delivery of 154 affordable homes across the district
- Continued to work with other local authorities, businesses and residents over plans for two Garden Communities
- Approved funds to develop up to five council-owned sites to deliver new mixed tenure homes across the district
- Prevented over 200 households from becoming homeless
- Been a proactive partner with Essex County Council and Highways England to drive forward strategic improvements in the district, in particular the A120 and A12
- Completed the acquisition of a strategic employment site at Great Notley providing additional land to support business growth and create up to 2,000 jobs
- Secured detailed planning consent for the regeneration of Braintree Town Centre comprising of a Livewell Hub, 70 bed hotel, restaurant/café, commercial unit, 35 residential units, bus interchange, car park and enhanced public realm

In 2019/20 we will:**Local Plan**

- E**
- Continue to work towards completing the examination and adoption of the Local Plan
 - Formally adopt the first Neighbourhood Plan in the district

Increase the number of homes

- E**
- Continue to work with partners to provide housing, employment and supporting infrastructure to address our long term housing and community needs
- E**
- Develop Council owned sites to deliver additional mixed tenure homes across the district and consider establishing a Council owned Housing Development Company
- E**
- Commence construction of the regeneration of Braintree Town Centre enhancing the appeal of the town to residents and visitors

Affordable Housing

- Provide 150 affordable homes across the district

Sustainable transport infrastructure links

- E • Continue to work with Essex County Council to reduce congestion on the local road network in Braintree
- 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
- E • Continue to work with Essex County Council on securing improvements to the strategic highway network including the A120 and A12
- Commence construction of an improved bus interchange as part of the Manor Street regeneration
- E • Create a high quality business community through the development of the Horizon 120 business and innovation park

**Vision/Outcome**

A prosperous district that attracts business growth and provides high quality employment opportunities

To support this in 2018/19 we have:

- Launched the Business Engagement Strategy and developed our support service to provide access to grants and funding and signposted businesses to support services offering mentoring and training, helping businesses across the district grow
- Completed the construction of four new industrial units and 40 space car park providing much needed grow-on space to small businesses
- Secured grant funding to support the delivery of the I-Construct in the Construction Hub at Braintree Enterprise Centre
- Delivered the Braintree District Careers Fair in partnership with the Essex Skills Board and local businesses to promote post-16 learning and career opportunities
- Completed the transfer of the Sible Hedingham work hub providing accommodation for start-up businesses
- Prepared spatial plans for the improvements to Halstead Town Centre
- Held regular street markets in Braintree and trialled a street market in Witham to increase footfall and support the local economy
- Secured funding to support the district to reach 99% superfast broadband coverage by the end of 2020
- Launched the District Tourism Plan to support the growth of the visitor economy
- Regenerated the Spa Road shopping area in Witham improving the visual impact and the facilities

In 2019/20 we will:**Employment Sites and premises**

- E • Complete the acquisition of strategic employment land in Witham supporting business creation and growth

- Complete physical improvements to key industrial estates including new signage and branding

Provide support to help businesses start and grow

- Work with existing and form new partnerships to increase levels of targeted business and skills support
- Secure planning consent and commence construction of the I-construct Innovation in Construction Hub at the Braintree Enterprise Centre

Develop educational attainment and skills

- 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

Support our Economy

- E**
- Deliver physical improvements to the town centres of Braintree, Witham and Halstead
- E**
- Establish a Tourism Partnership to promote the district, support businesses and increase tourism.
 - Supporting markets across the district including continuing to develop the street market concept
 - Working through the Town Centre Partnership, deliver schemes to improve the vibrancy of Braintree Town Centre



To support this in 2018/19 we have:

- Expanded the Handyperson scheme to help disabled and frail residents lead more independent lives
- Continued to deliver our Live Well programme with a range of projects to support our residents to lead healthy lifestyles
- Seen a reduction in the number of overweight children in schools signed up to the Livewell Child project and been recognised nationally for our work in this area
- Raised awareness of child exploitation by providing training to licensed premises and taxi drivers through the 'Spot-it, Stop-it' campaign
- Delivered a domestic abuse campaign highlighting the support available to both victims and perpetrators
- Established a monthly shopper bus trip supporting rural villages that no longer have access to a public transport route
- Introduced a number of activities to benefit those living with dementia and their carers such as dementia friendly cinemas, tea dances, swimming and walks
- Delivered the Braintree District Volunteer Awards for the second year in a row to recognise the contribution volunteers make to our district
- Worked with the friends of Bocking Windmill to develop the Bocking Windmill as a heritage attraction for the district

- Worked in partnership with Essex County Council and the Young Foundation to carry out an action research project which took a strengths based approach to understanding and tackling social isolation and loneliness in Halstead.

In 2019/20 we will:

Support residents to be healthy and live well

- 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
- Improve the play experience at Great Notley Country Park and Halstead Leisure Centre by replacing the artificial pitches
- E** • Work in partnership with local GP surgeries, the NHS and Mid Essex Clinical Commissioning Group to develop a new modern healthcare facility in Sible Hedingham
- E** • Work with partners to improve emotional health and wellbeing and identify improvements to access mental health services for residents

Protect the Vulnerable

- Develop a Rough Sleeping Strategy setting out how we will provide specialist support for vulnerable people on the street
- E** • Continue to raise awareness of child exploitation through the 'spot-it, stop-it' campaign

Improve services to meet the needs of the older people in the district

- E** • Continue to promote events and provide opportunities that would benefit those living with dementia and their carers
- In partnership with Fusion, encourage inactive over 60's to become active again by developing the Age well sessions at our local sports centres

Encourage Independent and resilient communities

- E** • Continue to support community groups to deliver local projects and activities through the Councillor Community Grant Scheme
- E** • Work with partners to raise awareness and identify ways to combat social isolation and loneliness
- Continue to work with key local groups to develop plans for a community facility in Witham

Expand access to services for young people

- Promote volunteering opportunities to work with young people and promote activities and clubs available to young people in our district



Finance and Performance

Vision/Outcome

A high performing organisation that delivers excellent and value for money services

To support this in 2018/19 we have:

- Implemented new processes in our Housing service to improve resilience and efficiency of the service following the implementation of the Homelessness Reduction Act
- Developed our Commercial and Investment Programme generating income and savings through a number of actions to reinvest in front line services
- Produced, audited and published our accounts by the 31st July 2018
- Achieved the Customer Service Excellence Standard for the fourth consecutive year demonstrating the high standard of customer service provided and were recognised as an exemplar in 13 areas
- Reviewed and implemented changes to data protection and IT security procedures
- Developed our online booking and payment systems for customers of our pest control service enabling them to book and pay for services online
- Introduced in-cab technology into our street scene vehicles improving the efficiency of the service
- Continued to develop our online services making it easier for customers to access services
- Developed a shared payroll service with other local authorities to enable a more efficient, resilient and cost effective service

In 2019/20 we will:

Review of services and processes to ensure they continue to provide value for money

- Review our services and processes to ensure they continue to provide value for money

Strengthen the Council's financial independence

- Develop our commercial programme to generate income that can be reinvested in front line services
- Identify and progress investment opportunities that help us to deliver our corporate strategy whilst providing a return on investment to strengthen our financial independence
- 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

Improve performance in services that are a priority for customers

- Continue to identify improvements in customer focused services using the Customer Service Excellence Standard as a framework
- Implement the Council's discretionary Business Rate relief scheme for independent retail businesses

Improve access to services through the use of technology

- Expand our online booking and payment systems enabling residents to book and pay for more services through our website.
- Develop a digital platform enabling residents to access health information, initiatives and support to improve their health and wellbeing



Overall strategy and direction

Vision/Outcome

Delivering better
outcomes for residents
and businesses and
reducing costs to taxpayers

To support this in 2018/19 we have:

- Contributed towards the delivery of the Essex Vision, aligning our Annual Plan to encourage a joint approach to tackling issues across the district
- Worked with the NHS, public, private and voluntary sector partners through the Health and Wellbeing board to improve health opportunities for our residents
- Worked with our Community Safety partners to make the district a safer place to live
- Continued to work in partnership to improve infrastructure across the district such as the A120 Millennium slip road and improvements to Springwood Industrial Estate
- Continued to work with Tendring District Council, Colchester Borough Council and Essex County Council on the shared part one of the Local Plan
- Worked with Chelmsford City Council to co-ordinate growth and infrastructure in the region

In 2019/20 we will:

Work with Councils, other public bodies and the private sector across Essex, to achieve greater local control of decisions to enable us to deliver better outcomes for residents, businesses and customers

Continue to develop our strategic partnerships with public, private and voluntary organisations to provide excellent and cost effective services

- 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:
 - 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
 - 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.

MEASURING SUCCESS –

In addition to the projects and actions described in this annual plan we also measure these indicators which focus on some of our broader priorities

| Description | Target | Estimated Outturn | Target |
|--|---------------|----------------------|---------------|
| | 2018/ 2019 | 2018/ 2019 | 2019/ 2020 |
| Environment and Place | | | |
| The percentage of land that falls below cleanliness standards for litter | 6% | 6% | 6% |
| Percentage of household waste sent for reuse, recycling and composting | 60% | 50.41% | 60% |
| Tonnage of household waste not recycled | 430kgs | 468kgs | 470kgs |
| The percentage of accessible non-hazardous fly tips on public land cleared within 24 hours of being reported | 100% | 100% | 100% |
| Number of fuel poverty and domestic energy reduction installations carried out | 350 | TBC | 350 |
| Strategic Growth and Infrastructure | | | |
| Number of affordable homes delivered** | 100 | 154 | 150 |
| Number of homes granted planning permission | 845 | 1200 | 845 |
| Health and Communities | | | |
| Average waiting time for applicants on the Disabled Facilities Grant (calculated in days from point of referral to approval) | 75 days | 84 days | 90 days |
| Achieve a 2% increase on the contract baseline in participation levels across all our sports centres | 942,128 | 1,065,059 | 960,970 |
| Achieve at least a 1% increase in adults being active for 150 or more minutes per week*** | 58% | 66.2% | 60% |
| Finance and Performance | | | |
| Average call answer time in the Customer Service Centre | 15 seconds | 13 seconds | 15 seconds |
| Time taken to process housing benefit/council tax benefit new claims | 22 days | 19.50 days | 20 days |
| Time taken to process housing benefit claim changes | 6 days | 6.4 days | 6 days |
| Percentage of stage 1 complaints responded to within target | 90% | 94% | 90% |

| | | | |
|---|--------|--------|--------|
| Collection rate for | | | |
| • Council Tax | 98.3% | TBC | 98.3% |
| • Business Rates | 98.6% | TBC | 98.6% |
| Percentage of invoices paid within 30 days of receipt | 99.25% | 99.20% | 99.25% |

** The number of affordable homes delivered is targeted at providing 400 affordable homes over a four year period.

*** The outturn figures will be provided by Sport England Active Lives Survey. 2021 target is 60.5%

COMMENTS AND FEEDBACK

We always welcome comments, suggestions and feedback (critical or otherwise) on our plans and improvements and in the way that we write our documents and communicate them.

- You can e-mail our Customer Service Centre at csc@braintree.gov.uk.
- You can drop written comments off at one of our main offices:
Braintree – Causeway House, Halstead Library or Witham Library
- You can telephone our Customer Service Centre on 01376 552525.
- You can speak to your local Councillor who will be able to pass your comments back if you wish. Contact details for your Councillor can be found on our website: www.braintree.gov.uk

| | | |
|---|--|----------------------|
| Third Quarter Performance Management Report 2018/19 | | Agenda No: 6a |
| Portfolio | Finance and Performance | |
| Corporate Outcome: | A high performing organisation that delivers excellent and value for money services | |
| Report presented by: | Councillor David Bebb, Cabinet Member for Performance and Finance | |
| Report prepared by: | Tracey Headford – Business Solutions Manager | |
| Background Papers: | Public Report | |
| Third Quarter Performance Management Report 2018/19 | Key Decision: No | |
| <p>Executive Summary: The purpose of the attached report is to summarise the performance of the Council at the end of the third quarter (October 2018 to December 2018).</p> <p>As at the end of the third quarter, the Council is continuing to perform well in the achievement of its priorities with 18 projects have been completed, a further 40 projects are on track and progressing well, seven projects are experiencing delays which will push back the end dates of the projects due to a number of issues that have impacted on the timescales for delivery of the projects. These projects will be amended through the change control process once the issues are better understood and revised timescales can be agreed. Full details of the reasons for the delays are contained within the report.</p> <p>Ten performance indicators have achieved or exceeded target, three have missed target by less than 5% and two have missed target by more than 5%.</p> <p>The performance indicators that have missed target by less than 5% relate to the percentage of household waste recycled, collection rates for Council Tax and the percentage of invoices paid within 30 days. All of these indicators have missed target by less than half a percent and it is expected that the majority of the amber performance indicators will meet target at the end of the year.</p> <p>The performance indicators that have missed target by more than 5% are in relation to the tonnage of residual household waste not recycled, and the average waiting time for applicants on the disabled facilities grant.</p> <p>Full reasons for missing targets and action being taken is detailed in the report.</p> <p>Financial Performance This part of the report provides an updated review of the financial position for the year up to the end of December 2018. It examines the latest forecast for spending on day-to-</p> | | |

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 investment projects.

Summary

- An overall positive variance for the year of £703,000 (-4.8%) is projected against the budget.
- Across all services staffing budgets are forecast to be underspent by £475,000; and after allowing for the corporate efficiency target of £200,000, this results in a projected variance of -£275,000.
- Other expenditure is projected to be overspent by £284,000.
- Income is projected to be overachieved by £712,000.
- The projected variance for the year has improved by an overall £576,000 from the position reported at Q2, which forecasted an overall positive variance of £127,000. This overall change comprises: an increase in the projected staffing underspend by £181,000; a reduction in the projected overspend on other expenditure of £98,000; and £297,000 increase in forecast income.
- For some service areas the changes in the levels of income and expenditure included in this report are expected to be ongoing and therefore budget adjustments have been included in the Council's proposed budget for 2019/20.

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

Recommended Decision:

To note and endorse the Council's performance as at the end of the third quarter of 2018/19, 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 Planning, for the quarter is provided. A summary of complaints received each quarter is 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 , upgrading lighting in our car parks, anti-litter campaigns, expansion of our recycling service and campaigns encouraging recycling. |
| 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 | |
| Ext. No. 2442 | |
| E-mail: Tracey.headford@braintree.gov.uk | |



Third Quarter Performance Management Report

1st October 2018 to 31st December 2018

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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 third quarter in relation to the publication of the 'Annual Plan 2018/19'. 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.

This year we 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 local and national indicators used to measure the outcomes are available upon request.

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

The following table provides updates for the end of the third quarter in relation to the key activities in the 'Annual Plan 2018/19'

| Corporate Priorities | Status of projects and actions | | | | |
|-------------------------------------|---|---|---|---|---|
| |  |  |  |  |  |
| Environment and Place | 3 | 5 | 2 | 0 | 0 |
| Strategic Growth and Infrastructure | 0 | 8 | 1 | 0 | 0 |
| Economic Development | 5 | 6 | 0 | 0 | 0 |
| Health and Communities | 6 | 5 | 2 | 0 | 1 |
| Finance and Performance | 4 | 7 | 2 | 0 | 0 |
| Overall Strategy and Direction | 0 | 9 | 0 | 0 | 0 |
| TOTAL | 18 | 40 | 7 | 0 | 1 |

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 third quarter

The following table shows the performance for the end of the third quarter in relation to the quarterly and annually reported Performance Indicators that have targets set as defined in the 'Annual Plan 2018/19'.

| Corporate Priorities | Status of indicators | | | |
|-------------------------------------|---|--|---|-----------|
| |  |  |  | Data Only |
| Environment and Place | 2 | 1 | 1 | 0 |
| Strategic Growth and Infrastructure | 2 | 0 | 0 | 0 |
| Health and Communities | 1 | 0 | 1 | 0 |
| Finance and Performance | 5 | 2 | 0 | 0 |
| TOTAL | 10 | 3 | 2 | 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

As at the end of the third quarter, the Council is continuing to perform well in the achievement of its priorities with 18 projects now complete and a further 40 on track and progressing well. Seven projects have an amber status due to delays occurring which will push back end dates. Better recognition of issues and more thorough reporting of changes in projects through the change control process have enhanced the accuracy of reporting. Full details of the amber projects can be found in the report.

Ten performance indicators have met or exceeded target, three performance indicators have missed target by less than 5% and two performance indicators have missed target by more than 5%. It is expected that the majority of the amber performance indicators will meet target at the end of the year.

As we enter the final quarter of the year, we will continue to focus our resources on delivering the best service to our customer's services and achieve our corporate objectives.



Environment and Place

| Project description and comments | Target Date | Status |
|--|----------------|---|
| Continue to support the Essex Waste Management Partnership to reduce waste, increase recycling and participate in countywide campaigns | | |
| The waste minimisation and recycling roadshows including a Food Fayre at Cressing Temple were well attended. Educational presentations were provided to a number of organisations such as schools, scouts and libraries. The new Government's new Resources and Waste Strategy was launched in early December and the Essex Waste Officers Delivery Group will be meeting to discuss the impact and implications on the future and collection and disposal arrangements for each Council. | March 2019 |  |
| (E) Work with other Essex Councils and the University of Essex to better understand people's attitudes towards waste and recycling | | |
| Braintree District Council is working with Essex County Council and the University of Essex to pilot initiatives to increase recycling and reduce waste. The first initiative launched in September involves two versions of the waste calendar which is delivered to Households in September and October. The calendars will feature different recycling messages with the aim to encourage residents to recycle more. We are currently awaiting the results of the analysis undertaken to see if the new waste calendars had any impact. | March 2019 |  |
| Offer our commercial customers a more tailored refuse and recycling service that will help them reduce, reuse and recycle their waste | | |
| A new quotation process and procedure has been introduced for our commercial customers providing a more efficient service. Weekly visits are also taking place with businesses around the district to ensure the service they are receiving meets their needs. | March 2019 |  |
| Continue to protect our larger open spaces from illegal encampments by installing perimeter fencing and lockable bollards to prevent disruption and inconvenience to local residents | | |
| All larger open spaces in the district are now protected from illegal encampments following the installation of perimeter fencing and lockable bollards. | June 2018 |  |
| Develop an improved low tariff energy switching scheme for both residents and businesses in the District, improving the customer experience and offering additional benefits and improved rates for residents on pre-paid meters | | |
| A new low tariff energy switching scheme has been introduced that will be taking an active role in engaging with residents. The first auction took place in August and a scheme for discounted solar installations was introduced in the Autumn. | September 2018 |  |
| Increase the electric car charging infrastructure by installing chargers at the three leisure centres across the District | | |
| A business case for installing chargers at the leisure centres will be looked at by Management Board in January. The project has been marked up as amber as it is unlikely that the chargers will be installed by the end of March 2019. A change control will be processed once a revised end date has been agreed and the project will be amended accordingly. | March 2019 |  |
| Upgrade the lighting in our car parks with new energy efficient LED lights to reduce costs and benefit the environment | | |
| The upgrade works were due to start in January but have been delayed | March 2019 |  |

| | | |
|--|------------|---|
| whilst a review is carried out to look at the impact of the lights on wildlife (bat population) in the area of the Mill Lane Witham carpark. This is not likely to affect the overall deadline of the project. | | |
| Trial the use of compaction bins in Braintree Town Centre to see if they offer better value for money for the taxpayer | | |
| Delivery of the compaction bins is due in February 2019 and will now be placed in four laybys along the A120 for a minimum trial period of three months. The project has been marked up as amber as the trial will continue beyond the current end date of the project and a change control is required to amend the scope and to agree the revised end date which will take into consideration analysis of the results of the trials. | March 2019 |  |
| Continue to maintain a focus on investigating and enforcing littering, dog fouling and fly tipping to help keep the District looking clean and tidy | | |
| Since April, a total of 70 fixed penalty notices have been served by the Street Scene Protection Team and 12 people prosecuted for various littering and fly tipping offences. | March 2019 |  |
| Run a car litter campaign to reduce litter and raise awareness of the increase in fines | | |
| A further car litter campaign in partnership with McDonalds and KFC, aimed at reducing car litter and to raise awareness of the increase in fines, is due to go live in the new year. | March 2019 |  |



Strategic Growth and Infrastructure

| Project description and comments | Target Date | Status |
|--|----------------|---|
| (E) Complete the examination and adoption of the Local Plan | | |
| The adoption of the Local Plan is reliant on the approval of the plans for Garden Communities which requires additional work. The authorities involved in the Local Plan have written back to the Inspector setting out the proposed way forward including a revised timetable with the revised examination of the joint section one of the Local Plan now taking place in the Autumn of 2019 and the Section 2 examination undertaken in early/mid 2020. It is critical that the evidence base being produced is comprehensive and thorough and that sufficient time is built into the programme to allow for local engagement and for consideration of any findings. | June 2020 |  |
| (E) Continue to work on the development of Garden Communities to provide housing, employment and supporting infrastructure to address our long term housing and community needs | | |
| The council is currently considering the future role of the Garden Communities in the Local Plan and work has been paused on the West of Braintree Garden Community. The submission of a Strategic Growth Development Plan Document is dependent on the production of the Local Plan and the delay to the Local Plan means a consequential change to the dates of this project. A change control has been submitted and the end dates changed to September 2021 | September 2021 |  |
| The council is currently considering the future role of the Garden Communities in the Local Plan and work has been paused on the West of Colchester Garden Community whilst the required additional work on the Local Plan is concluded. The submission of a Strategic Growth Development Plan | December 2021 |  |

| | | |
|---|------------|---|
| Document is dependent on the production of the Local Plan and the delay to the Local Plan means a consequential change to the dates of this project. A change control has been submitted and the end dates changed to December 2021. | | |
| (E) Set up a Housing Development Company to deliver new mixed-tenure homes across the District. | | |
| Approval was given at July's Cabinet 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. The Strategic Investment Team and Member Reference Groups will review the legal, financial, governance and company advice and the intention is to present the full business case for approval to Cabinet in March 2019. | March 2022 |  |
| (E) Secure planning consent to deliver new homes in Braintree Town Centre as part of the Manor Street Regeneration Project | | |
| A detailed planning application was submitted in July 2018 and the procurement process has commenced. It is anticipated that the planning application will be determined in February 2019. | March 2019 |  |
| (E) Continue to work with partner agencies to drive forward improvements to the Braintree and Witham rail link | | |
| Network Rail were asked to produce a specification and cost for a Governance for Railway Investment Projects (GRIP) 2 study. The cost has been established and work has currently halted as progressing beyond the current GRIP stage is unaffordable and alternative options need to be considered. | March 2019 |  |
| (E) Continue to work with Essex County Council to deliver an improvement scheme at Springwood Drive roundabout and Panfield Lane to reduce congestion | | |
| As part of the Braintree Integrated Transport Package, Essex County Council is continuing to look to re-designated lane markings at Springwood Drive to ensure Keep Clears are effective. Essex County Council continue to progress the design for the larger scale improvement schemes which are for capacity improvements including increased entry capacity on all arms as well as increased circulatory, and are looking to secure S106 contribution to fund this. | March 2019 |  |
| The employment site is dependent on provision of the Spine Road to Panfield Lane. The planning application is progressing through the planning process including S106 heads of terms which are currently being determined. | March 2019 |  |
| (E) Progress the delivery of new slip roads linking the A120 to Millennium way to alleviate the congestion at Galleys corner | | |
| We are continuing our partnership working with Essex County Council and Highways England as the project moves into the design phase. Essex County Council will lead the project and a project team has been established. Essex County Council launched a website which has a flythrough of the proposed scheme and further information on the A120 Millennium Way scheme was presented in conjunction with a number of other major schemes proposed in Braintree District as part of the Braintree Integrated Transport Package (ITP) consultation, which commenced in September with public exhibitions held on the 6 th and 12 th of October. | March 2021 |  |



Economic Development

| Project description and comments | Target Date | Status |
|---|-------------|--------|
| (E) Complete the acquisition of strategic employment land at Great Notley providing additional sites to support business growth | | |
| Contracts were exchanged in October 2018 and completion achieved in December 2018 | March 2019 | ✔ |
| Complete the construction of four new high quality grow-on units at the Braintree Enterprise Centre | | |
| Construction of four new high quality grow-on units and a car-park has completed and handover took place on 17th September 2018. | July 2018 | ✔ |
| Develop our business engagement service, supporting businesses to grow and develop | | |
| A Business Engagement and Support Strategy together with an action plan was agreed at Cabinet in November 2018. There are five key priorities around Business engagement, business support, Infrastructure and connectivity, strategic partnerships and Business Intelligence. Where the Council have previously sign posted business's to support, we are now suggesting our own programme of support, bridging the gap on areas of weaker support and focusing on high growth sectors for maximum economic impact and value for money. In the last couple of years, the district has seen over 1,000 businesses locating in the district and over £2 million of grant funding has been allocated to district businesses | March 2019 | ✔ |
| (E) Work in partnership with Essex County Council and the Haven Gateway to secure grant funding to support the delivery of a Construction Innovation Centre | | |
| Braintree District Council has agreed to further invest in the delivery of a Construction Innovation Hub following the withdrawal of Essex County Council to commit funds to the project. In November, the Council received feedback that the European Regional Development Funding bid was approved in principle. A contractor is likely to be appointed in February 2019 and a planning application submitted in May 2019. The existing tenants of the Enterprise Centre have been informed of the plans. | March 2019 | ▶ |
| (E) Work with the Braintree Education and Skills board to broker stronger engagement between education providers and businesses to provide a workforce that meets employers' needs | | |
| The next Braintree District Education and Skills Board meeting will be in January 2019. The agenda has a significant amount of time dedicated to the Terms of Reference of the group to ensure the focus and desired outcomes are reflected. A date of Saturday 9th March has been agree for the 2019 Braintree District Job Fair and will be supported by the Braintree Education and Skills Board. | March 2019 | ▶ |
| (E) Commence work on the regeneration of Braintree Town Centre enhancing the appeal of the town to residents and visitors | | |
| A planning application was submitted in July and the procurement process has started. It is anticipated that the planning application will be determined in February 2019 and construction to commence in July 2019. | March 2020 | ▶ |
| (E) Continue to work in partnership with key community partners to deliver the regeneration schemes in Witham and Halstead | | |
| The spatial plans for improvements to Halstead Town Centre have been prepared and remain with the Highways Authority for a principle decision. | March 2019 | ▶ |
| A series of studies and reports have been completed to look at the impact of the Witham Town Centre improvement proposals on the highway network, market rights and other private rights that relate to the site area. A summary | March 2019 | ▶ |

| | | |
|---|------------|---|
| report recommending options to proceed has been prepared for a decision on next steps. | | |
| (E) Support businesses and increase tourism by launching the 'Visit Braintree' website to highlight key events and attractions across the District | | |
| A meeting will be held with the proposed developer of the 'visit Braintree' website and with Visit Essex in January to discuss the possibility of a partnership discount. | March 2019 |  |
| (E) Create an event that celebrates the 90 year anniversary of the opening of the Braintree Town Hall which will enhance the heritage and commercial offer of the Town Hall | | |
| Braintree District residents who share their 90th birthday with Braintree Town Hall were invited to help celebrate the local landmark as part of a special celebration that took place in May. A talk was provided by Julien Courtauld and residents were able to watch a screening of the opening of the town hall with a piece of birthday cake and a cup of tea. | May 2018 |  |
| (E) Promote high speed and reliable broadband across the District through the support of phase 4 of the Superfast Essex rollout | | |
| At a Cabinet meeting in May, it was agreed that Braintree District Council will invest £356,000 into the Superfast Essex Phase 4 rollout, run by Essex County Council, to enable an additional 1,668 premises to receive superfast broadband by end of 2020. The £356,000 funding from Braintree District Council will be match-funded by The Department for Digital, Culture, Media and Sport grant. The funding will support the district to reach 99% superfast broadband coverage by end of 2020, which is above the county's average coverage. | June 2018 |  |



Health and Communities

| Project description and comments | Target Date | Status |
|--|---------------|---|
| Ensure the football pitches on the Deanery Gardens sports ground and the rugby pitch on King George V playing field are in year round good condition through the installation of a piped drainage system | | |
| We are currently awaiting contract documents from consultants in order to invite tenders. The status of the project is now amber as it is unlikely that the piped drainage system will be installed by March 2019. Once the contract has been awarded following the tender exercise in January, a change control will be processed to amend the end date of the project. | March 2019 |  |
| Continue to invest in our recreational open spaces by enhancing the play equipment at Meadowside and Twelve Acres, Braintree | | |
| The upgrade to the play equipment at Meadowside and Twelve Acres in Braintree has been completed and the outdoors gym equipment has been upgraded at Spa Road in Witham. | December 2018 |  |
| (E) Continue to deliver the Livewell child project, working with families and young children providing support and advice on nutrition and healthy activities | | |
| Recent results of the Livewell child project are showing that over the past year, year 6 students' weights being better than average when compared to the rest of Essex and the UK. The council has submitted an expression of interest in a trailblazer programme to the Local Government Association | March 2020 |  |

| | | |
|---|---------------|---|
| where funding will be provided to lead on innovative action to tackle childhood obesity. Results of the Councils chosen to take part are expected to be announced in the new year. As the 2nd year of Livewell child draws to a close, the team look towards 2019 to determine new campaigns and initiatives to promote Livewell child. Bike ability, Grow your own and more community events are on the list for 2019, along with the Xplorer events. | | |
| Introduce a new programme to encourage junior school children to be more healthy, looking at fitness and eating in a fun and informative way | | |
| Active Essex have agreed to deliver the Fitbods programme in to Livewell schools across the District. This is an Essex County Council initiative where children participate in team games to promote fitness, team skills and healthy competition with children receiving a reward and certificate for the number of sessions they take part in. Teachers received training at the start of the new academic year to deliver the Fitbods programme. | March 2019 |  |
| Provide children and parents with activities which gets them to explore the green areas in our three main towns whilst increasing their activity levels during the school holidays | | |
| All the Xplorer events planned for the school holidays have been successfully completed with a total of 421 participants across Braintree, Halstead and Witham. | November 2018 |  |
| Improve the outdoor playing experience at Halstead Leisure Centre by installing a new 3G surface | | |
| A consultant has been appointed to put together a capital bid for a contribution towards the costs of a new 3G surface at Halstead Leisure Centre. Consultation is underway with local clubs and stakeholders and planning permission will be submitted in the new year. The status of the project has been amended to amber as the new 3G surface will not be installed before the end date of the project. A change control will be processed once revised dates are known. | March 2019 |  |
| (E) Understand the range of services available to improve mental health and support early interventions for those residents with mental health issues, identifying any areas for improvement | | |
| A strategic meeting was held in October to discuss the next steps required in working together to enhance the support currently provided and to improve awareness of the support available. A further mental health workshop was held in November and a further workshop planned for February 2019. | March 2019 |  |
| (E) Implement a winter warmth campaign providing advice on improving energy efficiency, helping vulnerable residents stay warm during the winter months | | |
| A booklet providing information to help residents combat fuel poverty and to stay healthy during the winter months has been published. | November 2018 |  |
| (E) Improve the handyman scheme by expanding the service to help disabled and frail residents lead more independent lives | | |
| The handyman scheme was launched in July to support vulnerable residents providing a contractor to undertake safety improvements to prevent trips or falls, installing energy efficiency measures, security devices and to provide dementia support. Since its launch, over 65 requests have been received for the service. | July 2018 |  |
| (E) Raise awareness of child exploitation amongst the business community and licensed trades through the use of the 'Spot-it, Stop-it' campaign | | |
| Training for taxi drivers and licensees was held in November with 20 people in attendance. Feedback received was extremely positive and we have been contacted by some of the licensed premises to carry out some follow up work. A newsletter on the 'spot-it, stop-it' campaign has been sent to existing businesses involved in the scheme. | March 2019 |  |
| (E) Work with Mid Essex Clinical Commissioning Group to see how Braintree District Council can be part of the Home First Programme which ensures residents recuperate in the best environment after receiving hospital treatment | | |

| | | |
|---|------------|---|
| Following meetings with the Mid Essex Clinical Commissioning Group it has been decided to increase the scope of the project and look at a County wide 'home from hospital' fast track scheme aimed at ensuring the transition from hospital to home runs smoothly, providing additional support where required. This project has therefore been cancelled and will be replaced with a new project next year. | March 2019 |  |
| (E) Identify and provide opportunities that would benefit those with dementia and their carers through the Braintree District Dementia Alliance and engagement with those living with dementia and their carers | | |
| A number of dementia friendly activities continue to take place across the district such as dementia friendly cinema showings, dementia friendly swimming sessions and walks and tea dances. A range of activities also took place as part of the National Silver Sunday campaign including a pop-up cinema in Witham. Essex Police have been given a supply of dementia information packs that officers can provide to anyone who is living with dementia or to families of people they engage with. | March 2019 |  |
| (E) Support community groups to deliver local projects and activities through the Councillors' Community Grant scheme | | |
| Since April, a total of 50 grants have been awarded across the district for various projects totalling £31,903. | March 2019 |  |
| (E) Work with partners across the community to raise awareness and reduce the impact of social isolation and loneliness | | |
| Essex County Council commissioned the young foundation to work with the community to carry out research into social isolation and loneliness through a number of workshops and events held in Halstead. A 'Taking Action' event took place to discuss ideas to address social isolation and loneliness and the feedback from this and other events will be fed into a report. The young foundation provided feedback to the community at an event in September to allow the community to identify follow up activities. Further projects will be set up once the next steps have been agreed. | June 2018 |  |



Finance and Performance

| Project description and comments | Target Date | Status |
|--|-------------|---|
| Review our waste service, identifying ways to manage the impact of District growth on the future cost of the service | | |
| There are a number of projects and actions being carried out already reported on under 'Environment and Place' in this report. Additional areas of work include undertaking research on garden waste and the number of local authorities charging for this service, drawing up a specification for replacing food waste vehicles of which three food waste vehicles have been replaced and a further four are on order. A business case was presented to Management Board on the future options for maintaining the Large Commercial Vehicles and the decision taken to bring this part of the service back in-house from 1 April to improve performance and efficiency. Officers have been supporting a Waste | March 2019 |  |

| | | |
|---|---------------|---|
| Minimisation and Recycling Task and Finish group and a report is due to be presented to the Overview and Scrutiny Committee on 6 March. The Council has opted to join Suffolk County Council's contract for dry mixed recycling to improve the sustainability and resilience and better value for money for the reprocessing of its recyclates The Council will join the Contract in May 2019. | | |
| Review options to secure a sustainable future for our Community Transport service | | |
| The Commercial Manager has been working with the Community Transport team to look at alternative models of delivery for the service including meeting with private and social enterprise organisations. The options have been reviewed and a paper presented to Management Board. The project has been extended until March to allow cabinet members time to consider the options in February 2019. | March 2019 |  |
| Ensure that our Housing service is resilient to respond to the new demands placed on it through the Homelessness Reduction Act | | |
| The Commercial Manager has been working with the Housing service to identify improvements and address resilience following the introduction of the Homelessness Reduction Act in April 2018, the duty to refer which comes into effect in October 2018 and the increasing number of applicants joining the housing register. A new triage function has been implemented which will act as a first line of support for new applicants allowing the Housing Officers to focus on their case work. New staff will be recruited within the Housing service to accommodate this function and increase resilience of the team. The supply of temporary accommodation has also been increased by three units. | March 2019 |  |
| Develop our commercial programme to generate income that can be reinvested in front line services | | |
| An expanded Commercial programme with four elements has been developed. These are increasing income, getting maximum value against third party spend, generating service efficiencies and contract and supplier management. Over the last quarter the payroll service has been reviewed with the creation of a shared payroll service across Braintree, Colchester and Epping Forest, resulting in significant savings and a more resilient service. BDC have joined the Suffolk Waste Partnership ensuring a cost effective, future proofed Materials Recycling Facility. The Commercial Sales Executive position was advertised and appointed to, supporting the Authority to drive its income targets in to 2019/20. | March 2019 |  |
| Identify and progress investment opportunities that support us to deliver our corporate strategy whilst providing a return on investment to strengthen our financial independence | | |
| The Council have taken back possession of the Braintree Enterprise Centre and continues to issue new leases and let vacant units, collecting rent and service charge payments. This provides a significant unbudgeted income for the Council. Investments opportunities identified and reported on elsewhere in the report are being progressed and the Council has recently completed on the purchase of a strategic employment site at Gt Notley | March 2019 |  |
| Ensure the 2017/18 accounts are produced, audited and published by the 31st July 2018 | | |
| The external auditors audit results report for the 2017/18 accounts was presented at Governance Committee and published on the 26 th July 2018. | July 2018 |  |
| Improve customer focused services by delivering a programme of continuous improvement to achieve the Customer Service Excellence Standard | | |
| The Customer Service Excellence Standard assessment took place in November 2018 and the Council were successful in retaining the accreditation for the fourth year in a row, demonstrating compliance plus in 13 areas of the assessment. | December 2018 |  |
| Prepare the organisation for the changes in data protection legislation due to commence 25th May 2018 | | |
| A number of areas of work are now completed to ensure the Council is in a good position following the implementation of the General Data Protection | May 2018 |  |

| | | |
|--|------------|---|
| regulations and the Data Protect Act 2018. Privacy notices have been added to our website and forms that collate personal data amended accordingly. All staff received data protection training to ensure they are fully aware of the requirements placed on them regarding processing personal data. | | |
| Develop our online booking and payment systems enabling residents to book and pay for more services through our website | | |
| There are currently a number of issues with the implementation of the new forms builder required for the new online booking system and this may impact on the timescales for delivering the project. Weekly reviews are taking place and a change control will be processed should the end date require amending. | March 2019 |  |
| The payment system to integrate with the new booking system is ready for live implementation. However, technical issues with migration have been identified and a solution is currently being rolled out. This may impact on the deadline of the project. | March 2019 |  |
| Improve our mobile working technology to allow our staff to be more flexible and customer focused | | |
| A working group has been formed to work with our ICT team to identify different technical opportunities that can be used more effectively to assist staff in their day to day activities. Areas being looked at include remote working, tele-working and home working. Skype for Business is provided as part of the Office 365 offering which is being rolled out across the Council. | March 2019 |  |
| Continue to respond to emerging cyber security threats, protecting our network and information by regularly reviewing our approach and training | | |
| All ICT security and usage procedures have been reviewed and updated. A further metacompliance exercise was run in December in conjunction with other Authorities to provide benchmarking data. The Local Government Association recently carried out a stocktake of all Councils and Braintree were assessed as amber-green which is a satisfactory mark and Braintree compares well against other Essex Authorities. | March 2019 |  |
| Introduce in-cab technology into our street scene vehicles to improve the efficiency of the service | | |
| Training has been carried out with supervisors and managers of the staff who will be using the new hand held devices for the street scene service. The next stage is for the staff to trial them in an operational capacity prior to full implementation from March onwards. | March 2019 |  |



Overall Strategy and Direction

| Project description and comments | Target Date | Status |
|---|-------------|---|
| Work effectively with our partners to deliver the Essex Vision to give communities, groups and businesses in Essex a way to collaborate in planning their future, recognising the collective power of Essex as a whole | | |
| Throughout this report, the actions that reference how we are supporting the Essex Vision are marked with (E) . They provide an update to show how we are dedicated to improving the county by working with partners to deliver the Essex Vision. | March 2019 |  |
| Ensure that Braintree District Council is financially sustainable and fit for the future by delivering a balanced budget and becoming financially independent by 2020, whilst ensuring we remain a resilient organisation providing effective frontline services through smarter working | | |
| Budget pressures the council face over the next few years were outlined at staff | March 2019 |  |

| | | |
|---|------------|---|
| briefings in the first quarter. Services have been reviewing their services to identify how they can make savings in what they do whilst ensuring the residents of Braintree continue to receive the service they need. As part of the commercial programme, work continues on identifying income opportunities to bridge the budget gap. | | |
| <p>(E) Deliver projects under the District Investment Strategy to achieve better outcomes for the District and a return for the taxpayers purse by:</p> <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 9000 jobs by 2026 by delivering increased opportunities for new businesses and employment • Delivering investment opportunities that support growth and provide a return for the District Council | | |
| Following close partnership working with the Mid-Essex Clinical Commissioning Group and NHS England, the regeneration of Manor Street has been designed to include a Live Well Hub. The Council is also working with two local GP practices, Mid Essex Clinical Commissioning Group and NHS England to develop proposals to deliver a rural healthcare hub on Council-owned land in Sible Hedingham. Provision of new health care facilities in Witham are progressing. The Council have also acquired Silver End doctor's surgery which will also provide an income for the Council and secure the provision of healthcare to local residents. | March 2019 |  |
| The Manor street regeneration project includes the provision of 35 new homes and the business case has been approved by Cabinet and Full Council. A planning application has been submitted and a decision is expected in February 2019 | March 2019 |  |
| 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 roundabout and Panfield Lane. | March 2019 |  |
| A number of projects and actions are underway to ensure delivery of the Braintree Plan for Growth to provide jobs such as completing the construction of four grow on units at the Braintree Enterprise Centre, working with developers to complete on strategic employment land at Great Notley and securing funding for the delivery of a Construction Innovation Centre. | March 2019 |  |
| There are a number of projects reported under the Strategic Growth and Infrastructure section 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 2019 |  |
| <p>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</p> | | |
| Braintree District Council continues to work with Essex County Council and neighbouring authorities on evidence base, strategic policy development and funding bids to plan for sustainable growth in homes and jobs in Braintree and across the sub region. | March 2019 |  |
| <p>Support Essex County Council in the management and operation of the Country Park to enhance the visitor experience, making full use of the leisure, recreational and natural facilities the park has to offer</p> | | |
| A Joint Governance Partnership Board meeting was held in December at which an update was provided regarding the usage of the artificial grass pitch and multi-use games area. A new Service Level Agreement has been drafted that reflects the partnership with Braintree Town Football Club (Community Iron) to deliver the Football Development Plan. A proposal to install a zip wire has been withdrawn owing to planning issues. | March 2019 |  |

Section 3: Managing the Business

Our Performance Indicators in Detail

| Performance Indicator | 2018/19 | | | | | | Comments |
|--|-----------------------------|------------|------------|------------|------------------------|---|---|
| | 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 | 6% | 6% | | 6% |  | Recorded three times a year – July, November and March |
| Percentage of household waste sent for reuse, recycling and composting | 55.18% | 50.14% | 50.20% | | 50.22% |  | We are awaiting reconciliation of the figures by Essex County Council and they may change if the data for residual waste changes. The estimated recycling figure has marginally missed target and it is expected that this will be revised upwards after reconciliation |
| Tonnage of residual household waste not recycled | 120kgs | 113Kgs | 117kgs | | 108kgs |  | We are awaiting reconciliation of the figures by Essex County Council. Nationally there is an increasing trend in tonnage of residual waste which is being monitored. The ongoing work of the waste minimisation team includes engaging and educating residents in a bid to reverse the current trend. |
| Number and percentage of non-hazardous fly tips on public land cleared within 24 hours of being reported | 100% (170) | 100% (211) | 100% (201) | | 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 | 63 | 51 | 31 | | 25 |  | |
| Number of homes granted planning permission | 667 | 125 | 430 | | 212 |  | |
| Health and Communities | | | | | | | |
| Average waiting time for applicants on the Disabled Facilities Grant | 105 days | 59 days | 95 days | | 75 days |  | A total of 32 grants were approved in the third quarter. Of these, 15 grants have gone over the target of 75 days. The cases that have exceeded the target are complex with differing needs that require special consideration over the design and planning of the works required. In all cases that go over the target, customers are involved and kept informed throughout the process. |

| Performance Indicator | 2018/19 | | | | | | Comments |
|--|-----------------------------|------------|------------|------------|------------------------|---|--|
| | Q1 Outturn | Q2 Outturn | Q3 Outturn | Q4 Outturn | Target for the Quarter | Status at the end of the Quarter | |
| Achieve a 2% increase on the contract baseline in participation levels across all our sports centres | 238,928 | 279,892 | 272,348 | | 183,299 |  | |
| 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 Service Centre | 13 seconds | 20 seconds | 7 seconds | | 15 seconds |  | |
| Time taken to process housing benefit/council tax benefit new claims | 19.92 days | 20 days | 18.02 days | | 22 days |  | |
| Time taken to process housing benefit claim changes | 7.7 days | 7.39 days | 4.43 days | | 6 days |  | |
| Percentage of Stage 1 complaints responded to within target | 94.71% | 93.88% | 90.44% | | 90% |  | |
| Collection rate for Council Tax | 31.06% | 58.80% | 86.80% | | 87.20% |  | <i>The target has been missed by less than half a percent and it is anticipated that the shortfall will be made up over the coming months and the end of year target will be achieved.</i> |
| Collection rate for Business Rates | 31.40% | 57.76% | 85.09% | | 84.60% |  | |
| Percentage of invoices paid within 30 days of receipt | 99.19% | 99.26% | 99.15% | | 99.25% |  | <i>Represents one invoice not paid within 30 days of receipt</i> |

Complaints

The quarterly complaints analysis for the second quarter of 2018/19 and the end of the year is detailed below. This is compared with 2017/18 figures shown in brackets. The figures represent all three stages of the complaints process.

| Complaint Category | Q1 2018/19 | Q2 2018/19 | Q3 2018/19 | Q4 2018/19 | TOTAL |
|---------------------------|-------------------|-------------------|-------------------|-------------------|--------------|
| Justified | 110 (64) | 92 (67) | 61 (38) | (60) | (229) |
| Not Justified | 24 (69) | 88 (79) | 20 (67) | (81) | (296) |
| Partially Justified | 76 (27) | 26 (31) | 59 (22) | (17) | (97) |
| Not known | 0 (0) | 1 (1) | 0 (3) | (0) | (4) |
| Total | 210 (160) | 207 (178) | 139 (130) | (158) | (626) |

Comments

There has been a reduction in the number of complaints received in the third quarter of 2018/19 compared to the previous quarters of the year.

The majority of the complaints relate to waste collections. However, a recent change to collection routes across the district has seen a positive impact on the number of complaints received for this area which is reflected in the table above. In contrast, the planning service have seen an increase in the number of complaints they are receiving in relation to the handling of planning applications which is currently being monitored.

In the third quarter of 2018/19, of the 139 complaints received:

- 136 are stage one complaints
- two are stage two complaints
- one is a stage three complaint

A summary of Local Government Ombudsman (LGO) cases:

In the third quarter of 2018/19, the LGO has received three new complaints. Following initial enquiries with the Council, the LGO declined to investigate two of the complaints.

The LGO has issued one final decision in the third quarter. This was in relation to a complaint received in a previous quarter relating to Planning of which the Ombudsman found no fault by the Council. Two further complaints from previous quarters remain under investigation with the LGO.

Our Organisation

The following is a selection of our people performance measures:

| People: Indicators of Performance | Q1 18/19 | Q2 18/19 | Q3 18/19 | Q4 18/19 | Change on previous period | Yearly Target |
|--|-------------|-------------|-------------|-------------|------------------------------------|------------------|
| Total headcount | 469 | 473 | 478 | | + 5 | - |
| Total number of posts | 485 | 485 | 485 | | - | - |
| Number of temporary staff | 33 | 32 | 30 | | - 2 | - |
| Total staff FTE | 425.08 | 427.45 | 431.97 | | + 4.52 | - |
| Level of employee turnover | 2.13% | 2.96% | 1.67% | | -1.29% | - |
| Number of leavers | 10 | 14 | 8 | | - 6 | - |
| Number of starters | 13 | 18 | 13 | | - 5 | - |
| Working days lost to sickness per employee | 2.07 days | 1.71 days | 2.21 days | | + 0.5 days | 8.0 days |
| Percentage of staff with nil sickness | 78.68% | 64.9% | 53.97% | | - 10.93% | - |
| Number of learning hours | 7747 | 8131 | 10,427 | | + 2296 | - |
| Number of delegates | 602 | 381 | 305 | | - 76 | - |
| Number of apprentices ** | 15 | 24 | 22 | | - 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, 3 and 4 apprenticeships together with degree 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 | |
|--|------------------------------|-----------|-----------|-----------|---|
| | (2017/18 figure in brackets) | | | | |
| Total number of reported accidents/ incidents, calculated from: | 10 (10) | 6 (10) | 9 (26) | (13) | |
| <i>Accidents/ incidents to employees</i> | 6 (8) | 6 (8) | 9 (20) | (12) | <i>The majority of accidents are from slips or trips.</i> |
| <i>Accidents/ incidents to contractors</i> | 0 (1) | 0 (2) | 0 (5) | (0) | |
| <i>Accidents/ incidents to non-employees</i> | 1 (1) | 0 (0) | 0 (1) | (1) | |
| Time lost in days due to employee accidents/ incidents | 85 (0) | 19 (20) | 48 (8) | (28) | |
| Number of reported verbal/ physical incidents to employees | 2 (0) | 1 (2) | 1 (1) | (0) | |
| Number of near miss incidents | 1 (0) | 1 (0) | 0 (0) | (0) | |
| Number of Accidents/ incidents registered resulting in insurance/ compensation claim | 1 (0) | 3 (0) | 1 (0) | (0) | |
| Number of claims settled | 0 (0) | 0 (0) | 0 (0) | (0) | |

Financial Performance

This part of the report provides an updated review of the financial position for the year. 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 budget of £14.784 million for the 2018/19 financial year. This included planned spending across all services totalling £12.144 million; corporate items amounting to £2.840 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 (£294,000); business rates (£5.237 million); and Council Tax (£9.253 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.

On 23 July 2018, Full Council approved a supplementary budget of £219,460 to fund the transitional staffing arrangements for the Strategic Investment Team, with the amount to be met by a withdrawal from General Fund balances. Furthermore, Full Council agreed on 8 October 2018, a budget virement of £181,500 between the Planning Application Fees budget and the Development Management Staffing budget. These budget changes have been taken into account for the purposes of this quarter's report.

Summary Financial Position at the Third Quarter (Q3)

- An overall positive variance for the year of £703,000 (-4.8%) is projected against the budget.
- Across all services staffing budgets are forecast to be underspent by £475,000; and after allowing for the corporate efficiency target of £200,000, this results in a projected variance of -£275,000.
- Other expenditure is projected to be overspent by £284,000.
- Income is projected to be overachieved by £712,000.
- The projected variance for the year has improved by an overall £576,000 from the position reported at Q2, which forecasted an overall positive variance of £127,000. This overall change comprises: an increase in the projected staffing underspend by £181,000; a reduction in the projected overspend on other expenditure of £98,000; and £297,000 increase in forecast income.
- For some service areas the changes in the levels of income and expenditure included in this report are expected to be ongoing and therefore budget adjustments have been included in the Council's proposed budget for 2019/20.

Revenue Spending

| Service | Updated Budget £'000 | Projected Spend £'000 | Adverse (Positive) variance against budget | | | | RAG Status |
|------------------------------|-------------------------|--------------------------|--|----------------------|-----------------|--------------|------------|
| | | | Staffing | Other | Gross | Total | |
| | | | £'000 | Expenditure £'000 | Income £'000 | £'000 | |
| Asset Management | (2,131) | (2,241) | 8 | 97 | (215) | (110) | G |
| Business Solutions | 1,993 | 1,991 | (15) | 19 | (6) | (2) | G |
| Community Services | 346 | 339 | (1) | (17) | 11 | (7) | G |
| Corporate Management | 1,233 | 1,145 | (82) | (6) | - | (88) | G |
| Economic Development | 238 | 238 | - | - | - | - | G |
| Environment & Leisure | 840 | 763 | (45) | (2) | (30) | (77) | G |
| Finance | 1,101 | 567 | (199) | (69) | (266) | (534) | G |
| Governance | 918 | 1,071 | 80 | (12) | 85 | 153 | R |
| Housing Services | 864 | 853 | 9 | (14) | (6) | (11) | G |
| Human Resources | 386 | 384 | - | (2) | - | (2) | G |
| Marketing and Communications | 544 | 541 | (9) | (16) | 22 | (3) | G |
| Operations | 5,123 | 5,148 | (99) | 212 | (88) | 25 | A |
| Strategic Investment | 231 | 231 | - | - | - | - | G |
| Sustainable Development | 677 | 441 | (122) | 105 | (219) | (236) | G |
| Service Total | 12,363 | 11,471 | (475) | 295 | (712) | (892) | G |
| Corporate Financing | 2,621 | 2,610 | - | (11) | - | (11) | G |
| Efficiency target | (200) | - | 200 | - | - | 200 | |
| Total | 14,784 | 14,081 | (275) | 284 | (712) | (703) | 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. 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 £'000 | Projected Spend £'000 | Adverse/ (Positive) variance £'000 | RAG Status |
|----------------------------|-------------------------|--------------------------|---|------------|
| Asset Management | 265 | 273 | 8 | A |
| Business Solutions | 1,189 | 1,174 | (15) | G |
| Community Services | 368 | 367 | (1) | G |
| Corporate Management | 1,198 | 1,116 | (82) | G |
| Economic Development | 273 | 273 | - | G |
| Environment & Leisure | 1,553 | 1,508 | (45) | G |
| Finance | 2,394 | 2,195 | (199) | G |
| Governance | 560 | 640 | 80 | R |
| Housing Services | 857 | 866 | 9 | A |
| Human Resources | 339 | 339 | - | G |
| Marketing & Communications | 371 | 362 | (9) | G |
| Operations | 5,285 | 5,186 | (99) | G |
| Strategic Investment | 490 | 490 | - | G |
| Sustainable Development | 1,716 | 1,594 | (122) | G |
| Service Total | 16,858 | 16,383 | (475) | G |
| Corporate Financing | - | - | - | |
| Efficiency | (200) | - | 200 | |
| Total | 16,658 | 16,383 | (275) | G |

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 Q3, and across all service areas there is a projected underspend on staffing budgets of £475,000, an increase from that reported at Q2 of £181,000.

The largest service with a projected underspend is **Finance** (-£199,000). These savings are expected to be achieved from a combination of vacant posts which have now been deleted as there is a gradual reduction in benefits processing required as Universal Credits is rolled out. Also contracted hours have been reduced, and appointments made at lower grade/scale points.

Sustainable Development is also showing an overall projected underspend of £122,000. An increase in the staffing structure was previously agreed in order to meet the higher demands on the service, however, whilst recruitment processes are in progress, the service continues to hold a number of vacancies (including maternity absences), some of which are being covered by external agency staff.

Changes in senior management appointments, along with a restructuring of the management arrangements for the Business Solutions service has resulted in an overall underspend being projected on **Corporate Management** of £82,000, after allowing for the permanent appointment of a Commercial Manager (previously a fixed term contract).

Other service areas with projected underspends include: **Environment & Leisure** (-£45,000) and **Operations** (-£99,000), mainly due to vacancies, but also external grant funding for recycling activities.

Governance is still forecasting overspends for the year (+£80,000) as per previous quarters. These are projected costs associated with the need for additional capacity for legal work in relation to the Council's strategic growth agenda and related projects. The assumption is that temporary additional resources will be required for the remainder of the year, but a new permanent structure will be in place from April 2019, which is to be part funded from the additional resources approved by Full Council in October 2018, for supporting its strategic investment plans.

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 2018/19 was £200,000, which based on this quarter's review will be achieved, leaving an overall projected staffing underspend for the year of £275,000.

Recharges to capital projects: A number of service areas recharge a proportion of officer time to capital projects which means the costs are not charged against the General Fund revenue account. The extent to which these recharges can be made is dependent upon actual progress of individual projects and the nature of the activities being undertaken. The budget provides for a total of £364,000 to be recharged. Based on actual time allocations combined with future estimates, it is currently anticipated that the overall level of recharges should at least achieve the budget, with higher recharges from the Strategic Investment Team more than offsetting a reduction in charges from other service areas. A more detailed review of proposed recharges will be carried out as part of the year-end accounts process.

Other Service Expenditure

In total there is a projected overspend against non-staffing expenditure budgets of £284,000, an improvement from the position reported at Q2 of £98,000. The main service areas contributing to the latest forecast are:

- **Asset Management (+£97,000):** Includes increased costs following the transfer back to the Council of the management and operation of the Braintree Enterprise Centre, including a one-off cost to address Energy Performance Compliance requirements. Unbudgeted holding costs are also being incurred in relation to premises held vacant pending works starting on the Manor Street regeneration scheme. The projected overspend in this service area is more than offset by higher forecast rental income.
- **Operations (+£211,000):** increased costs in Waste Management are forecast on gate fees payable to the Council's material recovery facility (MRF) operator, the price of which is linked to market indices and subject to quarterly review. The budget was set based on an assumed fee of £24.36 per tonne (based on Q3 17/18), whereas the average price that is being paid across this year is in excess of £44 per tonne. The effect of this has resulted in a projected overspend of £211,000 for the year. The service has also experienced increased costs for vehicle fuel as prices have risen, however, these have largely been offset by savings on the cost of recycling and residual waste sacks (a mix of usage and lower cost); lower operating costs of the clinical waste service; and lower operating costs of the Cordons Farm waste transfer site. The Council's proposed budget for 2019/20 includes allowances for the estimated ongoing additional costs from higher gate fees and fuel prices.
- **Sustainable Development (+£104,000):** The service has updated its estimate of the likely cost of appeals in the year which has reduced from £445,000 (estimated at Q2) to a revised amount of £340,000. This reduction is based on a combination of lower spend on some appeals, but also delays on a couple of major appeals which are now not expected to be processed until 2019/20. The planning appeals reserve has a balance of £287,000 brought forward meaning that in the current year there is a forecast overspend of £53,000. The Council's proposed budget for 2019/20 includes a provision of £500,000 for future appeal costs. The service is also projecting to spend £35,000 more than budget on consultants where a number of applications received require specialist input. The service considers it more economical to engage such advice on a temporary basis rather seeking to recruit permanent staff for this role.
- **Finance (-£68,000):** Through a combination of reduced housing benefit expected to be paid in the year coupled with a change in subsidy recovery rate (based on 2017/18 outturn) the net costs to the Council is projected to be £70,000 less than budget.

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 over £45 million. These income streams are either fairly predictable as they are determined at the start of the year as part of the annual Local Government Finance Settlement; or variations can be largely offset by commensurate changes in expenditure, e.g. subsidy received on housing benefits is related to the level of payments made.

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 2018/19 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 2018/19 could be around £560,000. 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 £15.625 million 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 £712,000, as shown in the table below:

| Service | Updated Budget £000 | Joint Financing | Sales, Fees & Charges | Rents | Other Income | Total | RAG Status |
|----------------------------|---------------------|-----------------|-----------------------|--------------|--------------|--------------|------------|
| | | 5,432 | 5,603 | 2,906 | 1,684 | 15,625 | |
| Asset Management | 2,992 | - | 5 | (221) | 1 | (215) | G |
| Business Solutions | 23 | (6) | - | - | - | (6) | G |
| Community Services | 208 | - | 14 | - | (3) | 11 | A |
| Corporate Management Plan | - | - | - | - | - | - | G |
| Economic Development | - | - | - | - | - | - | G |
| Environment & Leisure | 1,327 | (19) | 5 | - | (16) | (30) | G |
| Finance | 2,507 | (5) | - | - | (261) | (266) | G |
| Governance | 306 | - | 85 | - | - | 85 | R |
| Housing Services | 70 | - | (6) | - | - | (6) | G |
| Human Resources | - | - | - | - | - | - | G |
| Marketing & Communications | 131 | 25 | 25 | - | (28) | 22 | A |
| Operations | 5,224 | (42) | (24) | 10 | (32) | (88) | G |
| Strategic Investment | 157 | - | - | - | - | - | G |
| Sustainable Development | 1,434 | - | (219) | - | - | (219) | G |
| Service Total | 14,379 | (47) | (115) | (211) | (339) | (712) | G |
| Corporate Financing | 1,246 | - | - | - | - | - | G |
| Total | 15,625 | (47) | (115) | (211) | (339) | (712) | 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

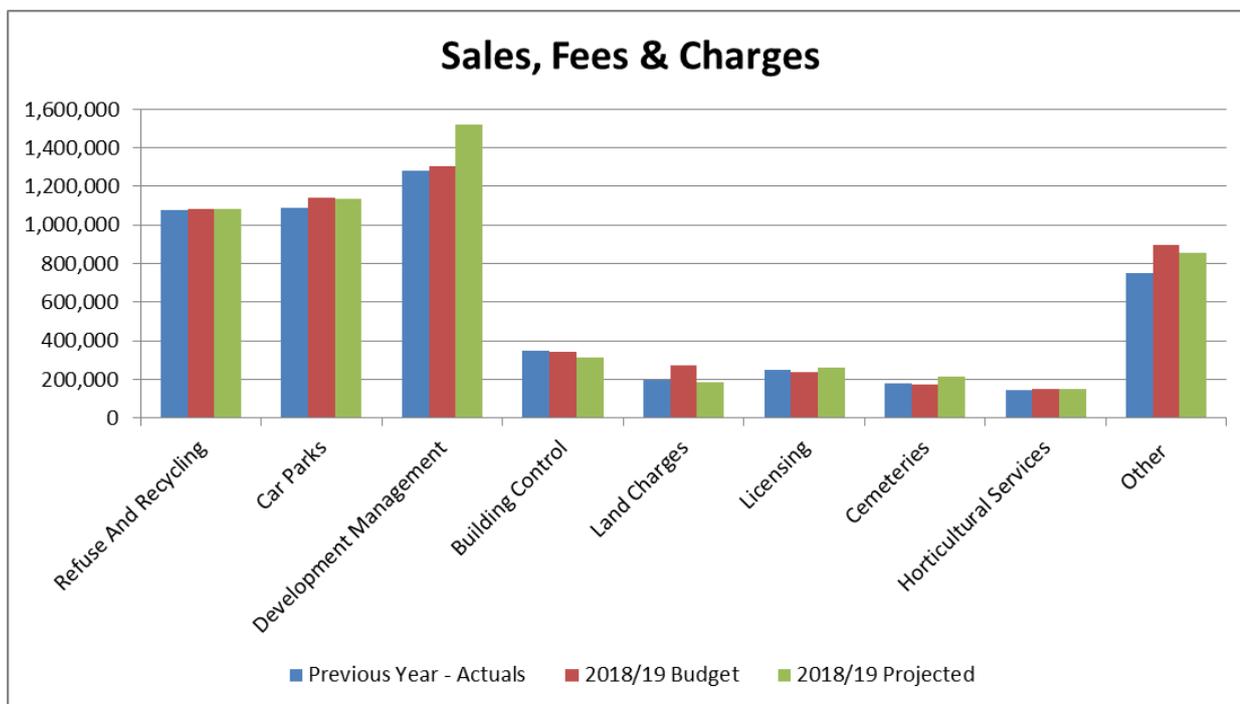
Joint Financing & Other Reimbursements

The total budget for income from joint financing and other reimbursements is £5.432 million, the main sources of which are: Essex County Council contributions towards service costs (£2.363 million); estimated benefit from the Essex Business Rate Pool (£560,000); Council Tax sharing and investment agreement with the major precepting bodies (£625,000); housing benefit overpayment recoveries and local tax costs recovered (£780,000); and subscriptions to the Procurement Hub (£359,000).

At Q3 a variance for the year is predicted of £47,000 across all services.

Sales, Fees & Charges

The budget for income from sales, fees & charges is £5.603 million which is projected to be over achieved by a net £115,000. The following chart shows the main income streams:



Commentary on Fees and Charges:

- Development Management:** Planning application income received up to the end of December was £1.313m, which already exceeded the updated full year budget of £1.293 million. Based on historical trends, the projection for the whole of 2018/19 has been revised upwards to £1.5 million (last year actual was £1.267 million). The current position is, therefore, a projected over achievement of income of £207,000. In addition, the service is also projecting additional income on the Street Naming and Numbering service of £12,000.
- Building Control:** Year-on-year income received is showing a reduction of around 15% to the end December, posting a lower figure received to date across all of the last four years. Based on this position the current forecast is for an under achievement against budget of £31,000. As the market is competitive with alternative providers, the position will continue to be monitored.
- Local Land Charges:** Income from search fees at the end of December was £145,000 which is around 5% lower than last year for the same period (and around 16% lower after allowing for the increase in charges from April 2019). The number of full searches are down by 12% (1276 compared to 1441), whereas free of charge viewings, mainly by personal search companies, have increased by 14% (1407 compared to 1230). With seasonal adjustments this results in a projected income of £187,000 for the year, a shortfall of £85,000 against budget. The Council's proposed budget for 2019/20 includes an adjustment to reflect an estimate of lower fees going forward. Currently the service is continuing to prepare for the potential transfer of this service to the Land Registry although no deadline has been set for this happening yet.
- Licensing:** An increase in charges from October along with the triennial review of some licences has increased income in the current year leading to a projected over achievement of £20,000. Some of the licences granted will now be for extended periods despite being charged the same and therefore future income levels will be subject to fluctuation.
- Cemeteries:** Income to the end of December is higher than in previous years, suggesting that by the year-end overall income could be higher than budget by £39,000 (and £26,000 higher than last year's outturn).
- Other Income - Marketing and Communications:** The total budget for sponsorship and advertising income is £93,000. The post of Sponsorship Officer has been vacant since

April, and following an internal review, recruitment to a Corporate Sale role has now been completed with the officer starting in post in February. Consequently, a shortfall is currently projected of £62,000 in the current year (£25,000 from sponsorship; and £37,000 from the sale of advertising). In future the new role will seek to maximise the Council's income streams across a number of traded service areas.

Rental Income

The budget for rental income from land & property is £2.906million – comprising the investment & commercial property portfolio, markets, housing properties, and other let properties. The current projected outturn for the year is a net over achievement of £211,000.

Commentary on Rental Income:

- **Asset Management:** Following the closure of Ignite Business in May 2018, the Council has taken back responsibility for the management and letting of the former Ignite House at the Springwood Industrial Estate, as well as the Corner House in Braintree town. With the addition of the grow-on units developed by the Council at Springwood, and the acquisition of premises in Silver End, there is a projected increase in rental income of £120,000, which after allowing for some additional costs, results in an estimated net £59,000 of projected income. On the existing commercial portfolio, occupation levels remain relatively high, and there have been a number of rent reviews settled which taken together has increased the amount of income expected in the current year by £57,000. Again, there are related and other costs which have been incurred and therefore the net additional income projected is £31,000. In addition, following the completion of tenancy agreements last year, Causeway House remains fully let leading to £37,000 of extra income than was originally budgeted.
- **Operations – Markets:** Whilst showing a slight improvement on the previous quarter, promotion of reduced rates to market traders has yet to reverse the downward trend in income seen over recent years with a current shortfall projected of £13,000 against the budget of £80,000.

Other Service & Corporate Income

Total budgeted Other Income is £1.684million of which £675,000 is internal recharges including staffing costs that are expected to be charged against capital projects (£364,000). Other external income is projected to be overachieved by £339,000.

Other external income includes the following streams:

- **Investment & Other Interest Income:** The budgeted amount is £843,000, which is expected to be overachieved by £200,000, mainly due to increased money market rates following changes by the Bank of England to the Base Rate, combined with higher levels of cash available for investment than was originally assumed.
- **Solar Panel Feed-in-Tariffs:** the budget provides for an expected £93,000 of income from investment in solar panels at various Council facilities.

Other variances projected include a number of unbudgeted government grants (£61,000) and increased work undertaken by the graphics and reprographics team (£40,000).

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 December | | Amount Invested at end of the quarter |
|--|------------------------------|-----------------------------|---------------------------------------|
| | New Investments | Investments Sold or Matured | |
| £42.26m | £85.83m | £72.75m | £55.34m |
| Average amount invested for the period | | | £59.86m |
| Highest amount invested | | | £68.27m |

In December, the Council increased its long-term pooled fund investments by £2 million taking the total amount invested to £18 million. Two new diversified funds were added to the portfolio with £1 million placed in each fund: Kames Diversified Income Fund and the Investec Diversified Income Fund. 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 Money Market Funds (MMF).

Interest and dividends earned to the end of the quarter total £800,000, which is equivalent to an annualised rate of return of 1.77%:

| Investments | Average Amount Invested | Interest & Dividends Earned | Annualised Return % |
|------------------------|-------------------------|-----------------------------|---------------------|
| Long-Term Pooled Funds | £16.06m | £582,000 | 4.81% |
| Short-Term | £43.80m | £218,000 | 0.66% |
| Total | £59.86m | £800,000 | 1.77% |

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 £18.377 million, representing an unrealised gain of £0.377 million on the original amounts invested.

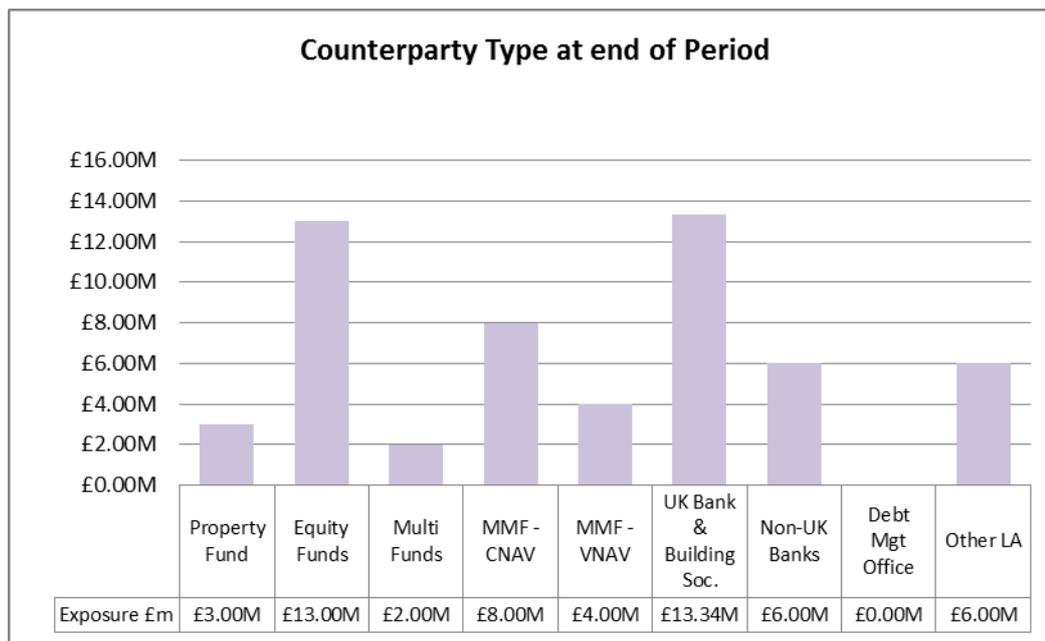
Reflecting the upward movement in interest rates, a revised forecast of cash balances, and the increased amount invested in long-term pooled funds, the Council's proposed budget for 2019/20 includes an additional £181,000 of investment income.

Market Commentary

Markets reacted in the quarter to a range of global concerns: an economic slowdown in China, rising trade tensions between the US and China, a sharply lower oil price, slowing Euro area output and the ongoing uncertainty surrounding Brexit. December was a turbulent month in terms of performance of riskier asset classes, most notably equities. The FTSE 100 (a good indicator of global corporate sentiment) returned -8.8% assuming dividends were reinvested; and in pure price terms it fell around 13%. But spreads on corporate bonds also widened reflecting concerns about tougher economic conditions ahead and the abilities of corporates to service their debt obligations.

Treasury gilt yields continued to display significant volatility over the period on the back of ongoing economic and political uncertainty in the UK and Europe. The higher Bank Rate continued to push up money markets rates.

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



CNAV = Constant Net Asset Value i.e. the Fund value is expected to remain constant
VNAV = Variable Net Asset Value i.e. the Fund value and therefore amounts invested can fluctuate

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 2018 | 2,860 |
| Add: | |
| Budgeted addition | 228 |
| Pension Fund triennial payment | 1,411 |
| Projected in-year variance | 703 |
| Less: | |
| Supplementary budget | (219) |
| Estimated Balance at 31 March 2019 | 4,983 |

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

- The budget approved by Council for 2018/19 included an anticipated addition to balances of £228,072, reflecting savings anticipated being made in advance of future years' budget shortfalls.
- The budget for 2017/18 included a one-off payment to the 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 £703,000 being added to balances (subject to any future decisions regarding approvals for services to

carry forward underspends for use in 2019/20, which will be considered during finalisation of the budget outturn).

- An allocation from General Fund balances was approved by Full Council in July 2018 to meet a supplementary budget request for the transitional costs of the Strategic Investment Team.

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 projected costs of planning appeals for the year is currently £340,000 which can be partially funded from the earmarked reserve brought forward at the start of the year (Balance £287,000). On this basis the reserve will be depleted by the end of 2018/19, and with the level of appeals and public inquiries currently being experienced, it is likely that further money will need to be set aside. A provision of £500,000 has been included in the Council's proposed budget for 2019/20.

Payments made by the Council for processing its recycling material collected from households are subject to quarterly review of market indices. As prices have now been set for the remainder of this year the main variant which could alter the outturn cost from that predicted at this quarter is the tonnages collected for processing.

The budget assumes that £364,000 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. The current assumption is that the budgeted level of recharges will be achieved in 2018/19.

Investment income from the Council's long-term pooled funds is budgeted at £760,000 and is derived from quarterly dividend payments. These dividends can fluctuate and are not contractually committed unlike interest on term deposits and loans. The current assumption is that the budget will be achieved.

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 2018, and the subsequent decisions taken by Council on some major growth and infrastructure projects, the overall capital programme currently totals £42.6million. Delivery of significant projects will span a number of years, therefore, the amount expected to be spent in the current year is £13.1million. The following table shows how much has been spent to the end of Q3.

| | Profiled Spend 2018/19 | Actual Spend at Quarter 3 | Actual Spend at Quarter 3 % of 18/19 Profile |
|---|-------------------------------|----------------------------------|---|
| | £000 | £000 | |
| Commercial and investment property | 8,125 | 6,701 | 82% |
| Manor Steet regeneration | 430 | 330 | 77% |
| Springwood Drive business units and parking | 630 | 538 | 85% |
| Planned maintenance to Council premises | 533 | 202 | 38% |
| Replacement vehicles and plant | 650 | 365 | 56% |
| Information technology systems | 187 | 83 | 44% |
| Play areas, parks and open spaces | 311 | 130 | 42% |
| Spa Road environmental improvements | 302 | 254 | 84% |
| John Ray Park improvement | 42 | - | 0% |
| Museum heating system & ICT upgrade | 115 | 115 | 100% |
| Operational equipment | 324 | 61 | 19% |
| Sports and leisure facilities improvements | 50 | 3 | 6% |
| Cordons Farm waste transfer station | 39 | - | 0% |
| Grants to registered social landlords | 47 | 12 | 26% |
| Disabled facilities grants | 810 | 606 | 75% |
| Capital salaries - recharged from revenue | 364 | 283 | 78% |
| Capital salaries - direct | 141 | 59 | 42% |
| Total | 13,100 | 9,742 | 74% |

The programme for 2018/19 has reduced by a net £4,000 since Q2. This reflects new approvals during the quarter for £150,000 to be spent on a new vehicle maintenance workshop fit-out, and £64,000 of new operational plant which is being funded from reserves, offset by other budget changes and profiling of project spends into future years.

Actual spend during the quarter increased significantly as the Council completed its acquisition of the proposed employment site in Great Notley.

There are no projected variances to budgeted spend.

Capital resources

The main sources of new capital resources anticipated for the year are from the sale of Council owned assets (£3.674 million), preserved right-to-buy (RTB) receipts (£1 million) and the Council's share of the VAT shelter operating in conjunction with Greenfields Community Housing (£250,000).

Whilst the Council has exchanged contracts on a number of sites it is selling, these are still subject to buyers gaining satisfactory planning consents. Consequently, sales are now not expected to complete until at least 2019/20. The Council has, however, received an average payment of £136,000 relating to a previous sale of Council owned land.

Greenfields has reported that 19 RTB sales have been completed up to the end of Q3 generating approximately £2.7million for the Council. Greenfields have also advised that a further 33 applications are in progress. Based on the timing and likelihood of progression to completion, experience suggests an estimated total of 23 sales may complete this year

generating circa £3.08million for the Council. This compares to 20 sales completed last year which generated £2.122million for the Council.

VAT shelter monies due to the Council at the end of Q3 were £203,000, which is broadly in line with what could be expected based on the full year estimate.

The Council has received £862,000 grant from the Better Care Fund, which is used to fund the Council's disabled facilities grant scheme. This is an increase of £162,000 over that originally anticipated for the year, although some of this funding is likely to carry over into 2019/20.

| | | |
|--|--|----------------------|
| Open Spaces Supplementary Planning Document - Open Spaces Action Plan | | Agenda No: 7a |
| Portfolio | Planning and Housing | |
| 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 | |
| Report presented by: | Councillor Mrs Lynette Bowers-Flint, Cabinet Member for Planning and Housing | |
| Report prepared by: | Stephen Wenlock, Town Centre and Public Realm Manager | |
| Background Papers: | Public Report | |
| Open Space Supplementary Planning Document 2009 Braintree Green Spaces Strategy 2008 Open Spaces Action Plan 2019 | Key Decision: No | |
| Executive Summary: | | |
| <ol style="list-style-type: none"> 1) This report introduces the 2019 edition of the Open Spaces Action Plan (OSAP). 2) The Open Spaces Action Plan is a table of outline proposals for the provision and enhancement of open spaces in Braintree District. Its purpose is to demonstrate the need for these and enables Council officers to identify where financial contributions (being sought from developers under the Open Spaces Supplementary Planning Document) will be spent. 3) The proposals shown require a detailed programme of works to be drawn up and, in some cases, master planning and public consultation, and (as they may be reliant on the availability of additional financial resources from grants and public sector resources) the timing of works will be dictated by the date at which sufficient financial resources are available. Members are asked to support the programme of enhancements and provision as the basis for negotiating open space contributions as a planning obligation. 4) The original document was endorsed by the Local Area Committees in September 2010, before being proposed to Cabinet who endorsed the document on the 14th February 2011. At the time it was proposed as a document that would be regularly reviewed, updated and brought back to members accordingly. 5) It was subject to extensive revision across 2012, then annual revisions during 2013 – 2019 to keep the document current. Each revision has engaged Parish | | |

and Town councils, Ward members and BDC Officers, producing a revised edition at the start of the year.

- 6) The Open Spaces Action Plan 2019 represents the eighth annual edition of the document and it has followed the same consultation route (during 2018/19) as previous editions.
- 7) An introduction follows with the general areas of revision listed at the base of this report.

Recommended Decision:

To receive and adopt the Open Spaces Action Plan 2019.

Purpose of Decision:

The plan forms part of the Council's evidence base for securing planning obligations from developers to enhance existing open spaces, or provide new ones. Adopting the Open Spaces Action Plan 2019 supplants the 2018 edition, updating the currently adopted information.

| Any Corporate implications in relation to the following should be explained in detail. | |
|---|---|
| Financial: | The Open Spaces Action Plan helps secure planning obligations from developers, bringing capital money into the council at no cost. |
| Legal: | The Council's Planning function requires evidence of local open space needs to support the Open Spaces Supplementary Planning Document when negotiating planning obligations. This evidence is contained in the Open Spaces Action Plan, which will also help defend legal challenge to planning decisions where a developer refuses to enter into a planning obligation for open space. |
| Safeguarding: | No matters arising out of this report. |
| Equalities/Diversity: | <p>'Access for All' principals are at the core of the Council's work to design and implement the enhancements made possible by the Open Spaces Action Plan. In this way the document enables us to make our open spaces more able to meet the diverse needs of our residents. Additionally, a proportion of the entries in the Open Spaces Action Plan are directly aimed at improving accessibility to open space.</p> <p>As the individual projects listed come alive through agreements and financial contributions caused by this document, individual Equality Impact Assessments will be considered for them when project details are sufficiently crystallised and as a matter of proper project management.</p> |
| Customer Impact: | The decision will maximise the potential for enhancing open spaces or providing new open spaces for the benefit of the public. |
| Environment and Climate Change: | The decision will lead to an improvement in the management quality of the district's environment. |
| Consultation/Community Engagement: | Parish, Town and Ward councillors as well as key Council staff have been engaged in the update process, and have been central to it. |
| Risks: | The current adopted edition of the Open Spaces Action Plan (2018) is now obsolete or inaccurate in places. This could leave the Council open to challenge or missing opportunities when negotiating planning obligations and determining the relevant planning applications. The updated version will reduce that risk by making corrections and bringing the document up to date. |
| Officer Contact: | Stephen Wenlock |
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| Ext. No: | 2571 |
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OPEN SPACES ACTION PLAN

Introduction

1. This report introduces the [Open Spaces Action Plan](#), which sets out a list of proposals for the provision and enhancement of open spaces in Braintree District. Its purpose is to demonstrate the need for these proposals and justify the open space contributions being sought from developers under the Open Spaces Supplementary Planning Document. Its primary evidence base is the Open Space Audit, which took place in 2006-07. The proposals comprise schemes that have been identified for Council-owned open spaces and schemes identified by Ward, Town and Parish Council members. Members are asked to support the programme of enhancements and provision as the basis for negotiating planning obligations.

Background

2. The Open Spaces Supplementary Planning Document was adopted in September 2009. It gives guidance to developers on the Council's approach to seeking planning obligations to mitigate open space provision and enhancement needs arising from new development. The document explains to developers what open space is required in terms of area of land and financial contribution for different types of space. Experience in other local planning authorities, and advice received from the Council's solicitors, is that if the Council cannot demonstrate where a contribution will be spent, it will not be supported on an appeal against a refusal of permission based on a developer's refusal to enter into a Section 106 agreement.
3. Why is there a need for this Action Plan?
 - (a) The Action Plan provides transparency on the Council's open space aspirations.
 - (b) It underpins the Open Space Supplementary Planning Document by indicating which schemes will be supported by Section 106 funds.
 - (c) It is evidence to support development management in negotiations for new development.
 - (d) It co-ordinates various Council functions in relation to open space and asset management.
 - (e) It meets former Scrutiny Panel recommendations.
4. The Open Spaces Action Plan lists those open spaces that require enhancement and new open spaces that would meet a recognised need. The sites are classified by the Wards as used in the Braintree Green Spaces Strategy. The table is primarily a tool to enable planning officers to direct funding to open spaces serving the Section 106 development. It will be made available on-line and therefore accessible to developers and members of the public.

Explanation of Table

5. The table sets out open space proposals by Ward and ownership. For each open space or enhancement proposal the table shows an outline of proposed works to facilities that already exist (for example to increase their capacity) or proposed work to provide new facilities (for example purchasing land for new public open space, or building a new play facility). The table shows open space deficits as

identified by the Green Spaces Strategy as these are clear evidence of a particular type of need. Other supplementary details are also given, including the source of the entry and if there has been any initial public input (letters or petitions received by a Parish Council for example).

6. There is no ranking of open space proposals, as the likelihood of any proposal being implemented will depend on the availability of finance. The sources of funding of open space improvements include capital budgets of both public and private organisations, grants available from government and charitable trusts, and Section 106 receipts which are seen, in many cases, to be a topping up of shortfalls in other types of funding. Because the actions proposed in the Action Plan are reliant on the availability of financial contributions, no time scales are given for the proposals. The expiry dates for spending the existing Section 106 receipts will determine the initial priorities for the provision and enhancement of open spaces. Thereafter priorities will be dictated by time constraints on future Section 106 agreements and the availability of sufficient financial resources for the project.
7. The Action Plan will be kept under continuous review, and an annual report made to members to propose an update (new edition) to the document. In a number of areas there are no entries, generally these relate to the most rural of parishes and the least likely areas of significant growth. These have been identified with “No Response” and such indicates that there was nothing listed in the original plan and that the relevant members have not responded to the recent engagement and consultation exercises.

Please Note: The consultation process took place between 7th November 2018 and 31st January 2019. The information on the parishes listed below was updated after the consultation period in dialogue with each Parish.

On the 30th January 2019, Castle Hedingham Parish Council requested a reversal of the OSAP listing for land known as ‘new park’ at Sudbury Hill, Bailey Street, Castle Hedingham. This request has not been actioned, as there is no change from the reasoning in 2018. This reasoning is as follows:-

On the 30th January 2018, representation was received from Castle Hedingham Parish Council, who wished to register their objection to the removal of land at Sudbury Hill, Bailey Street from the OSAP listing for 2018. The entry was removed to align with a decision made by the Local Plan Sub Committee on the 9th March 2017 to not allocate the land a specific use, as the land in question is not in Public control and any allocation would not be deliverable nor capable of meeting the test of soundness as set out in the National Planning Policy Framework. Other entries in the OSAP 2018 for Castle Hedingham are there to provide informal recreation for the parish; should suitable development occur.

A list of Parishes updated for 2019 follows overleaf.

List of changes

Parishes updated for 2019:-

- *Bocking North (pg. 1, 2)*
- *Braintree Central and Beckers Green (pg. 2, 3)*
- *Helions Bumpstead (pg. 4)*
- *Birdbrook (pg. 4)*
- *Sturmer (pg. 5)*
- *Coggeshall (pg. 5-7)*
- *Gosfield (pg. 7)*
- *Great Maplestead (pg. 7)*
- *Little Maplestead (pg. 7)*
- *Halstead (pg. 9 - 11)*
- *Hatfield Peverel (pg. 11, 12)*
- *Terling and Fairstead (pg. 12, 13)*
- *Sible Hedingham (pg. 13, 14)*
- *Feering (pg. 14, 15)*
- *Rayne (pg. 16)*
- *Silver End (pg. 17)*
- *Ashen (pg. 18)*
- *Belchamp St Paul (pg. 18)*
- *Little Yeldham (pg. 18)*
- *Bures Hamlet (pg. 19)*
- *Wickham St Pauls (pg. 19)*
- *Colne Engaine (pg. 20)*
- *Earls Colne (pg. 20, 21)*
- *Finchingfield (pg. 22)*
- *Shalford (pg. 24)*
- *Wethersfield (pg. 24)*
- *Witham North (pg. 26)*
- *Stambourne (pg. 29)*
- *Toppesfield (pg. 29, 30)*

Parishes Updated for Allotments section 2019:-

- *Coggeshall (pg. 2)*
- *Sturmer (pg. 2)*
- *Great Notley (pg. 2)*
- *Hatfield Peverel (pg. 3)*
- *Feering (pg. 4)*
- *Earls Colne (pg. 5)*

| | | |
|---|---|----------------------|
| Bradwell with Pattiswick Neighbourhood Plan | | Agenda No: 7b |
| Portfolio | Planning and Housing | |
| 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 Lynette Bowers-Flint, Cabinet Member for Planning and Housing | |
| Report prepared by: | Alan Massow – Principal Planning Policy Officer | |
| Background Papers: | Public Report | |
| Bradwell with Pattiswick Neighbourhood Plan (2019) Bradwell with Pattiswick Neighbourhood Plan 2017-2033 – Report to Braintree District Council of the Independent Examination (February 2019) Braintree District Local Plan Review (2005) Core Strategy (2011) Localism Act (2011) The Planning and Compulsory Purchase Act (2004) | Key Decision: Yes | |
| Executive Summary: | | |
| <p>Bradwell with Pattiswick 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 Bradwell with Pattiswick parish area.</p> <p>The Plan has been subject to two 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”.</p> <p>It is now necessary for the Council to decide to accept the examiners recommendations and agree to the Plan going to a local referendum.</p> | | |

| |
|---|
| 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. 2. To agree that a referendum on the Bradwell with Pattiswick Neighbourhood Plan take place. |
| Purpose of Decision: |
| To enable the Bradwell with Pattiswick 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 Bradwell with Pattiswick Neighbourhood Plan as well as the Braintree District Local Plan Review (2005) and Core Strategy (2011). |
| Environment and Climate Change: | The Bradwell with Pattiswick Neighbourhood Plan has been subject to Strategic Environmental Assessment (SEA), and Habitats Regulation Assessment (HRA). |
| Consultation/Community Engagement: | The Bradwell with Pattiswick Neighbourhood Plan has been subject to two rounds of public consultation, and if agreed a referendum. |
| Risks: | That the Bradwell with Pattiswick Neighbourhood Plan is legally challenged. |
| Officer Contact: | Alan Massow |
| Designation: | Principal Planning Policy Officer |
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1 Introduction

- 1.1 In 2016 Bradwell with Pattiswick Parish Council applied for a Neighbourhood Plan area covering their parish. This is 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
- 1.2 The Neighbourhood Plan group is responsible for developing the plan (with guidance and support from Braintree District Council) and undertaking the first stage of public consultation. The Plan is then submitted to Braintree District Council and 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 December 2018. All comments received were sent to the examiner.
- 1.3 The District Council appointed Tony Burton CBE BA MPhil (Town Planning) Hon FRIBA FRSA, as independent examiner with agreement of Bradwell with Pattiswick Parish Council, to examine the Plan, and to recommend whether the Bradwell with Pattiswick Neighbourhood Plan should proceed to a local referendum.
- 1.4 On the 8th January 2019 the examiner wrote to the Council confirming that the examiner had not identified any fundamental flaws and was proceeding with the examination on a written representations basis.

2 Bradwell with Pattiswick Independent Examiners Report

- 2.1 Braintree District Council have received the examiner's report, which is included at **Appendix 1**.
- 2.2 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. Please note that basic condition b and c do not apply to Neighbourhood Plans.
- 2.3 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 of preserving any listed building 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.
- e. the making of the order (or Neighbourhood Plan) is 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).

2.4 In order to meet the basic conditions set out above, the examiner has recommended a number of small changes are made to the Plan. The Neighbourhood Plan, including these changes is **Appendix 2** to this paper. Additions to the plan have been highlighted in red and underlined. Text which has been removed is crossed through. The examiner's report at **Appendix 1** provides reasoning behind the proposed changes. The Inspector has further recommended amendments to the mapping and formatting of the report to aid in it clarity to the reader and these changes are in progress. This changes do not affect the designations or information on the maps, only how they are reflected.

2.5 In conclusion and following the proposed changes, the examiners recommendation is that;

"I am satisfied the Bradwell with Pattiswick Neighbourhood Plan meets the Basic Conditions and other requirements subject to the modifications recommended in this report and that it can proceed to a referendum. I have received no information to suggest other than that I recommend the referendum area matches that of the Neighbourhood Area".

2.6 The examiner is therefore satisfied that the Plan can proceed to local referendum subject to the changes outlined in his report.

3 Braintree District Council Response to examiner changes

3.1 Officers are of the view that the changes proposed to the Plan are reasonable and necessary for the Plan to proceed to referendum.

3.2 The Neighbourhood Plan Group and Parish Council have also commented on the examiners proposed changes, raising no issues, other than to provide an update to table 2 and 3 of the Plan.

3.3 The decision statement to this effect is at **Appendix 3**.

4 Decision Statement

4.1 The decision statement sets out the question to be asked as the referendum. Please note that the wording of this question is specified in regulation and

cannot be changed. A copy of the draft decision statement is included at **Appendix 3**.

5 Next Steps

- 5.1 If agreed by Council the Plan will be subject to a local referendum. This referendum will be managed by the electoral services team at Braintree District Council. Only those who live within the area covered by the neighbourhood plan (in this case the Parish of Bradwell with Pattiswick) will be able to vote. The results of the referendum will be reported to 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 mean the plan is used in the determination of planning applications within the parish of Bradwell with Pattiswick.

6 Recommendation

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.
2. To agree that a referendum on the Bradwell with Pattiswick Neighbourhood Plan take place.

Appendix 1 – Bradwell with Pattiswick Neighbourhood Plan Examiners Report Final February 2019

Appendix 2 – Bradwell with Pattiswick Neighbourhood Plan (2018)

Appendix 3 – Decision Statement

Appendix 4 – Equalities Impact Assessment

BRADWELL WITH PATTISWICK NEIGHBOURHOOD PLAN 2017-2033

**Report to Braintree District Council of the Independent
Examination**

By Independent Examiner, Tony Burton CBE BA MPhil (Town Planning) HonFRIBA FRSA

Tony Burton
tony@tonyburton.org.uk
February 2019

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1. Executive Summary

1. I was appointed by Braintree District Council with the support of Bradwell with Pattiswick Parish Council to carry out the independent Examination of the Bradwell with Pattiswick Neighbourhood Plan.

2. I undertook the Examination by reviewing the Plan documents and written representations, and by making an unaccompanied visit to the Neighbourhood Area.

3. I consider the Plan to be an adequate expression of the community's views and ambitions for Bradwell with Pattiswick. It is based on an adequate programme of public consultation which has informed a Vision and eight topics for the Neighbourhood Area. These are translated into 24 objectives and 11 planning policies dealing with issues distinct to the locality. They are supported by other aspirations which go beyond the scope of the neighbourhood plan. The Plan is supported by a Consultation Statement, Basic Conditions Statement and screening report. There is relevant supporting evidence provided on most aspects of the Plan and evidence of community support.

4. I have considered the 12 representations made on the submitted Plan and three representations made on the screening reports and addressed them in this report as appropriate.

5. Subject to the recommended modifications set out in this report I conclude that the Bradwell with Pattiswick Neighbourhood Plan meets all the necessary legal requirements, including satisfying the Basic Conditions. I make a small number of additional recommendations.

6. I recommend that the modified Plan should proceed to Referendum and that this should be held within the Neighbourhood Area.

2. Introduction

7. This report sets out the findings of my independent Examination of the Bradwell with Pattiswick Neighbourhood Plan. The Plan was submitted to Braintree District Council by Bradwell with Pattiswick Parish Council as the Qualifying Body.

8. I was appointed as the independent examiner of the Bradwell with Pattiswick Neighbourhood Plan by Braintree District Council with the agreement of Bradwell with Pattiswick Parish Council. My selection was facilitated by the Neighbourhood Planning Independent Examiner Referral Service.

9. I am independent of both Bradwell with Pattiswick Parish Council and Braintree District Council. I do not have any interest in any land that may be affected by the Plan. I possess the appropriate qualifications and experience to undertake this role.

10. My role is to examine the Neighbourhood Plan and recommend whether it should proceed to referendum. A recommendation to proceed is predicated on the Plan meeting all legal requirements as submitted or in a modified form, and on the Plan addressing the required modifications recommended in this report.

11. As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the Basic Conditions, the Plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State; and
- contribute to the achievement of sustainable development; and
- be in general conformity with the strategic policies of the development plan in the area; and
- be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

12. I am also required to make a number of other checks under paragraph 8(1) of Schedule 4B of the Town and Country Planning Act 1990.

13. In undertaking this Examination I have considered the following documents as the most significant in arriving at my recommendations:

- the submitted Bradwell with Pattiswick Neighbourhood Plan
- the Basic Conditions Statement
- the Consultation Statement
- the Strategic Environmental Assessment and Habitat Regulations Assessment screening reports and responses
- relevant parts of the development plan for the neighbourhood area (Braintree Local Plan Review 2005, Core Strategy 2011)
- representations made on the submitted neighbourhood plan
- relevant material held on Bradwell with Pattiswick Parish Council and Braintree District Council's websites
- National Planning Policy Framework, March 2012
- Planning Practice Guidance
- relevant Ministerial Statements

14. A revised National Planning Policy Framework was published before the Examination. This states that *"the policies in the previous Framework will apply for the purpose of examining plans, where those plans are submitted on or before 24 January 2019"* (paragraph 214). I have considered the Bradwell with Pattiswick Neighbourhood Plan, which was submitted on 16 October 2018, on this basis.

15. Having considered the documents provided and the representations on the submitted Plan I was satisfied that the Examination could be undertaken by written representations without the need for a public hearing.

16. I carried out an unaccompanied visit to the Neighbourhood Area on a chilly January weekday. I walked around Bradwell and Perry Green as well as visiting Pattiswick and other

parts of the Neighbourhood Area. I reviewed the proposed Local Green Space and the environmental and heritage features identified in the Plan along with other locations, including the village hall. I noted that significant works were underway on Blackwater Bridge. I visited some of the distinct settlement boundary to Pattiswick and noted the quality of many of the buildings, the variety of building styles and the low rise character of development across the neighbourhood area. I was also able to appreciate the vulnerability of parts of Pattiswick to flooding and the impact of heavy traffic on Coggeshall Road.

17. Throughout this report my recommended modifications are bulleted. Where modifications to policies are recommended they are highlighted in **bold** print with new wording in “speech marks”. Modifications are also recommended to some parts of the supporting text. A small number of modifications are not essential for the Plan to meet the Basic Conditions and these are indicated by [square brackets].

18. Producing the Bradwell with Pattiswick Neighbourhood Plan has clearly involved significant effort by a number of volunteers, supported in the later stages by DAC Planning. There is evidence of collaboration with Braintree District Council and this will continue to be important in ensuring delivery of the Plan. I should like to congratulate all those who have worked so hard over a long period of time to prepare the Plan and to thank the officers at Braintree District Council and Bradwell with Pattiswick Parish Council who have supported this Examination process.

3. Compliance with matters other than the Basic Conditions

19. I am required to check compliance of the Plan with a number of matters.

Qualifying body

20. I am satisfied that the Plan has been prepared by a suitable Qualifying Body – Bradwell with Pattiswick Parish Council – which being a parish council is the only organisation that can prepare a neighbourhood plan for the area.

Neighbourhood Area

21. I am satisfied that the Plan relates to the development and use of land for a designated neighbourhood area and that this does not overlap with any other designated neighbourhood area. The Bradwell with Pattiswick Neighbourhood Area was agreed by Braintree District Council on 14th September 2016 although this date is not included in the Plan. A map depicting the area is included in the Plan. It covers the whole of Bradwell with Pattiswick parish.

- [Replace “*Confirmation was later provided*” with “Approval was given on 14th September 2016” in paragraph 1.3]

Land use issues

22. I am satisfied that the Plan relates to relevant land use planning issues. Where considerations relating to non-land use planning matters are included in policies these have been addressed through my recommendations.

Plan period

23. The period of the neighbourhood plan is stated as being from 2017 – 2033 on the cover of the Plan.

Excluded development

24. I am satisfied that the neighbourhood plan makes no provisions for excluded development (such as national infrastructure, minerals extraction or waste).

4. Consultation

25. I have reviewed the Consultation Statement and relevant information provided on the Bradwell with Pattiswick Neighbourhood Plan, including the summary analysis of representations received during pre-submission consultation. The Consultation Statement is concise and provides a summary of the process undertaken in preparing the Plan.

26. There have been a number of meetings and events since 2015 and questionnaires have been distributed by hand to every dwelling at different stages as the Plan has progressed. Further questionnaires targeted at under 18s and businesses have been circulated. The response has been reasonable except for the local businesses. The Consultation Statement summarises the issues raised and how the Plan has been amended to address the feedback.

27. The pre-submission consultation included the innovation of an Easter egg hunt to attract interest and copies of the plan were sent to every household and business with a reply-paid envelope. It was also put online. There is evidence that statutory consultees were invited to make representations. Over 60 representations were received from local residents and businesses and there is evidence of a high level of local support. A small number of representations from statutory consultees, including Natural England, Environment Agency and Historic England, were made. Both Essex County Council and Braintree District Council responded. There is evidence that all the representations have been considered and over 50 amendments were made to the Plan as a result.

28. 12 representations have been made on the submitted Plan along with representations from Natural England and Essex Birdwatching Society on the SEA screening report and Natural England on the HRA screening report. On request I also received copies of representations from Historic England and Environment Agency on the SEA and HRA screening reports.

29. I am satisfied with the evidence of the public consultation undertaken in preparing the Plan and commend all those who have worked so hard to engage and involve people in the future of the area. The Plan has been subject to adequate public consultation at different stages in its development. The process has allowed community input to shape the Plan as it has developed and as proposals have been firmed up. The local planning authority has been engaged throughout the process.

5. General comments on the Plan's presentation

Vision and themes

30. I have reviewed the Vision and eight topic areas which structure the 24 objectives and 11 policies in the Plan. The Vision takes a positive approach to change and development and reflects the feedback received through consultation. It is supportive of change which meets local needs and respects the area's character which has built up over hundreds of years.

31. The policies are distinguished from the rest of the Plan by the use of tinted boxes and this is effective in separating them from the other text.

Other issues

32. The Plan is supported by a range of evidence which is referenced or included under the sub-heading "Relevant Evidence Base Documents" in different parts of the Plan. While some of this evidence base has been provided for the Examination it is not readily available to the public. The other documents used in the Examination – Basic Conditions statement, Consultation statement and the two screening reports (and views of statutory consultees) and the Village Design Statement should also be publicly available. The documents in the evidence base should be clearly titled and dated and their authorship made clear. This is not the case, for example for the evidence on Bradwell's history or Undesignated Heritage Assets.

- [Reference and provide a link in the Plan to a single consolidated evidence base online, including the documents submitted with the Plan for Examination]
- [All documents in the evidence base should include a title, author and date]

33. The Plan includes a number of maps supporting its policies, notably Figure 6 showing "important environmental features" and Figure 7 showing "heritage features". These are at a small scale and poorly reproduced. They relate to policies where the precise boundary of individual features is important and more detailed maps are needed. This is addressed in relation to the specific policies below.

- Include better reproduced maps for Figures 2, 3, 4, 6 & 7
- Provide scales for all maps

34. The Plan's layout and headings are adequate. There are some inconsistencies in the sub-headings in the Contents and those used in the Plan (i.e. 1.3, 1.4, 2.4). The Contents also has pagination errors (i.e. Policy 2 is on page 23, Policy 9 is on page 43, Policy 10 is on page 47). The Plan is made hard to navigate and reference due to an absence of paragraph numbers.

- Correct the Contents accurately to match titles and page numbers in the Plan
- [Add paragraph numbers throughout the Plan]

6. Compliance with the Basic Conditions

National planning policy, development plan policy and sustainable development

35. The Plan is required to “*have regard*” to national planning policies and advice. The Plan must also “*contribute to the achievement of sustainable development*” and be “*in general conformity with the strategic policies of the development plan*”. These requirements are addressed in the Basic Conditions statement. The approach taken in the Basic Conditions statement results in some repetition but addresses the issues adequately.

36. The Basic Conditions statement addresses how each objective and policy meets the Basic Conditions. It identifies relevant sections of the NPPF and relevant development plan policies and also references National Planning Guidance. There is an assessment against the NPPF’s approach to sustainable development. There is also reference to the HRA and SEA screening. There is a short statement for each policy confirming an assessment that the Basic Conditions are met. Braintree District Council did not make any representations on the conformity of the submitted Plan with its development plan. In response to my request for feedback it stated that the “*Council does not believe that any of the policies contained within the Bradwell with Pattiswick Neighbourhood Plan are in conflict with the Local Plan (2005), Core Strategy (2011), or the emerging Publication Draft Local Plan (2017).*” I was also provided with a list of policies that Braintree District Council considers to be strategic for the purposes of neighbourhood planning.

37. There are some areas where the drafting of the Plan’s policies needs to be amended in order to meet the National Planning Policy Framework’s requirement for plans to provide a clear framework within which decisions on planning applications can be made. The policies should give a clear indication of how a decision-maker should react to a development proposal and avoid duplication (paragraphs 16d and 16f). It is also important for the Plan to address the need expressed in Planning Practice Guidance for policies in neighbourhood plans to be drafted with sufficient clarity for a decision-maker to apply them consistently and with confidence when determining planning applications. Policies should be concise, precise and supported by appropriate evidence. The Plan’s policies do not

always meet these requirements and a number of recommended changes are made as a result.

38. Generally, the Plan has regard to national planning policies and guidance but there are exceptions set out in my comments below. These cover both conflicts with national planning policy and the need for some policies to be more clearly expressed and/or evidenced.

39. I am satisfied that the Plan meets this Basic Condition other than where identified in my detailed comments and recommendations on the Plan policies.

Screenings - Strategic Environmental Assessment and Habitat Regulations Assessment

40. The Plan must be informed by a Strategic Environmental Assessment if it is likely to have significant environmental effects and by an Appropriate Assessment under the Habitats Regulations if it is likely to lead to negative significant effects on protected European sites. Separate screening assessments have been prepared by Place Services (Essex County Council).

41. The SEA screening assessment concludes that the *“Neighbourhood Development Plan does not allocate land for development purposes, nor do the findings of this SEA Screening Report determine that any of the Plan’s content would have any detrimental effect on any facet of the environment included within Annex II of SEA Directive. The Plan has a strong focus on the protection and enhancement of these facets of the environment should any proposals be forthcoming within the Plan area over the Plan period. The content of the Bradwell with Pattiswick Neighbourhood Plan has therefore been **screened out** for its requirement of Strategic Environmental Assessment in line with the requirements of Directive 2001/42/EC.”*

42. The HRA screening assessment concludes that *“subject to Natural England’s review, this HRA Screening Report indicates that the Bradwell with Pattiswick Parish draft Neighbourhood Plan is not predicted to have any Likely Significant Effect on any Habitats site, in combination with other plans and projects. The content of the Bradwell with*

*Pattiswick Neighbourhood Plan has therefore been **screened out** for any further assessment and Braintree DC can demonstrate its compliance with the UK Habitats Regulations 2017.” European sites and consequently the plan does not require Habitat Regulation Assessment.”*

43. Natural England, Environment Agency and Historic England all agree with these conclusions.

44. *The Conservation of Habitats and Species and Planning(Various Amendments) (England and Wales) Regulations 2018* were published during the Examination and I have considered the Plan against the new Basic Condition that it must not breach the requirements of the *Conservation of Habitats and Species Regulations 2017* for land use plans. The HRA Screening Report accompanying the Plan addresses the requirement not to take mitigation measures into account during the screening process. I am satisfied the Plan meets the requirements of the new Basic Condition.

Other European obligations

45. The Plan must be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations. The Basic Conditions Statement references EU obligations in its assessment of each objective and policy and finds no conflicts. I am satisfied that the Plan has appropriate regard to the rights and freedoms guaranteed under the ECHR and complies with the Human Rights Act 1998 and no contrary evidence has been presented. There has been adequate opportunity for those with an interest in the Plan to make their views known and representations have been handled in an appropriate and transparent manner. The Plan meets this Basic Condition.

7. Detailed comments on the Plan policies

46. This section of the report reviews and makes recommendations on each of the Plan's policies to ensure that it meets the Basic Conditions. I provide comments on all policies in order to give clarity on whether the Plan meets the Basic Conditions. The final Policy numbers and some of the supporting text will need to be amended to take account of the recommended changes.

Environment

47. **Policy 1** – This establishes policy requirements for protecting and enhancing the natural environment and enhancing green infrastructure. It identifies 16 natural environment features to be protected and enhanced.

48. The Policy is supported by evidence from the Local Plan review and a Landscape Character Assessment published for Braintree District in 2006. Figure 6 identifies each of the natural environment features listed in the Policy. A majority but not all are identified by unique labels. The Mill Pond, two areas of common land and two areas of "priority habitats" are described but not labelled. Some areas of woodland are identified as "Woodland" and others are identified as "Local Wildlife Sites". There is limited evidence provided as to the characteristics of each of the features identified which warrants their protection. The map is poorly reproduced and at a scale which does not allow the boundaries of the features to be clearly identified. Some areas are classified twice (e.g. part of Bra 158 is also a "Priority Habitat"). The map also identifies other features, including "Disused Pits" and "Grade 3 Agricultural Land" that are not addressed in the Plan's policies. Figure 6's title refers to "Important Environmental Features" and Policy 1 to "natural environment features".

49. I have been provided with a number of different styles of larger scale maps for the majority of the features and recommend these are included in an Annex to the Plan, with amendments. I make detailed recommendations on the location maps below.

50. The Policy is unduly prescriptive in its approach to stating what development proposals “*must*” do and “*must*” demonstrate. It is also negatively worded in the approach to development proposals which will “*only be permitted*” if certain criteria are met. National planning policy requires neighbourhood plans to be positive in approach and for planning policies to avoid being inflexible.

51. I note the representations from Essex Bridleways Association that the Policy should include recognition of horse riding as well as public rights of way, cycle and footpath networks. Recognition of bridleways would also be consistent with the Plan’s Transport objectives, draft Local Plan Policy LP44 and Local Plan Policy CS10 which adopts a broad approach to “*recreational pursuits*”.

52. The approach to protecting identified natural environment features should relate to development proposals needing to protect and enhance them rather than the Plan “seeking to”. It should also be consistent with the first part of the Policy in recognising enhancement “*where possible*”.

53. For consistency the notation used by different policies should be the same across the plan.

54. Policy 1 does not meet the Basic Conditions.

- **Amend Policy 1 to:**

- **Replace “*must*” with “*should*” in the first and third sentences**
- **Add “*, bridleway*” after “*cycle*” in the second bullet**
- **[Replace “*Green Infrastructure*” with “*green infrastructure*” in the sixth bullet]**
- **Replace “*The Plan seeks to protect and enhance*” with “*Development proposals should protect and where possible enhance*” in the third section**
- **Delete “*above*” after “*Figure 6*” in the third section**
- **Provide labels for all the features identified in the third section which correspond to Figure 6 and their separate location maps**

- Delete “*will only be permitted where*” with “**should demonstrate that**” in the fourth section
- [Insert a), b), c) and d) at the beginning of each section of the Policy]
- Amend Figure 6 to:
 - Replace “*Environmental*” with “Natural Environment” in the title
 - Improve the quality of reproduction and provide a scale
 - Include labels for all the features identified in Policy 1
 - Remove all features not included in Policy 1 or Policy 2, except the Parish Boundary
- Include location maps with titles, keys and scale bars for each of the 16 natural environment features identified in Policy 1 in an Annex and reference this in the supporting text:
 - Bra 146, Bra 157, Bra 158, Bra 186 – as supplied from Essex Wildlife Trust Biological Records Centre
 - Common Land south of Holy Trinity Church and Common Land east of Bradwell Village – need to be presented as a map and to be clearly distinguished from each other
 - Mill Pond – there needs to be an extract from the map provided which labels the location of the pond
 - Bushy Warren, Artigore, Cock Pheasant Spinney and Bankfield need to be in a format consistent with that provided as an OS map extract for Captains Wood, Century Piece and Orange Wood
 - Rectory Meadow and The Street priority habitats – an amended map is needed to that supplied which shows each of these features in a single colour and clearly distinguishes them from each other

55. **Policy 2** – This requires development to protect and enhance landscape character and access.

56. The neighbourhood area contains two landscape character areas and these are identified in Figure 6. There is supporting evidence in the Landscape Character Assessment for Braintree District. The approach is supported in national planning policy.

57. As drafted the Policy would only apply to planning applications that straddle the border of the two character areas. This is clearly not the intention. The Policy is unduly prescriptive in its approach to stating what development proposals “*must*” demonstrate. The third section of the Policy overlaps and conflicts with Policy 1 which is both unnecessary and confusing.

58. Policy 2 does not meet the Basic Conditions.

- **Amend Policy 2 to:**
 - **Replace “*River Valley and the Silver*” with “*River Valley or the Silver*”**
 - **Replace “*must*” with “*should*” after “*Figure 6*”**
 - **Delete section iii**

Community facilities and public open spaces

59. **Policy 3** – This establishes a requirement for developer contributions for specific projects improving community facilities and requires development causing the loss of community facilities or open space to demonstrate how the benefits outweigh the loss.

60. The Policy is supported by feedback from public consultation of a need for more leisure facilities. There is no evidence presented of this need or definition of what comprises community facility or public open space.

61. The first part of the Policy relates developer contributions specifically to the Community Infrastructure Levy. Braintree District Council has not yet implemented the Community Infrastructure Levy Regulations and so the Policy is undeliverable as drafted. The Policy identifies three specific projects for support through developer contributions. This overlaps with the provisions in Policy 11 and the Action Plan and my recommendation is for developer contributions to be addressed through Policy 11 to provide the necessary clarity to applicants. Decisions as to whether future primary school provision is required are matters for the local education authority and cannot be decided by the neighbourhood plan.

62. The second part of the Policy is negatively worded in the approach to development proposals resulting in the loss of community facilities or public open space which will *“not be supported”*.

63. Policy 3 does not meet the Basic Conditions

- **Amend Policy 3 to:**
 - **Delete the first paragraph**
 - **Delete *“will not be supported unless the development proposal provides demonstrable”* with *“should demonstrate”***
- Delete *“and enhancing”* in the title of Policy 3
- At the end of the supporting text insert *“For the purposes of Policy 3 public open space is as defined in the Braintree District Council Open Space Study 2016-2033 and community facilities are as defined in the National Planning Policy Framework (2018) paragraph 92 a).”*
- Delete the two paragraphs beginning *“The emerging BDLP”* and *“Essex County Council”* preceding Policy 3

64. **Policy 4** – This designates and establishes a policy approach to an area of Local Green Space.

65. The power to designate Local Green Space is an important role of a neighbourhood plan. The National Planning Policy Framework establishes criteria to be met by a proposal and that the policy for managing development in a Local Green Space is consistent with that for Green Belt. A Local Green Space needs to be supported by evidence it meets the criteria and a map which clearly defines its boundary.

66. Policy 4 states that the proposed Local Green Space for the playing fields, allotments and village orchard is *“identified on the proposals map as LGS1”*. There is no proposals map in the Plan or the information submitted for Examination. In response to my request for clarification I was informed that Figure 4 comprises the *“proposals map”*. This is titled as

“Bradwell village settlement boundary” and additionally shows four other areas in different shades of colour. No key or explanation is provided nor is there a reference to *“LGS1”*. Figure 4 does not provide the necessary clarity. I have been provided with a larger scale map of the proposed Local Green Space and recommend it is included in the Plan without the additional colour shading.

67. The Policy is accompanied by an evidence note describing how each element of the proposed Local Green Space meets the National Planning Policy Framework criteria. This is summarised in the supporting text. I visited the proposed Local Green Space and the evidence presented matches my own experience.

68. Bradwell Village Playing Fields, Allotments and Village Orchard are demonstrably special to the local community and warrant designation as Local Green Space.

69. The title of Policy 4 *“Protecting Village Facilities”* is similar to that of Policy 3 (as amended) *“Protecting Community Facilities and Public Open Space”*. Policy 4 relates more precisely to a Local Green Space designation.

70. The second part of Policy 4 establishes a policy approach which is not consistent with Green Belt policy and so does not meet the Basic Conditions.

- **Amend Policy 4 to:**
 - **Delete *“(identified on the proposals map as LGS1)”* and insert *“(identified in Figure [?])”***
 - **Add *“where inappropriate development should not be approved except in very special circumstances”* after *“Local Green Space”***
 - **Delete the second paragraph**
- Change the title of Policy 4 to *“Local Green Space”*
- Provide a map of the Local Green Space at a scale which permits the detailed boundaries to be identified – this map should simply provide the red line boundary
- Amend Figure 4 to remove additional shaded areas

Heritage

71. **Policy 5** – This addresses heritage assets and identifies some specific non-designated heritage assets for protection.

72. The Policy is supported by Figure 7 which identifies listed buildings, two non-designated heritage assets and six crop marks. The quality of reproduction of the map is poor and it is insufficient to identify the precise location of the features or the boundary of the cropmarks. I have been provided with aerial images from Google of the crop marks and, subject to copyright considerations, recommend these are included in an Annex.

73. The supporting text is not consistent with Figure 7 in that it identifies the cropmarks as non-designated heritage assets and lists only one other asset, Blackwater Bridge. The supporting text is also incorrect in recording 25 Grade II listed “*dwellings*” in the neighbourhood area as a number of the listed buildings are not dwellings.

74. The Policy refers to a Proposals map which is not contained in the Plan or provided in the documents submitted for Examination.

75. The cropmarks are described in an evidence note which includes a photograph and broad indication of their location and importance but does not define their boundary. The evidence suggests there is considerable uncertainty about the origins of a number of the sites and some are less than clear on the ground. No evidence about the significance of Blackwater Bridge was provided although I was informed on request that it is located on the site of the Roman bridge (or ford) and provided with a link to the Essex Historic Environment Record dating it to 1898. I visited the bridge which is undergoing significant works and noted its importance. I was provided with links to information about each of the cropmarks in the Essex Historic Environment Record. I was also informed of an error in the Plan as submitted in relation to the location of the cropmark at Whiteshill Farm.

76. The supporting text cites draft Local Plan Policy LPP60 and there is a considerable overlap between this and Policy 5. There is also overlap with existing Local Plan Policies RLP

99 and RLP 100. The policy approach to listed structures is also well established in national planning policy and subject to additional legal safeguards. Policy 5 does not add to the existing or emergent planning policy for listed structures in the area and makes policy more confusing for applicants. There are also inconsistencies with national planning policy which distinguishes between substantial and less than substantial harm to designated heritage assets and also the importance of non-designated heritage assets (NPPF paragraphs 195-196, 2018). This is in breach of the Basic Conditions.

77. There is no definition or evidence provided as to what constitutes “important” archaeological remains and draft Local Plan Policy LPP63 and existing Local Plan Policies RLP 104 and 105 provide an adequate policy context. Policy 5 does not add to the existing or emergent planning policy for archaeological remains in the area and makes policy more confusing for applicants. This is in breach of the Basic Conditions.

78. As with Policy 1 the approach to heritage assets should relate to development proposals rather than the Plan and should be positively worded.

- **Replace Policy 5 with “Development proposals should protect and where appropriate enhance non-designated heritage assets, including those identified in Figure 7. Any proposal which could impact on a non-designated heritage asset should demonstrate how the significance of the asset has been acknowledged and addressed.”**
- Amend Figure 7 to:
 - Improve the quality of reproduction and provide a scale
 - Delete the separate category of “Cropmarks” and identify the seven Non-designated Heritage Assets – Blackwater Bridge and six crop marks - with corresponding labelling in the supporting text
- Provide a large scale location map with scale and key for the Bradwell Bridge non-designated heritage asset and aerial images for each of the cropmarks in an Annex and reference the Annex in the supporting text

- Provide a reference to the Essex Historic Environment Record as supplying evidence in support of the significance of each of the non-designated heritage assets and include it in the Evidence Base
- Replace “North-East” with “South” in the supporting text describing the location of the Cropmark at Whiteshill Farm
- Replace “dwellings” with “buildings” in the third paragraph of the supporting text

Drainage and flood management

79. **Policy 6** – This seeks to reduce the risk of flooding through policy criteria and an assessment against a “Local Flood Plan” and the involvement of the “Local Lead Flood Authority”.

80. The supporting text identifies three areas at particular risk from flooding but there is no evidence provided in support of their risk status or any information on the Flood Zone categories in the neighbourhood area.

81. The drafting of Policy 6 acknowledges an overlap with national planning policy in 6 a) ii. and 6 a) iii.. 6 a) v. and 6 a) vi. also overlap with national planning policy (National Planning Policy Framework paragraphs 163 c) and e), 165, 2018). The similarity of the wording means that Policy 6 lacks the necessary clarity. I note the representations from Environment Agency seeking “more detail” on managing flood risk but this would exacerbate the overlap and potential for confusion with national planning policy.

82. The requirement for sustainable drainage systems to be accompanied by a management plan goes beyond national planning policy which addresses the need in respect only of major development (National Planning Policy Framework, paragraph 165, 2018). In the absence of any particular local evidence of the risk of flooding it places an undue burden on applicants.

83. The second section of Policy 6 refers to a “Local Flood Plan” which is “currently in production”. This does not provide the clarity needed of a planning policy and the draft document was not available during consultation on the Plan. The Policy also overstates the

role of the “*Local Lead Flood Authority*” which may be a consultee but is not the determinant of whether the impact of a development proposal is acceptable.

84. Policy 6 does not meet the Basic Conditions.

- **Amend Policy 6 to read “Development proposals should where appropriate avoid and reduce the risk of flooding (including fluvial and surface) on site and elsewhere in the catchment, and manage water and waste water discharges.”**

Housing

85. **Policy 7** – This sets out policy criteria to be met by new residential development, accepts some types of residential development outside settlement boundaries and establishes a link to the Plan’s policy on design.

86. The Policy is supported by evidence of the particular characteristics of the housing stock, residential population and housing needs of the neighbourhood area. The Plan does not allocate any sites for development or make proposals to amend the settlement boundary. I note the concerns of the Trustees of the Bradwell Estate that the Plan does not allocate any sites and that Bradwell could meet more of the future housing requirement. I also note the two site allocations proposed by the Trustees of the Bradwell Estate with a proposal that one of them is taken up. These are presented late in the neighbourhood plan process and they are not accompanied by any wider assessment of potential sites for future residential development. One of the sites also conflicts with the neighbourhood plan’s proposals to designate an area of Local Green Space.

87. I am satisfied that the Plan’s approach based on influencing the type of housing and supporting small scale residential development is appropriate. The Plan recognises the role of the Local Plan in meeting objectively assessed housing needs and is supportive of development. There is no requirement for neighbourhood plans to identify sites for development.

88. The first part of Policy 7 encourages a housing mix to reflect the needs of first time buyers and the elderly through the provision of two and three- bedroomed properties. It is unclear how this type of property meets the needs identified. The evidence base also indicates three bedroomed houses and larger are already predominant in the neighbourhood area. The Policy lacks clarity and the evidence base necessary to support the approach. The Policy objective for a housing mix that meets local needs is addressed in draft Local Plan Policy LPP 37 and existing Local Plan Policy RLP8. The supporting text provides guidance on what local housing needs should be met.

89. Some of Policy 7 could be written more definitely by addressing the impact future development “will” have rather than “*would*” have.

90. The second part of Policy 7 permits small scale residential development and conversions and extensions outside settlement boundaries in exceptional circumstances providing it meets defined criteria. The policy lacks a definition of “*moderate extension*”. It applies an “*exceptional circumstances*” test which conflicts with the application of countryside policies to development outside settlement boundaries in Local Plan Policy RLP2. The Local Plan also permits affordable housing on exception sites and makes provision for small scale residential development in hamlets in Policy RLP16.

91. It is unnecessary for the Policy to seek compliance with other parts of the same Policy or to reference its application only to development for which permitted development rights do not exist. All development plan policies apply to all development proposals and no planning policy can apply to a development granted permitted development rights. The final Part of Policy 7 overlaps with Policy 10 and is unnecessary.

- **Amend Policy 7 to:**
 - **Delete from “*housing mix*” to the end of section a) ii.**
 - **Replace “*would*” with “*will*” in sections a) iv., v. and vi.**
 - **Replace section b) with “Development proposals for small scale residential development and extensions and conversions for residential use outside**

the Bradwell village settlement boundary shall be supported as an exception to planning policies where they:

- **can demonstrate a significant contribution towards maintaining the future viability and sustainability of the adjacent settlement**
- **are adjacent to an existing settlement or hamlet [footnote]; and**
- **do not provide a linear extension to Bradwell village along Coggeshall Road, Church Road, Rectory Meadow or Hollies Road.”**

○ **Delete section c)**

- Add to the supporting text “All residential development, extensions and conversions considered under Policy 7 shall also need to be compatible with development plan policies, including those relating to the quality of design and protection of the countryside”.

Local economy

92. **Policy 8** – This supports well designed employment generating development subject to defined criteria and the provision of fast and reliable broadband connections.

93. The Policy is supported by evidence of the particular characteristics of the local economy and the conclusion of local consultation that there are sufficient employment opportunities in the neighbourhood area. The Plan does not allocate any sites for employment related development.

94. The first section of the Policy provides 10 criteria for employment generating development. Parts of this section lack the necessary clarity or overlap with other policies. The test of development proposals being “*To enhance the local economy in an appropriate and sustainable manner*” is addressed by the criteria and does not also need to be included in the opening sentence of the Policy. The “*site specific circumstances*” relevant to supporting existing businesses are unclear and would be material to any planning decision. The use of “*tradesman*” is unclear and gender specific.

95. It is unnecessary for the Policy to seek compliance with another Policy as all development plan policies apply to all development proposals. As a result the second part of Policy 8 which overlaps with Policy 10 is unnecessary.

96. The third part of Policy 8 is prescriptive in its approach to stating what “*must*” be provided to serve new development with broadband. The decision whether or not to provide broadband is not a land use planning consideration. It is appropriate for the Plan to support development being designed to support broadband connections.

97. For consistency the different sections to policies should use the same notation.

- **Amend Policy 8 to:**

- **Delete “*To enhance the local economy in an appropriate and sustainable manner*”**
- **Replace “*tradesman*” with “*trades*” in subsection i.**
- **Delete “*subject to site specific circumstances and the requirements of other policies within this Plan*” in subsection ii.**
- **Delete the second section B)**
- **In the third section replace “*must*” with “*should be designed to*”**
- **Replace the A), B), C) notation for each section with a), b) [as amended]**

Transport

98. **Policy 9** – This provides criteria for new development relating to parking standards, public rights of way and road safety and an intention to work with others on transport issues.

99. Section a) addresses issues which are largely already addressed in planning policy. New development in the neighbourhood area is already required to recognise Essex County Council parking standards (Local Plan Policy RLP 56, draft Local Plan Policy LPP45) and the Local Plan review will protect rights of way (draft Local Plan Policy LPP44) and avoid any significant impact on highway safety (draft Local Plan Policy LPP55). Nevertheless, this part

of the Policy meets the Basic Conditions except for the prescriptive requirement that development “*must*” satisfy the criteria.

100. I note representations from Coggeshall Parish Council and Essex Bridleways Association to recognise cycle routes and bridleways in the Policy. This would be consistent with the Plan’s Transport objectives, draft Local Plan Policy LP44 and Local Plan Policy CS10 which adopts a broad approach to “*recreational pursuits*”.

101. Sections b) to d) of the Policy are not land use planning considerations. The ambition to work with Essex County Council, local bus operators, neighbouring parish councils and others to improve transport infrastructure and enhance local bus services is best considered as part of the Neighbourhood Plan Action Plan. The Policy lacks clarity on the transport projects which would be supported that would require express planning consent.

102. Policy 9 does not meet the Basic Conditions.

- **Amend Policy 9 to:**
 - **Replace “*must*” with “*should*” in the first section**
 - **Add “, including footpaths, cycle routes and bridleways” after “*way*” in section a) ii.**
 - **Delete sections b) to d) with a consequential deletion of “*a*)” before the policy wording**

Design

103. **Policy 10** – This establishes design requirements for new development and a need for a sensitive response to the natural environment.

104. The Policy is supported by the Bradwell with Pattiswick Parish Village Design Statement. This is a helpful, largely descriptive, document and provides relevant information for prospective applicants. No details have been provided on the process of its preparation and the extent of public consultation even following a direct request. Its

planning status should reflect this, providing a helpful description of the character of the neighbourhood area. The Village Design Statement should be made available online at the parish council website as well as via a link in the text of the Plan. The supplied copy of the Village Design Statement is undated as described as “v4” in the footer which means that it is unclear whether it is the final version and whether it is up to date. I am informed that the copy provided is a final copy although consultation feedback was being invited on the Home Page of the parish council website.

105. Subsection x. for open plan front gardens and native boundary hedges at 3 feet high or less is not supported by specific evidence and is overly prescriptive. Its use of imperial measures also conflicts with the rest of the Plan which has maps in metric. Subsection xi. for rear gardens to be large enough for home food production is also prescriptive and may not be suitable for other reasons. There is a lack of evidence of either the demand for or the suitability of this approach. I also note concerns in representations from Braintree District Council with subsections x. and xi.. Both these subsections are also not relevant to a majority of planning applications which will occur in the neighbourhood area as these will be householder development or for non-residential uses.

106. The drafting of the Policy should reflect that it is addressing impacts that “will” happen. It should also recognise that high quality design is integral rather than something which proposals “include”. The Policy includes a number of unnecessary references to other development plan policies as these are considered in all planning applications.

107. The second section relating to the natural environment includes criteria which will not be relevant to some development and should be applied only where appropriate. The Policy should refer to the need to “maintain” rather than “*preserve*” existing trees and hedges as these are living landscape features which need to be managed. The examples included within the Policy are more appropriate to the supporting text.

108. Policy 10 does not meet the Basic Conditions.

- Amend Policy 10 to:
 - Begin *“All new development proposals should be of a high quality design which contributes positively to the character and appearance of the surrounding area and they should:”*
 - Insert *“as described in the Bradwell with Pattiswick Village Design Statement”* after *“character and appearance of the area”* in [current] subsection ii.
 - Replace *“would”* with *“will”* in [current] subsection iii.
 - Replace *“would”* with *“will”* in [current subsection iv.]
 - Delete *“in accordance with BPNP Policy 9”* in [current] subsection ix.
 - Delete [current] subsections x. and xi.
 - Insert *“where appropriate”* after *“should”* in first line of section b)
 - Delete *“in accordance with BPNP Policy 1”* in subsection i.
 - Replace *“Preserving”* with *“Retaining”* in subsection ii
 - Delete *“For example, built-in bat boxes and swift hollow bricks.”* in subsection v. and including these examples in the supporting text
- Change the subsection notation from i. to xi. to i. to viii. as a consequence of these modifications
- Create a dated version of the Village Design Statement which states that it is the final version, and make this available online in the evidence base for the Plan and on the parish council website as well as via a direct link in the text of the Plan

Developer contributions

109. **Policy 11** – This sets out a range of requirements for identifying the requirements for developer contributions and their role in supporting the Neighbourhood Plan Action Plan.

110. The Policy is supported by a Neighbourhood Plan Action Plan with 19 actions and projects. This deals appropriately with issues that cannot be addressed through planning policy. Policy 3 as submitted also includes details of priorities for developer contributions where I have recommended they are more appropriately addressed in Policy 11. The investment priorities for Policy 3 and Policy 9 are included in a separate Table 2 although they also appear in the Neighbourhood Plan Action Plan. There are inconsistencies between

Table 2 and Table 3 with some projects identified as suitable for developer contributions in Table 2 not so identified in Table 3 – e.g. footpath maintenance, restrictions of HGV movements, Doghouse Lane warning signs, A120 speed limits.

111. The Policy makes reference to Community Infrastructure Levy provisions not yet implemented by Braintree District Council. This is recognised in the supporting text with the intention that the Policy can relate to s106 obligations and any future Community Infrastructure Levy receipts. At my request, Braintree District Council has confirmed *“No timetable has been set. Braintree District Council will consider implementation of the Community Infrastructure Levy if it considers it the best approach to gather developer contributions from development.”* This is as described in the Local Development Scheme 2019-21 (January, 2019).

112. The Policy introduces a test that development proposals not providing sufficient mitigation can proceed if their benefits outweigh their harm. This does not add to the balance of consideration required in all planning decisions and lacks the necessary clarity.

113, The Policy requirement for viability assessment to be open book is not fully consistent with Planning Practice Guidance revised in July 18 to state that *“Any viability assessment should be prepared on the basis that it will be made publicly available other than in exceptional circumstances.”* The “viability test” in the Policy is also not consistent with national planning policy which recognises that the onus is on applicants to demonstrate the need for a viability assessment at the application stage (NPPF, paragraph 57). The NPPF guidance in paragraph 173 cited in the supporting text was replaced in July 2018.

114. I have been notified of some preferred changes to Table 3. These do not impact on the Basic Conditions.

115. Policy 11 does not meet the Basic Conditions.

- **Amend Policy 11 to:**

- Delete ***“Subject to the financial viability of development and the application of CIL Regulations, where appropriate”*** and add ***“and provide a proportionate contribution to the relevant projects identified in Table 3”*** after ***“Parish”*** in section a)
 - Delete sections b), c), e) and f)
 - Delete ***“for residential developments, and relevant planning applications for non-residential development,”*** and insert ***“where appropriate”*** after ***“should”*** in section d)
- Delete the second paragraph of supporting text beginning *“The amount of contributions”* on page 48
 - Delete all references to CIL in the supporting text other than the second paragraph of page 51 beginning *“Note that BDC”*
 - Delete the *“BPNP Policy”* column in Table 2
 - Delete projects in Table 2 not identified as suitable for developer contributions in Table 3
 - [Make the preferred changes to Table 3]

8. Recommendation and Referendum Area

116. I am satisfied the Bradwell with Pattiswick Neighbourhood Plan meets the Basic Conditions and other requirements subject to the modifications recommended in this report and that it can proceed to a referendum. I have received no information to suggest other than that I recommend the referendum area matches that of the Neighbourhood Area.

Bradwell with Pattiswick Parish Neighbourhood Plan 2017-2033

Regulation 18 Post Examination Amendments

February 2019



Vision for Bradwell with Pattiswick Parish

Our vision for Bradwell with Pattiswick Parish is to continue to thrive, meeting the changing needs of the community whilst preserving the distinctive character, landscape and setting of this Parish which has evolved over twelve centuries of history.

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1. Introduction

1.1 What is Neighbourhood Planning?

The 2011 Localism Act introduced new powers for local communities to produce Neighbourhood Plans, which can be used to guide and shape future development in an area. Once 'made' (adopted), a Neighbourhood Plan forms part of the statutory Development Plan for the area, and it is used in the determination of planning applications alongside the Braintree District Local Plan.

Neighbourhood Plans must be subject to public consultation, examination, and local referendum prior to adoption, and policies contained within a Neighbourhood Plan should be supported by evidence base documents and sustainability appraisals as necessary. Neighbourhood Plans must meet the overall aims and objectives of the National Planning Policy Framework (NPPF), particularly in relation to supporting and promoting sustainable development.

Neighbourhood Plans give communities direct power to guide and shape future development. Where a Neighbourhood Plan is aligned with the strategic needs and priorities of the wider local area, neighbourhood planning can provide a powerful set of tools for local people to ensure that they get the right types of future development for their community.

Where a Community Infrastructure Levy¹ (CIL) has been adopted by the relevant local planning authority, an area with an adopted Neighbourhood Plan will receive 25% of CIL revenues from development taking place within the Parish. A CIL has not yet been adopted in Braintree District.

The Planning Practice Guidance² states that a Neighbourhood Plan must meet the basic conditions set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990³. The submission of the final version of the Bradwell with Pattiswick Neighbourhood Plan (BPNP) to Braintree District Council will include a statement setting out how the Plan meets the requirements of the basic conditions set out below:

- 1) the Neighbourhood Plan has regard to national policies and advice contained in guidance issued by the Secretary of State;
- 2) the making of the Neighbourhood Plan contributes to the achievement of sustainable development;
- 3) the making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the Local Plan;
- 4) the making of the Neighbourhood Plan does not breach, and is otherwise compatible with, EU obligations; and
- 5) prescribed conditions are met in relation to the Neighbourhood Plan and prescribed matters have been complied with in connection with proposals within the Neighbourhood Plan.

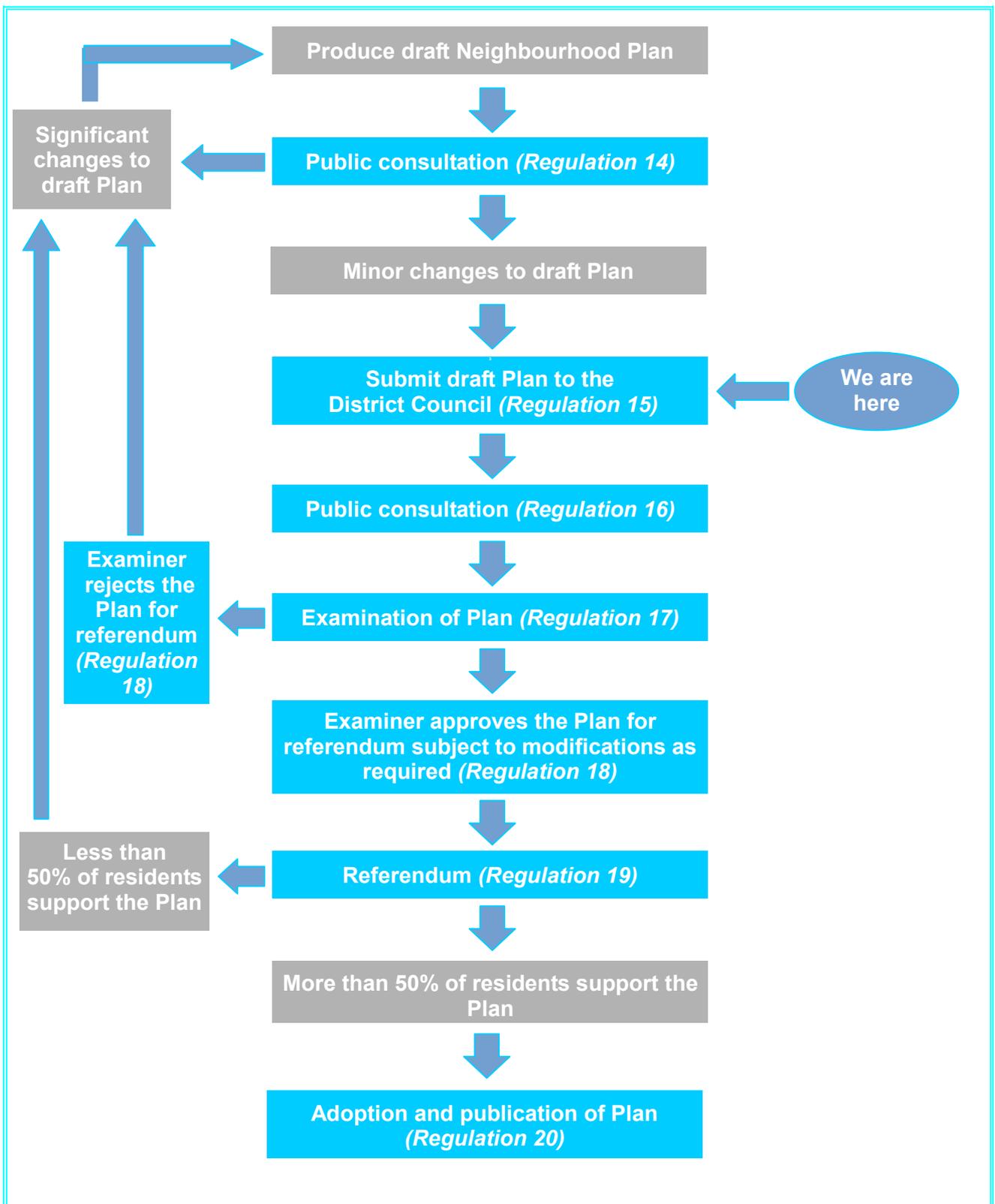
The Neighbourhood Planning (General) Regulations 2012 (as amended) sets out the statutory stages which must be completed in the production of a Neighbourhood Plan. Figure 1 presents this process, and identifies which stage we are currently at in the production of the BPNP.

1 The Community Infrastructure Levy (CIL) was introduced by the Planning Act 2008 and came into effect in April 2010. It is a levy which can be charged on new development in an area to contribute towards infrastructure. The local charging authority can determine the rate of the levy and how contributions are used. 15% of CIL revenue is provided to the relevant Parish Council where development takes place, 25% in areas with an adopted Neighbourhood Plan.

2 The Planning Practice Guidance (PPG) is an online portal which provides guidance on implementing aims and objectives of the NPPF. The PPG provides specific guidance on a range of planning related topics.

3 See paragraph 65 of the PPG.

Figure 1: Guide to producing a Neighbourhood Plan (To be updated)



1.2 Why does Bradwell with Pattiswick Parish need a Neighbourhood Plan?

Neighbourhood Plans give local communities direct power to guide and shape the future of their Parish. The production of a Neighbourhood Plan provides us with the opportunity to establish objectives and requirements to guide and manage future development proposals in the Parish in order to ensure that local needs are met, but also to ensure that the valued characteristics of the Parish can be maintained and protected for future generations.

There are a number of small and large development proposals in the pipeline which could potentially significantly impact upon the Parish and wider area, including proposals for housing development, proposals for an Integrated Waste Management Facility on the nearby former Rivenhall Airfield, and proposed new routes for the A120. There will be important decisions being made over the coming years which will continue to have a significant impact on our Parish.

Bradwell with Pattiswick Parish provides a beautiful location to live and work, with a strong rural character, a historic landscape with many listed buildings, and countryside areas which provide excellent opportunities for recreation and habitats for wildlife. It is important that we do not take such features for granted, and ensure that they are protected now and for future generations. Although there are many positive features of living in Bradwell with Pattiswick Parish, the December 2017 Parish Survey identified that there are ways in which life within the Parish could be improved⁴.

A Neighbourhood Plan should reflect the views of people that live and work here, to guide the future of the Parish through policies within a well evidenced formally adopted Plan which has been subject to significant consultation, examination, and public referendum. Once the Plan has been 'made', any new development proposals within the Parish will need to demonstrate how the proposals conform to policies within the Bradwell with Pattiswick Parish Neighbourhood Plan (BPNP). The Neighbourhood Plan will therefore have a significant impact on decisions being made by all levels of government and associated organisations, developers, and landowners.

While a Neighbourhood Plan can provide the local community with more control over the future of our Parish, there are limitations to what the Plan can do. The Plan must not conflict with European Law, national planning policy and guidance, and the strategic policies of the Braintree District Local Plan (BDLP)⁵. The Neighbourhood Plan cannot therefore be used to prevent development being proposed within the Braintree BDLP⁶, nor can it be used as a mechanism to stop development from taking place. The Neighbourhood Plan must reflect the aims and aspirations of both national and local planning policy, and should therefore provide a basis to facilitate the right types of development, whilst protecting valuable local assets and characteristics.

Section 3 of this Plan sets out the vision for the Parish up to 2033, and outlines objectives for the Neighbourhood Plan in seeking to achieve the identified vision.

1.3 The progression of the Bradwell with Pattiswick Parish Neighbourhood Plan

In June 2016 Bradwell with Pattiswick Parish Council published the Parish Plan. The production of the Plan identified a range of issues and projects within the Parish, and also highlighted significant interest in the production of a Neighbourhood Plan. In July 2016, Bradwell with Pattiswick Parish Council submitted a request to Braintree District Council for the Parish to be designated as a Neighbourhood Area. Confirmation was later provided by Braintree District Council that the Parish

4 See section 2.3 of this Plan and the Bradwell with Pattiswick Neighbourhood Plan Consultation Statement.

5 The current BDLP or emerging draft Local Plan when adopted.

6 The current BDLP or emerging draft Local Plan when adopted.

of Bradwell with Pattiswick had been designated as a Neighbourhood Area for the purposes of producing a Neighbourhood Plan. A group of volunteers was established in conjunction with the Parish Council to oversee the production of the Plan.

In November 2015 a questionnaire was provided to every household in the Parish, which received a 44% response rate and began the initial collection of information to support the production of the Neighbourhood Plan. This was followed by a Neighbourhood Plan awareness session at the Annual Parish Meeting in May 2017.

A further questionnaire seeking residents' views on the draft planning policy direction for the Parish was circulated in November 2017, receiving a 25% response rate. The results of the survey were analysed, and research and evidence gathering was undertaken to inform the production of the Regulation 14 Draft BPNP consultation document. DAC Planning was commissioned by the Parish Council in January 2018 to provide support in producing the Regulation 14 Draft BPNP consultation document.

1.4 Regulation 14 Consultation on the Draft Bradwell with Pattiswick Parish Neighbourhood Plan

As outlined in Figure 1 above, the Neighbourhood Planning (General) Regulations 2012 (as amended) require the draft Neighbourhood Plan to be subject to public consultation (Regulation 14) before the Plan can be submitted to a local planning authority for examination (Regulation 15/16). This Plan has been subject to Regulation 14 consultation and minor amendments have been made as requested by local residents and statutory consultees.

Copies of the Regulation 14 consultation draft were distributed to every household and business in the Parish and to the list of statutory consultees provided by Braintree District Council. 63 people from 47 households responded; 94% supported every policy and all but 2 said they would vote in the referendum and everyone said they would vote for the Plan.

In accordance with Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended), the Neighbourhood Plan has now been formally submitted to Braintree District Council.

2. The Parish Today

2.1 Location and Context

The Parish of Bradwell with Pattiswick is located in the District of Braintree, Essex. Bradwell with Pattiswick Parish includes the main settlement of Bradwell, the hamlets of Pattiswick and Perry Green, and a number of isolated homes on connecting roads. Bradwell village provides the main residential area of the Parish, separated from the hamlets by predominantly open agricultural fields.

Bradwell is a dispersed village of around 200 dwellings, located on the A120 three miles east of Braintree. The majority of the village is located south of the A120, where there is a church, a village hall, allotments, an orchard of heritage fruit trees, and a playing field with a children's play area and an outdoor gym. The Spicy Swan restaurant and BP petrol station with associated convenience shop and cash point are located within the village on the A120.

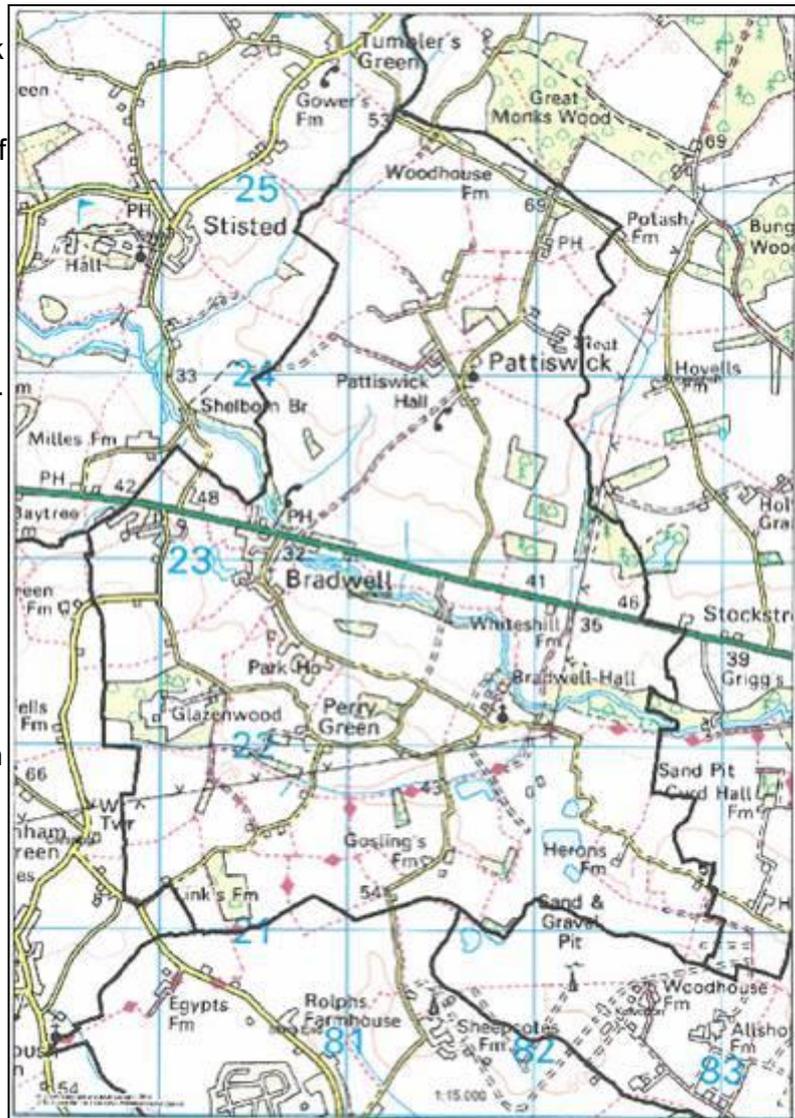
Pattiswick is located north of Bradwell and the A120, and contains a small number of dispersed houses separated by large agricultural fields. Pattiswick also contains St Mary's Church (now a private residence) and the Compasses public house.

South of Bradwell is the hamlet of Perry Green, containing a small collection of houses and farm buildings. Other facilities in or close to the Parish include the Dolphin public house, Bradwell Pit, and companies which provide services such as printing, conservatory manufacture, motorcycle clothing accessories, health therapy, dress-making and dog-training. The largest employer in the Parish is Blackwater Aggregates, with around 50 employees.

South of Perry Green is the Essex Way footpath. Regular bus services are available from Bradwell on the A120 going to Braintree, Coggeshall, Colchester and Chelmsford via Broomfield Hospital. The nearest train stations are located south west of the Parish at Cressing and Braintree Freeport on the Braintree Branch Line. The closest mainline stations are located south of the Parish at Kelvedon (but the road access is poor) and Witham. The most directly linked station by passenger transport is Braintree.

Just outside the Parish at Silver End / Rivenhall Airfield there are proposals for a new recycling

Figure 2: Map of Bradwell with Pattiswick Parish⁷



⁷ Source: Bradwell with Pattiswick Parish Council website

centre and incineration plant, including an anaerobic digestion plant treating mixed organic waste and producing biogas generated electricity.

Figure 3: Map of the surrounding area⁸

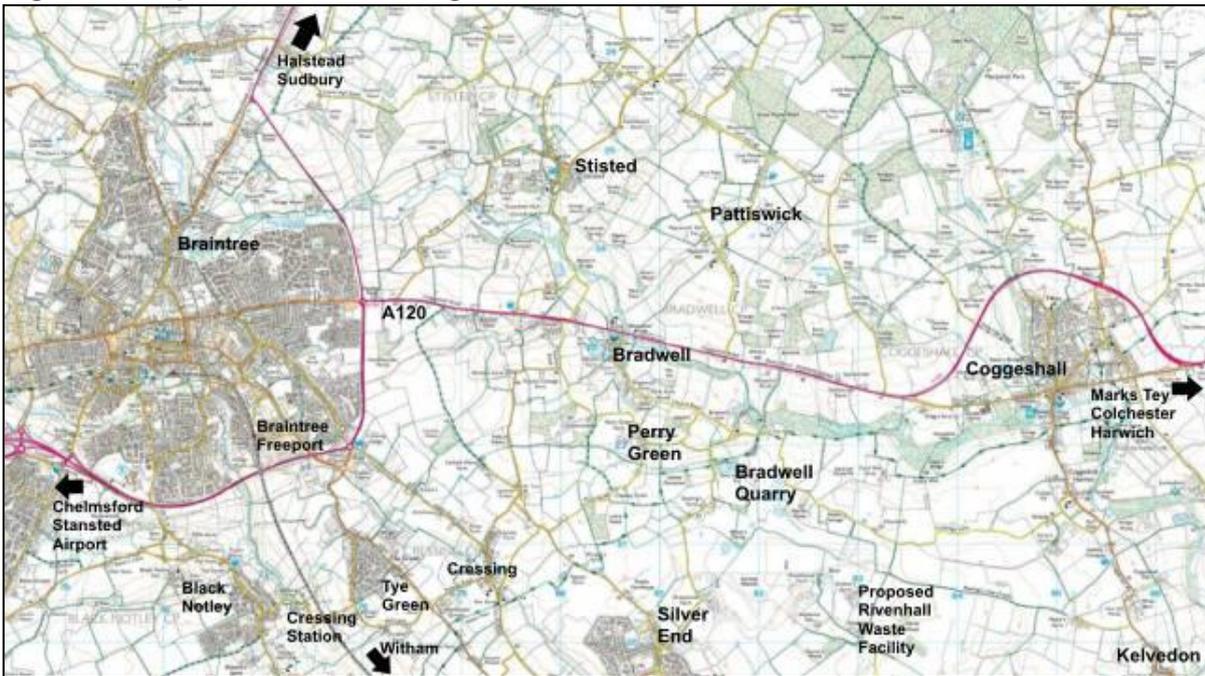
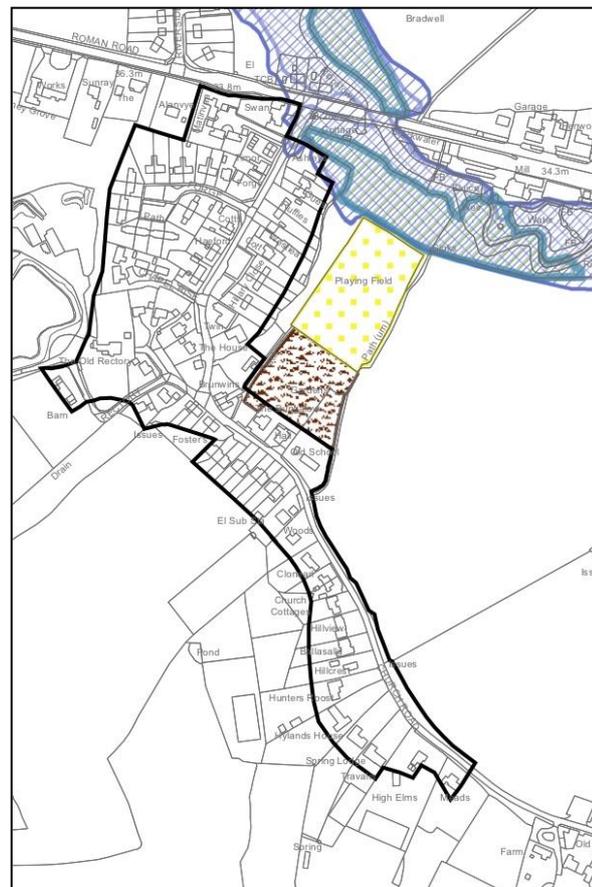


Figure 4: Bradwell village settlement boundary⁹

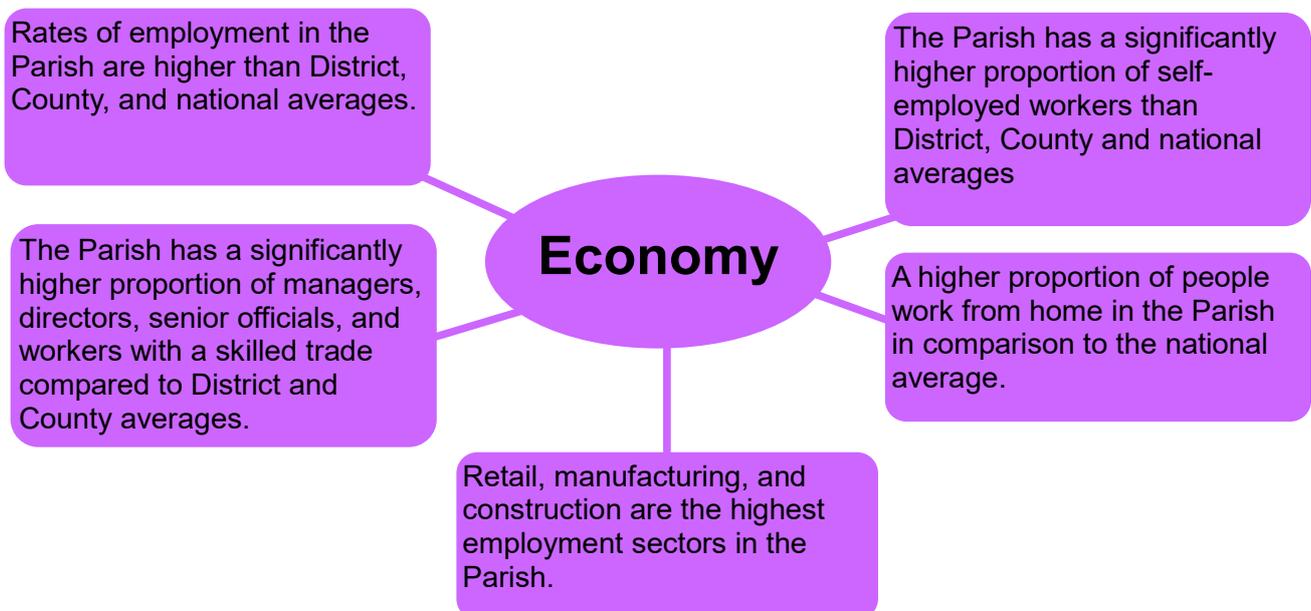
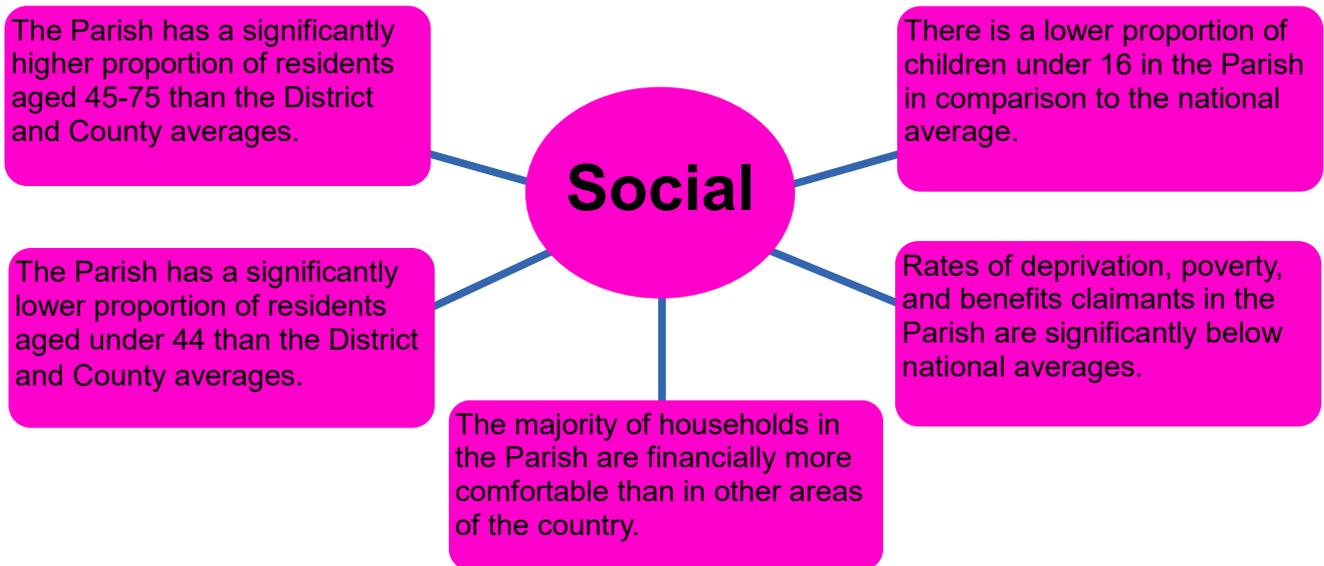


8 Source: Ordnance Survey

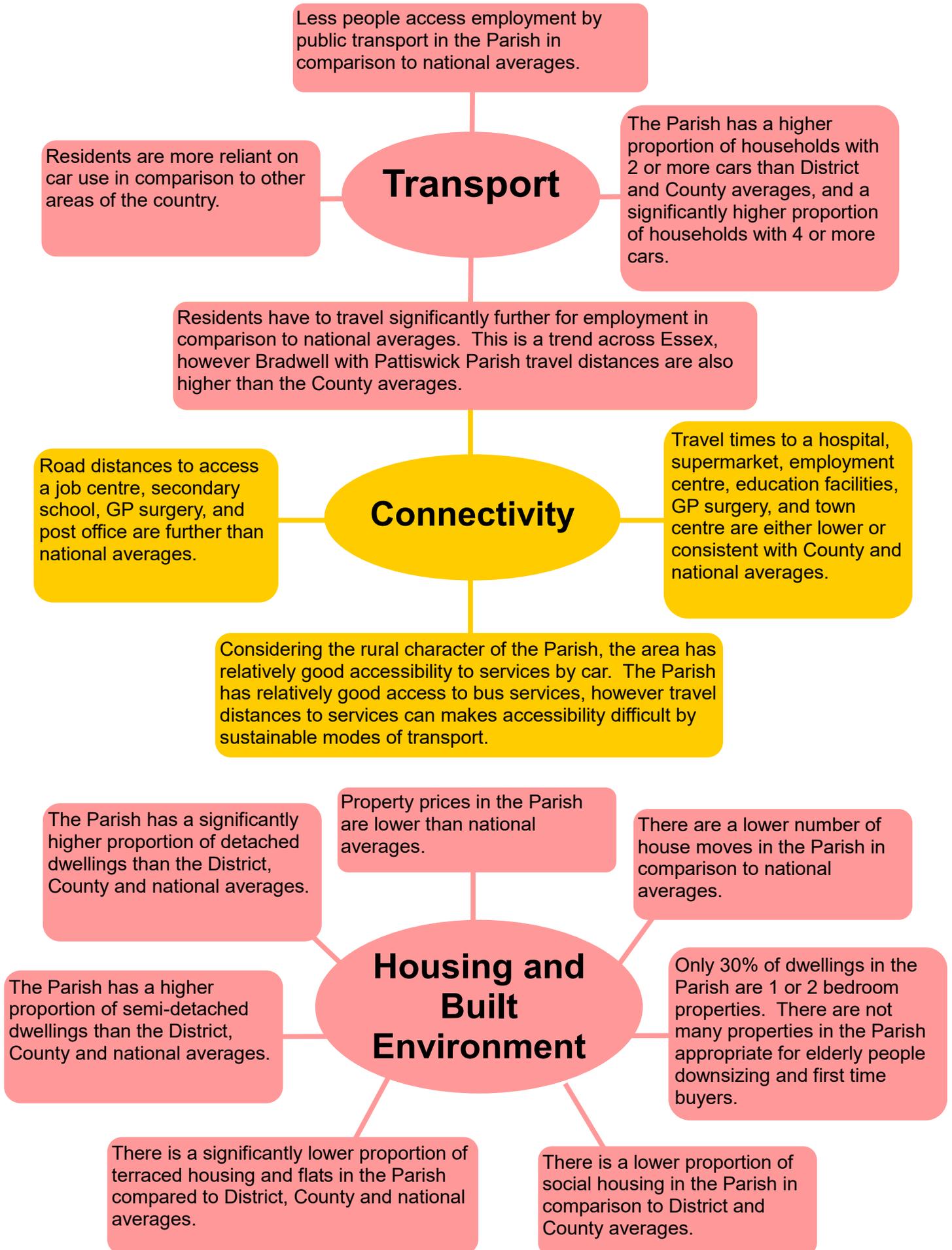
9 Source: Braintree District Council, Publication Draft Braintree District Local Plan

2.2 Key Characteristics of Bradwell with Pattiswick Parish

The Rural Community Profile for Bradwell with Pattiswick Parish¹⁰ (Rural Community Council for Essex, 2013) and Annex 1 of the Parish Plan (BPPC, 2016) summarise key statistics on Bradwell with Pattiswick Parish. Conclusions drawn from these statistics have been considered in the formulation of objectives and policies for the Neighbourhood Plan. The following diagrams present the key statistics and conclusions which have been reached following an assessment of all statistical data available within the Neighbourhood Plan evidence base.



¹⁰ See the Neighbourhood Plan evidence base, available on the Bradwell with Pattiswick Parish Council website



2.3 Key issues for the future of the Parish

The Parish Council undertook Parish wide consultations in 2015 and 2017. In both consultations, a questionnaire was provided to every household in the Parish, seeking views on a range of topics to inform the planning policy direction of the Neighbourhood Plan. The 2015 survey received a 44% response rate, and the 2017 survey received a 25% response rate from residents¹¹.

The Bradwell with Pattiswick Parish Neighbourhood Plan Consultation Statement¹² provides a comprehensive summary of the results of the questionnaire, which identified the following key conclusions:

Table 1: Summary of 2015 and 2017 consultation responses

| Positive features of the Parish |
|---|
| <ul style="list-style-type: none"> • The Parish has a sufficient quantity of open space • The Parish has adequate well-signed public footpaths • There is a broad mix of housing in the Parish • There are sufficient employment opportunities in the Parish and the surrounding area • The Parish has a good sense of community • Quiet rural character of Bradwell village |
| Proposed improvements to the Parish |
| <ul style="list-style-type: none"> • The Parish needs more leisure facilities • Overhead cables have a detrimental impact on Bradwell village and the surrounding landscape • On-street parking on The Street and Forge Crescent in Bradwell villages makes access difficult. Area needs more off-street parking • Improved pavements in Bradwell village • The safety of pedestrians within Bradwell village, particularly in the area where The Street meets Church Road • The speed of traffic travelling through Bradwell village • Need for properties appropriate for young people to rent or buy • Need for properties appropriate for older residents to downsize |
| Proposed Neighbourhood Plan policy recommendations |
| <ul style="list-style-type: none"> • Small scale employment use appropriate to a rural area should be encouraged • Restrictions of HGV movements in The Street • Road safety improvements such as 20mph speed limit and speed checks • No large scale housing development in order to protect the character of the Parish • Limited small scale housing development would be appropriate • Any new housing should consist owner occupied starter homes and family homes. Flats, apartments, and terraced housing is not preferred in the Parish • Any development must reflect and complement the rural character and heritage of the area and meet the needs of local people • New developments should respect the design, layout, and character of existing development in the Parish • The settlement boundaries should remain consistent with the emerging Braintree District Local Plan |

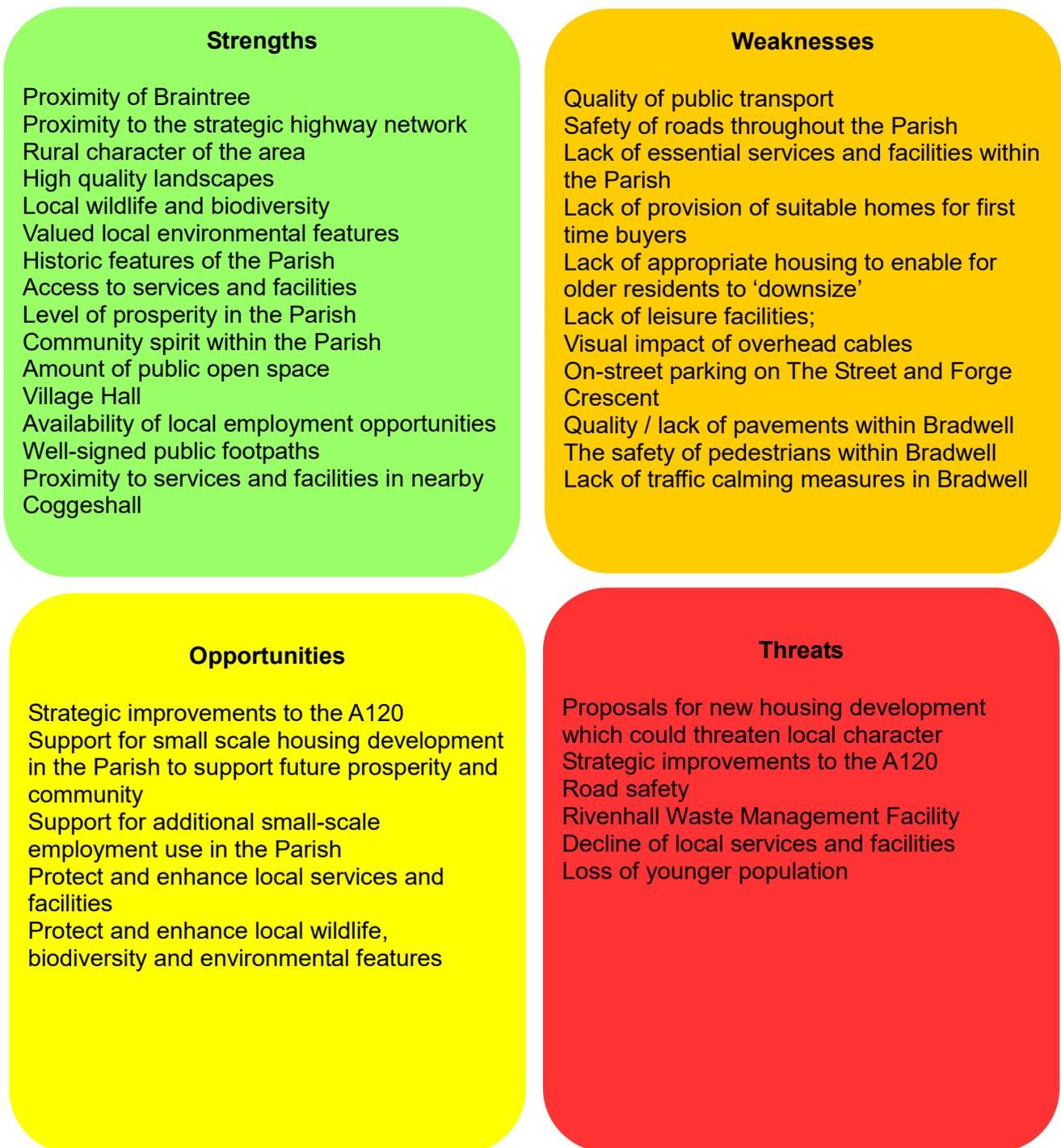
¹¹ Based on the number of households identified in the 2011 census.

¹² Available in the Neighbourhood Plan evidence base on the Parish Council website.

- Individual small-scale developments may be permitted outside the settlement boundaries where appropriate to meet local needs
- Protect the village centre
- New development should not result in any detrimental impact on local highway safety, and where possible improve highway safety within the Parish
- Encourage small scale employment use appropriate to a rural area, provide that it does not impact on the character of the area or the amenity of residents.

2.4 Bradwell with Pattiswick Parish Strengths, Weaknesses, Opportunities, and Threats (SWOT) Analysis

Figure 5: Bradwell with Pattiswick Parish SWOT Analysis





2.5 Local Planning Context

Braintree District Council (BDC) currently has an adopted Local Plan Review published in 2005, and a Core Strategy published in 2011. These two documents form the Development Plan for the District, and together with other material considerations (including national planning policy) guide development proposals. BDC is updating these documents through the emerging Braintree District Local Plan (BDLP), which when adopted, will comprise the new Development Plan for the District including strategic policies, development management policies, and site allocations. The production of the BDLP has included an Issues and Scoping consultation in 2015, and formal Regulation 18 consultation on the Draft BDLP in summer 2016. The Publication Draft (Regulation 19) BDLP was published for consultation in summer 2017, and was submitted to the Secretary of State for independent examination in October 2017.

The BDLP includes Strategic Section 1, which is shared by all three North Essex local authority areas of Braintree, Colchester, and Tendring. The section 1 includes policies on strategic cross boundary issues including infrastructure and housing numbers and includes proposals for three new Garden Communities¹³. The Garden Communities are intended to provide a large proportion of housing growth included within the BDLP. Section 1 of the BDLP was subject to a joint examination with Colchester and Tendring which was undertaken in January 2018. The remainder of the examination into the other sections and policies of the BDLP will take place in due course.

In order to meet the 'basic conditions' this draft Neighbourhood Plan has been produced having close regard to the existing policies in the Development Plan, national planning policy, and particularly the policies contained within the BDLP. Relevant BDLP policies are referenced in section 4 below to demonstrate linkages between the draft Neighbourhood Plan policies, and those included within the BDLP.

¹³ https://www.braintree.gov.uk/info/200230/planning_policy/1081/north_essex_garden_communities

Essex County Council is the Waste Planning Authority (WPA) for the Plan area and is responsible for preparing planning policies and assessing applications for waste management development. The Essex and Southend-on-Sea Waste Local Plan (WLP) was adopted in July 2017 forming part of the statutory Development Plan and should be read alongside the Braintree Local Plan. The WLP covers the period from 2017 to 2032. It sets out where and how waste management developments can occur and contains the policies against which waste management planning applications are assessed.

Essex County Council is the Minerals Planning Authority for the Plan area and is responsible for preparing planning policies and assessing applications for mineral development. The Essex Minerals Local Plan 2014 (EMLP) forms part of the statutory Development Plan and should be read alongside the Braintree Local Plan. Active and unworked sand and gravel deposits are subject to a Minerals Safeguarding policy, which seeks to prevent deposits being sterilised by on mineral development. Mineral Consultation Areas seek ECC to be consulted on all non-mineral related development within a distance of 250m around active quarries, mineral infrastructure and mineral deposits permitted for extraction.

3. The Future of the Parish

3.1 Vision

With support from the Rural Community Council for Essex (RCCE), the Parish Council has identified a vision for the future of the Parish to guide the aims and aspirations of the Neighbourhood Plan.

Vision for Bradwell with Pattiswick Parish

Our vision for Bradwell with Pattiswick Parish is to continue to thrive, meeting the changing needs of the community whilst preserving the distinctive character, landscape and setting of this Parish which has evolved over twelve centuries of history.

3.2 Objectives

To achieve the vision for Bradwell with Pattiswick Parish, the Parish Council has identified the following objectives set out within 8 topic areas.

Environment

To maintain the natural environment and rural tranquillity of the Parish
To enhance the biodiversity of the Parish
To conserve the valued rural landscape of the Parish

Community facilities and public open space

To support a cohesive, supportive community
To retain and encourage the use of facilities for outdoor recreation
To provide leisure facilities to meet the needs of all residents
To protect locally important areas of open space and community facilities

Heritage

To conserve and promote the heritage of the Parish

Drainage

To seek improvements to watercourses which will minimise flood risk and damage to property
To document local watercourses in co-operation with Essex County Council by 2019

Housing

To support small scale housing proposals which meet local needs
To encourage the provision of owner-occupied housing
To provide housing which meets the changing needs of the Parish
To ensure that housing is designed to high standards
To support housing which respects and enhances the Parish's heritage and character
To support proposals which strengthen and support the hamlets

Local economy

To support and encourage small scale employment uses appropriate to a rural area
To encourage new business opportunities for local people

Transport

To improve road safety by creating a safe road network, which is fit for purpose
To maintain an excellent network of public footpaths and public rights of way (including byways and bridleways)
To improve off-road parking facilities in The Street and Forge Crescent
To improve the provision of community and public transport within the Parish

Design

To ensure high standards of design within new development
To support design which respects and enhances the Parish's heritage and character

4. Neighbourhood Plan Policies

This section introduces in detail the 8 topic areas identified within section 3, and outlines policies which will seek to deliver the Neighbourhood Plan objectives.

4.1 Environment

Objectives

To maintain the natural environment and rural tranquillity of the Parish
To enhance the biodiversity of the Parish
To conserve the valued rural landscape of the Parish

Context

Bradwell with Pattiswick Parish has a strong rural character, with the main village of Bradwell surrounded by small dispersed hamlets and open countryside. There are four Local Wildlife Sites in the Parish:

- Bra146 Links Wood containing Pedunculate Oak, Hornbeam, Ash and Sweet Chestnut;
- Bra157 Park House Meadow which is a small well drained meadow;
- Bra158 Blackwater Plantation West which provides an important riverside wildlife corridor, providing an interesting mix of woodland, tall herb marsh and riverine habitats; and
- Bra186 Blackwater Plantation where the extensive White Willow plantation forms an important wildlife corridor along the Blackwater valley and comprises a variety of valuable of habitats.

There are two areas of Common Land:

- South of Holy Trinity Church; and
- East of Bradwell village.

These assets, together with other locally identified assets requiring protecting, are illustrated in Figure 6 below.

The land includes areas of dense vegetation which provides good habitats for flora and fauna. There are pockets of woodland throughout the Parish, interspersed between large agricultural fields. Countryside areas of the Parish are predominantly arable land, with field margins and hedgerows providing a habitat to a wide range of flora and fauna.

Bradwell with Pattiswick Parish is located on the course of the River Blackwater as it runs south east towards Coggeshall. The Parish area includes predominantly grade 2 agricultural land, with grade 3 agricultural land running through the centre of the Parish either side of the River Blackwater (see Figure 6)¹⁴.

The Braintree District Landscape Character Assessment¹⁵ provides an assessment of the landscape character of the entire District, and identifies two distinct landscape character areas within Bradwell with Pattiswick Parish (see Figure 6): the Blackwater River Valley; and the Silver End Farmland Plateau. The Braintree District Landscape Character Assessment identifies the following features which define the two landscape character areas:

14 www.data.gov.uk

15 CBA, Sept 2006

Blackwater River Valley:

- Shallow valley, with gently sloping sides;
- Predominantly arable farmland with some pastoral on the valley floor;
- Strong sense of place and tranquillity;
- Extensive linear poplar and willow plantations along the river banks;
- Well vegetated former sand and gravel pits also containing poplar and willow plantations;
- Good tree cover and enclosure;
- Hedgerows delineate field boundaries, with scattered hedgerow trees; and
- Settlements are well screened by deciduous trees;

Silver End Farmland Plateau:

- Rural gently undulating farmland landscape;
- Irregular medium to large predominantly arable fields;
- Hedges and hedgerow trees forming field boundaries;
- Generally open area allowing long-distance views;
- Plantations of small woodlands, which define the edges to fields in open farmland areas; and
- Dispersed settlement pattern characterised by small isolated farmsteads and villages.

Key relevant policies in the emerging BDLP include:

- Policy LPP 67 - Natural Environment and Green Infrastructure;
- Policy LPP 68 - Protected Species, Priority Species and Priority Habitats;
- Policy LPP 69 - Tree Protection;
- Policy LPP 70 - Protection, Enhancement, Management and Monitoring of Biodiversity; and
- Policy LPP 71 - Landscape Character and Features.

Policy 1: Protecting and Enhancing the Natural Environment and Green Infrastructure

As a rural area containing varied landscapes, open countryside, agricultural land, trees and dense hedgerows, Bradwell with Pattiswick Parish has an environment which provides prime habitats for flora and fauna. Many species within the Parish depend on the natural environment to survive. Where the built environment is expanding, and where humans continue to have a significant impact upon the ability of wildlife to survive near towns and villages, we have a responsibility to current and future generations to protect and seek opportunities to enhance biodiversity within our natural environment.

The Neighbourhood Plan seeks to protect the natural environment from the impact of human activity, particularly related to new development in the countryside. The Plan seeks to protect and enhance all features of the natural environment, including biodiversity, flora and fauna, local wildlife and their habitats, and key local environmental features. Where development proposals are likely to impact upon the natural environment, they will be required to clearly demonstrate how the benefits arising from the development will outweigh the negative impacts. Such benefits could include access to the countryside for recreation, creation of wildlife corridors, overall long-term net biodiversity gains, and the achievement of other objectives set out in this Plan.

Development proposals which will have an impact on the natural environment will be required to clearly demonstrate the potential impacts of development, preferably through an ecological assessment. Where mitigation measures are required to support new development, the Parish may consider a 'like for like' replacement, relocation and / or compensation towards the loss of habitats where it can be demonstrated that such measures will result in a net biodiversity gain for the area, and improvements to habitats in relation to quantity, quality, and connectivity. Any compensatory habitat created should be delivered as close as possible to the development site, and should be ecologically functional in advance of any loss.

Policy 1: Protecting and Enhancing the Natural Environment and Green Infrastructure

- a) Development proposals must **should** protect, and where possible, enhance the natural environment. All proposals should seek to deliver net biodiversity gain, in addition to protecting existing habitats and species. Any proposals which negatively affect, or have the potential to negatively affect, the natural environment must **should** demonstrate that any negative impacts on biodiversity, including flora and fauna, and local wildlife (including wildlife habitats), will be adequately mitigated.
- b) Proposals will be encouraged that seek to enhance the green infrastructure of the parish by:
- Protecting and enhancing designated green spaces and/or creating new green/open spaces where appropriate;
 - Improving the connectivity between wildlife areas and green spaces through green corridors and/or improvements to the Public Rights of Way and cycle, **bridleway** and footpath networks;
 - Enhancing the visual characteristics and biodiversity of green spaces in close proximity to the development;
 - Ensuring that landscape schemes, layouts, access and public open space provision and other amenity requirements contribute to the connectivity, maintenance and improvement of the green infrastructure network;
 - Incorporating the principles of Sustainable Urban Drainage (SUDs) where appropriate, which will enhance biodiversity and ecosystems; and / or
 - Incorporating the multi-functional use of local green spaces where appropriate as part of the **Green Infrastructure** network.
- c) ~~The Plan seeks to protect and enhance~~ **Development proposals should protect and where possible enhance** the following natural environment features within the Parish, identified within Figure 6 ~~above~~:
- Links Wood (Bra146);
 - Park House Meadow (Bra157);
 - Blackwater Plantation West (Bra158);
 - Blackwater Plantation (Bra186)
 - The Mill Pond;
 - Common land south of Holy Trinity Church;
 - Common land east of Bradwell village;
 - Bushy Warren (ref W5);
 - Captain's Wood (ref W3);
 - Orange Wood (ref W2);
 - Century Piece (ref W1);
 - Artigore (ref W6);
 - Cock Pheasant Spinney (ref W7);
 - Bankfield (ref W4);
 - The Street, Bradwell, Priority Habitat; and
 - Rectory Meadow, Priority Habitat.
- d) Development proposals which are likely to have a negative impact upon these features ~~will only be permitted~~ **should demonstrate that** where the benefits of development clearly outweigh any negative impacts to the nature conservation value of the feature, or to its contribution to wider biodiversity objectives.

Policy 2: Protection of Special and Sensitive Landscapes

The BDC Landscape Character Assessment summarised above has identified two landscape character areas within the Parish: the Blackwater River Valley; and the Silver End Farmland Plateau (see Figure 6). The landscape within these areas forms an important part of the rural character and appearance of the Parish. To maintain the special landscape character of the area it is vital that the Neighbourhood Plan seeks to protect the important features which form these landscape character areas.

Policy 2: Protection of Special and Sensitive Landscapes

Development proposals within the Blackwater River Valley ~~and~~ or the Silver End Farmland Plateau Landscape Character Areas identified within Figure 6 ~~must~~ should demonstrate that the proposal will:

- i. protect and enhance the special features and the overall character of the Landscape Character Area;
- ii. protect and where possible improve access to open countryside within the Landscape Character Area for recreation; and
- iii. ~~protect and enhance the biodiversity of the natural environment within the Landscape Character Area.~~

Relevant Evidence Base Documents

Braintree District Local Plan Publication Draft (Braintree District Council, June 2017)

The Braintree District Landscape Character Assessment (CBA, September 2006)



Pond on Common Land south of Holy Trinity Church

4.2 Community Facilities and Public Open Space

Objectives

- To support a cohesive, supportive community***
- To retain and encourage the use of facilities for outdoor recreation***
- To provide leisure facilities to meet the needs of all residents***
- To protect locally important areas of open space and community facilities***

Context

Bradwell village includes a village hall on Church Road, and to the rear allotments, a playing field, a community orchard, children's play area, and an outdoor gym. These areas can be accessed from Church Road, The Street, and Coggeshall Road, and provide an important area for recreation, sports, and community events for the benefit of the whole Parish.

The allotments were extended in 2009, and the current provision is meeting local demand. The Village Orchard was completed in 2017, and contains sixteen Essex Heritage pear and apple trees. The children's play area was installed in 2006, and an outdoor gym, table tennis table, and further children's play equipment was added in 2017.

As outlined in section 4.1, there are two areas of Common Land in the Parish (see Figure 6). Common Land is often open for public access, however these areas are physically separate from the village, and are in parts overgrown, and in other areas used for agriculture. Although these areas are recognised as community assets particularly for the benefit of flora and fauna, they are not considered to be usable areas of public open space.

Key relevant policies in the emerging BDLP include:

- Policy LPP 53 – Provision for Open Space, Sport and Recreation;
- Policy LPP 65 – Local Community Services and Facilities; and
- Policy LPP 82 – Infrastructure Delivery and Mitigation.

Policy 3: Protecting and Enhancing Community Facilities and Public Open Space

Surveys undertaken by the Parish Council¹⁷ have identified a need for more leisure facilities within the Parish. Due to poor public transport links and the travel distance to access facilities outside of the Parish, it is likely that many residents are unable to easily access a range of leisure activities which meet their needs.

~~The emerging BDLP sets out District wide standards and guidance for developer contributions, however this does not take into consideration the specific needs and aspirations of residents of Bradwell and Pattiswick Parish. The Parish Council will seek opportunities to improve existing community facilities and areas of public open space, and seek new leisure facilities, either as part of new development proposals in the area, or through associated developer contributions in accordance with the requirements of the CIL Regulations.~~

~~Essex County Council assesses the need for early years and childcare provision against the wider~~

¹⁷ For further details see section 2.3 of this Plan and the Bradwell with Pattiswick Parish Neighbourhood Plan Consultation Statement

~~ward area which includes Coggeshall. The Neighbourhood Plan seeks to secure future provision of new facilities at Bradwell Village Hall which will be more easily accessible to residents of the Parish.~~

For the purposes of policy 3 public open space is defined in the Braintree District Council open Spaec Study 2016-2033 and community facilities are as defined in the National Planning Policy Framework (2018) paragraph 92 a).

Policy 3: Protecting and Enhancing Community Facilities and Public Open Space

~~Development proposals will be required to contribute towards the provision of facilities within the Parish which specifically address the needs and aspirations of local residents, in accordance with the requirements of the CIL Regulations¹⁸. Developer contributions will be sought towards a range of specific projects which address local needs, including:~~

- Enhancements and upgrades to the playing fields in Bradwell village to ensure that the needs of local sports teams can be accommodated in the future;
- Contributions to the establishment of an early years and childcare facility to be located within Bradwell Village Hall to accommodate future needs for the Parish; and
- Contributions to primary school provision in the locality at Stisted and / or Coggeshall to meet the future needs of the Parish in line with the 'Essex County Council Developers' Guide to Infrastructure Contributions'.

~~Development proposals which would result in the net loss of existing community facilities or public open space will not be supported unless the development proposal provides demonstrable should demonstrate benefits which outweigh the harm created by the loss.~~



Community event at Bradwell village playing fields

18 ~~Or future national policy, regulations, and guidance which replaces the CIL Regulations~~

Policy 4: Protecting Village Facilities

The playing fields at Bradwell village are an essential community facility, providing the only significant area of public open space in the Parish where sports and community events can take place alongside children's and young adult play facilities, as well as an outdoor gym. The allotments and Village Orchard are located next to the playing field and provide an alternative community facility which offer a socially inclusive, healthy and popular activity for local residents. The land has been in community use since the Victorian period and remains an essential recreational area for residents of all ages throughout the Parish. The playing fields, allotments, and Village Orchard are physically and socially at the centre of Bradwell village and the Parish, and have significant recreational value for the local community. These are therefore considered appropriately important as a community asset to warrant designation as a Local Green Space.

Similarly, Bradwell Village Hall provides a vital meeting place for social clubs and activities in the Parish. It is the only facility of its type in the Parish and is therefore of significant importance to local residents. The Parish Council therefore intend to nominate Bradwell Village Hall as an Asset of Community Value, to ensure that the facility can remain available for community uses for generations to come. The production of an application to seek designation as an Asset of Community Value is therefore included within the Neighbourhood Plan Action Plan in Table 3 below.

| Policy 4: <u>Local Green Space</u> Protecting Village Facilities |
|---|
| <p>Bradwell Village Playing Fields, Allotments, and Village Orchard (identified on the proposals map as LGS1) <u>identified in Figure XX</u> is designated as a Local Green Space <u>where inappropriate development should not be approved except in very special circumstances</u>.</p> <p>The Local Green Space will be protected for community uses. Any development proposals which result in a loss of all or part of a designated Local Green Space is required to demonstrate that:</p> <ul style="list-style-type: none">i. The site is no longer required for community uses; orii. An alternative site or facility is provided prior to the loss of the existing Local Green Space, in close proximity to the existing area which provides as a minimum the equivalent facilities and amenity for the public; oriii. The development of the site will provide significant public benefit which outweighs any detrimental impact of the loss of the Local Green Space. |

Relevant Evidence Base Documents

- Braintree Open Space, Sports and Recreational Facilities Study (BDC, 2016)
- Braintree Open Space Study (BDC, 2016)
- Open Spaces Action Plan (BDC, 2017)



Bradwell village playing fields



Bradwell Village Orchard

4.3 Heritage

Objectives

To conserve and promote the heritage of the Parish

Context

There is evidence of a settlement in Bradwell during the late Mesolithic period. There are crop marks and funerary remains suggesting a Bronze Age settlement, and excavations in the 1970s uncovered a large Iron Age ditch. There is little evidence of a Roman settlement in the area. Scattered remains in a field east of Holy Trinity Church suggest a Roman period farmstead. The A120 is however a Roman road known as Stane Street, running from Colchester to St Albans.

The name of Bradwell derives from Old English meaning broad well. There remains a spring a few metres north of the modern manor house of Bradwell Hall near Holy Trinity Church. In the Middle Ages the spring fed an overshot mill. The remains of the last mill on the site can still be seen in the overgrown surroundings of the millpond.

There are 25 Grade II listed ~~dwellings~~ **buildings** in the Parish. In addition, the Parish Church of the Holy Trinity in Bradwell village is Grade I listed and St Mary's Church (now a private residence) in Pattiswick is Grade II* listed.

Key relevant policies in the emerging BDLP include:

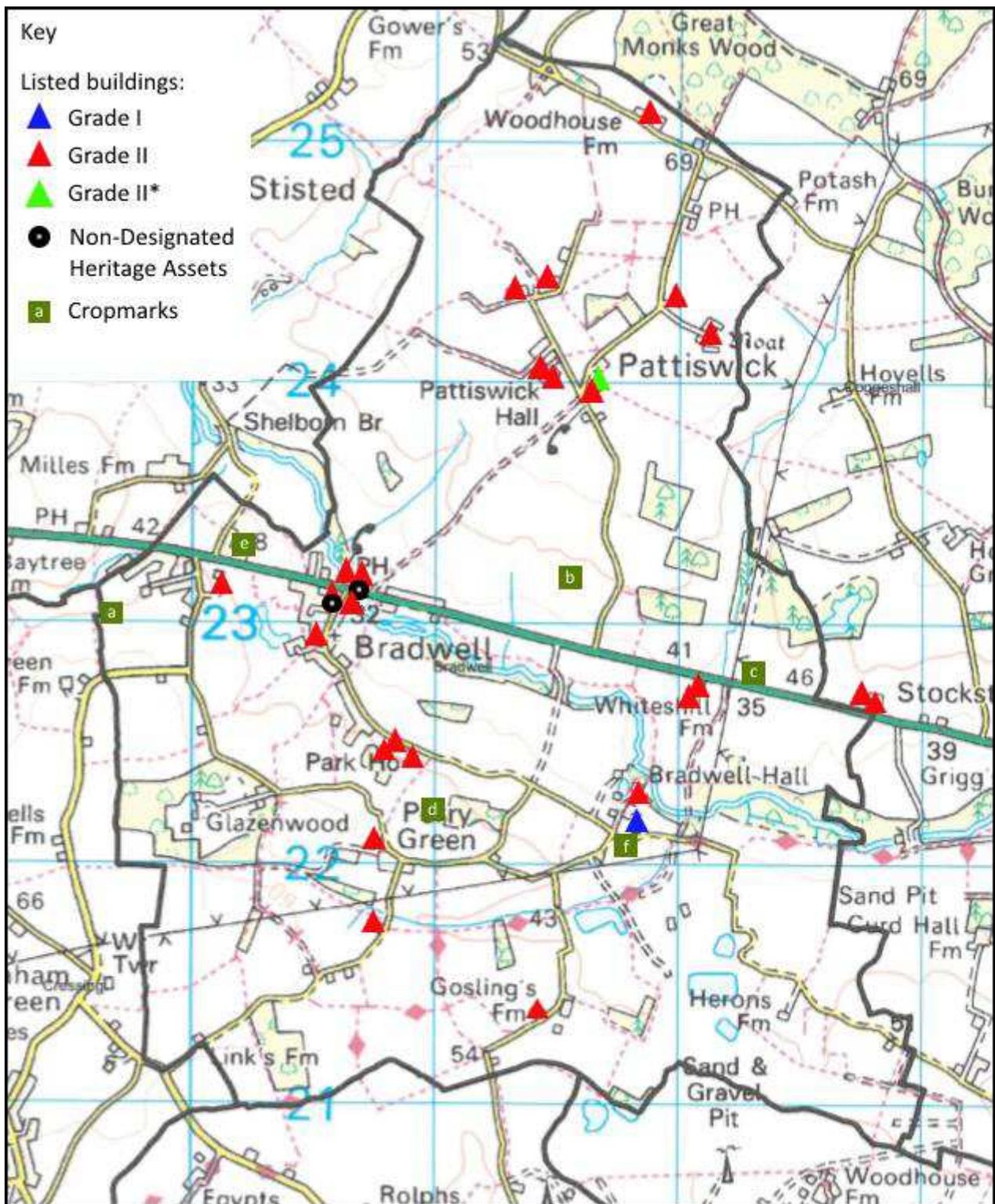
- Policy LPP 60 – 61 - Heritage Assets;
- Policy LPP 62 – Enabling Development; and
- Policy LPP 63 – Archaeology.

Policy 5: Protecting and Enhancing the Historic Environment

Bradwell with Pattiswick Parish has a number of heritage assets identified within Figure 7 which should be protected, and where appropriate enhanced, for the enjoyment of current and future generations. In addition to existing 'designated' heritage assets, the Parish Council has identified the following 'non-designated' heritage assets which are of significant local importance and require ongoing protection and enhancement:

- Blackwater Bridge;
- Cropmarks;
 - a. Baytree Farm and Withies Farm;
 - b. Cropmarks South of Pattiswick;
 - c. Cropmarks ~~North-East~~ **South** of Whiteshill Farm;
 - d. Cropmarks at Perry Green;
 - e. Cropmarks North-East of Bridge Hall; and
 - f. Cropmarks North-East of Bradwell Hall.

Figure 7: Bradwell with Pattiswick Parish Heritage Features¹⁹



¹⁹ Base map source: Bradwell with Pattiswick Parish Council

Policy 5: Protecting and Enhancing the Historic Environment

Development proposals should protect and where appropriate enhance non-designated heritage assets, including those identified in Figure 7. Any proposal which could impact on a non-designated heritage asset should demonstrate how the significance of the asset has been acknowledged and addressed.

- a) ~~The Neighbourhood Plan will encourage the protection, and where appropriate enhancement, of heritage assets and non-designated heritage assets in the Parish (known heritage assets are identified in Figure 7 and on the Proposals Map), including archaeological sites and listed buildings. Development proposals which may have an impact on heritage assets (both designated and non-designated) or their setting will only be supported where it can be demonstrated that:~~
- ~~i. There is no detrimental impact on the character, appearance, setting, structural stability, and historic features of the heritage asset;~~
 - ~~ii. The proposals enhance the character, appearance, setting, structural stability, and historic features of the heritage asset;~~
 - ~~iii. There is no loss of elements which contribute to the setting of the heritage asset from the surrounding area;~~
 - ~~iv. There would not be a significant increase in the use of the heritage asset which would be detrimental to its character, appearance, setting, structural stability, and historic features;~~
 - ~~v. The benefits of the proposed development would outweigh any identified harm to the character, appearance, setting, and historic features of the heritage asset; and~~
 - ~~vi. Building materials and finishes are sympathetic to the character, appearance, setting, and historic features of the heritage asset.~~
- b) ~~Any proposals for development which could impact upon a heritage asset (either designated or non-designated) within the Parish should submit a Heritage Statement in support of the application, outlining the significance of the heritage asset and how the proposed development will meet the above requirements of this policy. As a minimum, the Historic Environment Record should have been consulted and an appropriate assessment produced.~~

~~Any proposals which could impact upon important archaeological remains are required to submit the outcomes of an archaeological evaluation of the site as part of the application, providing a proportionate assessment of the character, importance and extent of the archaeological remains.~~

Relevant Evidence Base Documents

Bradwell History, Bradwell with Pattiswick Parish Council, 2017

Braintree District Local Plan Publication Draft (Braintree District Council, June 2017)

[Essex Historic Environment Record www.heritagegateway.org.uk](http://www.heritagegateway.org.uk)



Grade I listed Holy Trinity Church, Bradwell village



Perry Green

4.4 Drainage and Flood Management

Objectives

To seek improvements to watercourses which will minimise flood risk and damage to property

To document local watercourses in co-operation with Essex County Council by 2019

Context

The River Blackwater and its surrounding floodplain runs through Bradwell village and the centre of the Parish. Other areas of the Parish are susceptible to surface water flooding when pipes, ditches and culverts become blocked. The following areas at risk have been identified within Bradwell village:

- Fields to the south of Rectory Meadow and Church Road;
- The outflow from a spring and fishing lake near Rectory Meadow which feeds into a series of ditches around Rectory Meadow, under Church Road, and into a ditch which runs along the back of housing on the eastern side of The Street, or alternatively into a ditch in Chapel Rise and then on to a drain on the western side of The Street; and
- Outflow from fields to the south of Church Road which connects to a footpath between Cashel and 1 Church Road, and then runs under Church Road, into a culvert beside the Old School House, and down to the River Blackwater via a ditch which runs past the Village Orchard and playing fields.

Key relevant policies in the emerging BDLP include:

- Policy LPP 78 – Flood Risk and Surface Water Drainage



Clearing ditches within the Parish

Policy 6: Drainage and Flood Management

To ensure that the areas identified within Bradwell village, and any further areas identified through continued assessment, do not become at risk from surface water flooding, the Parish Council will work with Essex County Council and relevant landowners to ensure the appropriate maintenance of these watercourses. A greater understanding of watercourses throughout the Parish will support the future management of surface water flooding. The Parish Council is currently working with Essex County Council as the Lead Local Flood Authority to document all watercourses in the area and identify where improvements are required to reduce future flood risk. This project is called 'Where does water go'.

Policy 6: Drainage and Flood Management

Development proposals should where appropriate avoid and reduce the risk of flooding (including fluvial and surface) on site and elsewhere in the catchment, and manage water and waste water discharge.

- a) ~~To reduce the potential for flooding to occur in Bradwell with Pattiswick Parish, new development should:~~
 - i. ~~avoid and reduce the risk of flooding (including fluvial and surface) on site and elsewhere in the catchment~~
 - ii. ~~be located in areas where the use is compatible with national planning policy;~~
 - iii. ~~undertake sequential testing and a Flood Risk Assessment in Flood Zone 2 and 3 areas, in accordance with national planning policy;~~
 - iv. ~~use innovative technology, construction and design techniques to reduce the risk of flooding, mitigate any impacts of flooding, and minimise surface water run-off;~~
 - v. ~~maximise opportunities to reduce the causes and impacts of flooding through appropriate Sustainable Drainage Systems (SuDS). All SuDS proposals should be accompanied by a comprehensive management plan setting out how the SuDS features will be managed and maintained in perpetuity;~~
 - vi. ~~ensure safe access and egress for users of new developments; and~~
 - vii. ~~manage water and waste water discharges~~

- b) ~~Any development which could impact upon watercourses within the Parish should refer to the Local Flood Plan²⁰ within a development application, and clearly outline how any potential impacts of the development on local watercourses and local flood risk will be managed and mitigated to the satisfaction of the Local Lead Flood Authority.~~

Relevant Evidence Base Documents

Braintree District Local Plan Publication Draft (Braintree District Council, June 2017)

Braintree District Council Water Cycle Study (AECOM, March 2017)

20 This document is currently in production.

4.5 Housing

Objectives

- To support small scale housing proposals which meet local needs***
- To encourage the provision of owner-occupied housing***
- To provide housing which meets the changing needs of the Parish***
- To ensure that housing is designed to high standards***
- To support housing which respects and enhances the Parish's heritage and character***
- To support proposals which strengthen and support the hamlets***

Context

Housing statistics for the Parish²¹ assist in understanding the type and status of housing currently available within the area, and the potential housing needs of the Parish in the future. In comparison to national and county averages, research on the Parish's existing housing and social characteristics has identified that:

- Property prices in the Parish are lower than other similar areas.
- There are a low number of house moves in the Parish.
- There is a low proportion of social housing in the Parish.
- Dwellings in the Parish are predominantly semi-detached and detached. The Parish has a low proportion of terraced properties and flats;
- The Parish has a high proportion of people aged 45-75 years of age;
- The Parish has a high proportion of people that work from home; and
- Dwellings in the Parish are predominantly 3 or more bedroom properties. There are few 1 and 2 bedroom properties.

The public consultations undertaken in 2015 and 2017 included questions on housing needs in the area, and residents' views of the types of houses that should be provided in the Parish. The consultations identified that;

- There is considered to be a broad mix of existing housing in the Parish;
- There is a need for appropriate properties for young people to rent or buy;
- There is a need for appropriate properties for older residents to downsize;
- Large scale housing developments would not be consistent with the rural character of the area. Any new development should be of a small scale;
- Any new housing should consist of owner occupied starter homes and family homes. Flats, apartments, and terraced housing is not preferred in the Parish;
- Any development must reflect and complement the rural character and history of the area and meet the needs of local people;
- New developments should respect the design, layout, and character of existing development in the Parish; and
- The settlement boundaries should remain consistent with the emerging Braintree District Local Plan.

The public consultations identified that local residents do not consider large scale housing development to be appropriate or needed within the Parish. The BDLP will ensure that the objectively assessed housing needs for the local area will be met in full. However, it is recognised that some small scale new residential development can support the needs of the Parish and help

²¹ See Section 2.2 of this Plan and the Neighbourhood Plan evidence base available on the Parish Council website.

strengthen communities within hamlets. This proposed scale of development does not require amendments to settlement boundaries or the allocation of land for housing. This level of growth will come forward naturally over time as 'windfall' development. However, this policy will guide proposals for new housing in the area to ensure that proposals are appropriate and meet the needs and requirements of the Parish.

There is a high proportion of older residents in the Parish, many who are living in large family homes. Some older residents seek opportunities to 'downsize' to accommodation of a more appropriate size and form to meet their needs. Additional smaller properties are also required for first time buyers, where local residents have highlighted a need for starter homes. Alterations and extensions over time to the existing housing stock in the Parish has led to a reduction in the provision of two and three-bedroom properties. Additional smaller properties would therefore be beneficial to the housing stock of the area.

There is significant housing need in Braintree District, where waiting lists for social housing are increasing beyond supply. Although there is a low proportion of social housing within the Parish, this has not been identified within consultations as an essential need for the Parish at this time. However, affordable homes are required, and these should be provided in accordance with policies LPP 33 and LPP 34 of the BDLP.

Apart from one cul-de-sac west of the River Blackwater, a linear form of development follows the A120 to the edge of Bradwell village next to the BP garage. Residential development in this area is generally consistent with the rest of the village, with a mixture of detached and semi-detached low-density dwellings set back from the road and on predominantly large plots.

Key relevant policies in the emerging BDLP include:

- Policy LPP 17 – Housing Provision and Delivery;
- Policy LPP 33 – 34 – Affordable Housing;
- Policy LPP 35 – Specialist Housing; and
- Policy LPP 37 – Housing Type and Density.

Policy 7: Housing

There is a wide range of housing types throughout the Parish, however there is a need for a greater proportion of smaller dwellings and starter homes to provide a better balance of housing types which will serve the needs of both the younger and older population. New residential development in the Parish should respond positively to the design, layout, scale, character, and appearance of existing development within the vicinity of any proposal site, and the rural character of the Parish.

All residential development, extensions and conversions considered under Policy 7 shall also need to be compatible with development plan policies, including those relating to the quality of design and protection of the countryside.

Policy 7: Housing

- a) Proposals for residential development will be supported where the proposed development:
- Is located within defined settlement boundaries;
 - Includes housing types and tenures which meet the current and future housing needs of the Parish taking into account the existing housing stock. Proposals should ensure an appropriate housing mix, ~~which reflects the needs of first-time buyers and the elderly population through the provision of two and three-bedroom properties;~~
 - Contributes positively to the existing rural character and appearance of the area;
 - Reflects and responds positively to the scale, design, density and layout of existing development in the surrounding area, and ~~would~~ **will** not result in significant harm to neighbouring residential amenity;
 - ~~Would~~ **Will** not result in significant harm to heritage assets (both designated and non-designated) in the surrounding area;
 - ~~Would~~ **Will** not result in any detrimental impact on local highway safety, and where possible improves highway safety within the Parish; and
 - Protects and enhances important features of the natural environment and biodiversity of the site and its surrounds;
- b) ~~Proposals for conversions when permitted development rights do not apply, proposals for moderate extension of rural buildings for residential use and proposals for small-scale residential development which are located outside of settlement boundaries may be acceptable in exceptional circumstances where the proposal accords with Policy LPP 42 of the BDLP (where appropriate) and:~~
- ~~Is located adjacent to an existing settlement or hamlet²², but does not include linear extension of Bradwell village (along Coggleshall Road, Church Road, Rectory Meadow, Hollies Road);~~
 - ~~Accords with criterion ii. - vii. above; and~~
 - ~~Will contribute towards maintaining the future viability and sustainability of the adjacent settlement.~~

b) Development proposals for small scale residential development and extensions and conversions for residential use outside the Bradwell village settlement boundary shall be supported as an exception to planning policies where they:

- Can demonstrate a significant contribution towards maintaining the future viability and sustainability of the adjacent settlement
- Are adjacent to an existing settlement or hamlet (22); and
- Do not provide a linear extension to Bradwell village along Coggleshall Road, Church Road, Rectory Meadow or Hollies Road.

- c) ~~All residential development proposals should include a statement to demonstrate how the proposal complies with Policy 10 of the Neighbourhood Plan and is in general conformity with the design guidance within the Bradwell with Pattiswick Parish Village Design Statement.~~

²² Existing settlements and hamlets in the Parish are Perry Green, Clapdog Green, Glazenwood, the hamlets around Pattiswick Church and The Compasses, the collection of buildings at Goslings Farm, the developments in Bridge Hall Road, Hollies Road and Riverside. Please refer to the Village Design Statement.

Relevant Evidence Base Documents

Property Inventory, Bradwell with Pattiswick Parish Council, 2017

Rural Community Profile for Bradwell Parish (Rural Community Council for Essex (RCCE), October 2013)

United Kingdom Census 2011 (Office of National Statistics, July 2012)



Cottages in Church Road, Bradwell village



Tippetts Wade

4.6 Local Economy

Objectives

***To support and encourage small scale employment uses appropriate to a rural area
To encourage new business opportunities for local people***

Context

An assessment of statistical information on the Parish²³ highlighted that in comparison to national averages, Bradwell with Pattiswick Parish has a high proportion of self-employed workers and people that work from home. The Parish has a high rate of employment, with most residents working as managers, directors, and senior officials within the retail, manufacturing, and construction sectors. The Parish contains a high number of workers with a skilled trade.

Residents in the Parish travel further to access employment in comparison to national and county averages²⁴. This is linked to the Parish's good access to surrounding employment centres at Braintree, Colchester, Chelmsford, and beyond to London through the A120, A12, and rail from train stations at Kelvedon, Witham, Cressing and Braintree. Although travel distances could suggest that there may be insufficient employment opportunities within the Parish and immediate surrounding area, the results of public consultation²⁵ concluded that there are sufficient employment opportunities in the Parish.

Currently the Parish contains a range of small employers which provide services such as printing, conservatory manufacture, motorcycle clothing accessories, health therapy, dress-making and dog-training. The largest employer in the Parish is Blackwater Aggregates, with around 50 employees.

Key relevant policies in the emerging BDLP include:

- Policy LPP 8 – Rural Enterprise

Policy 8: Economy

The results of public consultation concluded that additional small-scale employment uses would be appropriate in the Parish where they relate well to the rural character of the area, and do not have a detrimental impact on the residential amenity of existing residents. The high proportion of self-employed skilled tradesman and working from home businesses in the Parish demonstrates that this is an important and successful part of the Parish economy. The Parish Council therefore seeks to support existing, and encourage new, small-scale skilled trade and home-working

23 See section 2.2 of this Plan, and the Neighbourhood Plan evidence base available on the Parish Council website.

24 See section 2.2 of this Plan, and the Neighbourhood Plan evidence base available on the Parish Council website.

25 See section 2.3 and the Bradwell with Pattiswick Neighbourhood Plan Consultation Statement

businesses in the Parish.

Policy 8: Economy

- a) ~~To enhance the local economy in an appropriate and sustainable manner,~~ Employment generating development proposals will be supported which:
- i. enable new small-scale businesses to locate within the Parish, particularly related to self-employed skilled tradesman **trades** and home-working businesses;
 - ii. protect and support existing businesses within the Parish, ~~subject to site specific circumstances and the requirements of other policies within this Plan;~~
 - iii. provide benefits to the local economy and community which outweigh any harmful impacts of the proposals;
 - iv. are located in areas which are accessible to the surrounding transport network without having a significantly detrimental impact on levels of traffic or congestion in the Parish;
 - v. will not result in a significant increase in HGV traffic on non-strategic routes within the Parish;
 - vi. will not detrimentally impact upon residential amenity, health, and quality of life of existing residents;
 - vii. contribute positively to the existing rural character and appearance of the area as described in the Village Design Statement;
 - viii. would not result in significant harm to heritage assets (designated or non-designated) in the surrounding area;
 - ix. protect and enhance important features of the natural environment and biodiversity of the site and its surrounds; and
 - x. use materials which preserve and enhance the character of the area.
- b) ~~All new development proposals should include a statement to demonstrate how the proposal complies with Policy 10 of the Neighbourhood Plan and is in general conformity with the design guidance within the Bradwell with Pattiswick Parish Village Design Statement.~~
- c) All new residential and commercial developments ~~must~~ **should be designed to** be served by a fast and reliable broadband connection to the premises. Connection should include the installation of appropriate cabling within the homes or business units as well as a fully enabled connection of the developed areas to the full main telecommunications network to provide the fastest available broadband access.

Relevant Evidence Base Documents

Rural Community Profile for Bradwell Parish (Rural Community Council for Essex (RCCE), October 2013)

United Kingdom Census 2011 (Office of National Statistics, July 2012)



The A120 within Bradwell village

4.7 Transport

Objectives

To improve road safety by creating a safe road network, which is fit for purpose
To maintain an excellent network of public footpaths and public rights of way (including byways and bridleways)
To improve off-road parking facilities in The Street and Forge Crescent
To improve the provision of community and public transport

Context

Statistical information on the Parish²⁶ has identified that in comparison to national and county averages, residents in Bradwell with Pattiswick Parish are highly reliant on car use to access employment, services and facilities, and residents have to travel further to access employment. However, in relation to journey times to access services and facilities, the Parish has relatively good accessibility to services and facilities in the surrounding area.

The A120 runs through the Parish and is the main access route for freight and passengers between east coast ports at Harwich and Felixstowe, Stansted Airport and the M11. Due to the level of international transport, the route is known as a 'Trans-European Network'. The A120 also provides an important local role as the main access route to the regional centres of Braintree and Colchester, linking surrounding rural areas to employment, services and facilities. The A120 is a dual carriageway between the M11 and Braintree, however beyond Braintree going east the A120 becomes single carriageway until it joins the A12 at Marks Tey. The A120 east of Braintree is operating beyond the capacity of the road for 5.75 hours per day, and therefore suffers from significant congestion at peak periods, poor journey time reliability, a high collision rate, and poor resilience where the route is susceptible to long delays due to slow moving vehicles, an incident, or road works on the route²⁷.

Bus route 70 stops on the A120 within the village, providing regular services to Chelmsford, Great Leighs, Braintree, Coggeshall, and Colchester. Services are frequent during peak periods, half hourly in off peak periods, and every two hours on a Sunday. Bus route 131 provides an occasional service to Stansted Airport. There is an absence of provision of any bus service for Pattiswick and Perry Green. The Essex Way footpath runs across the south of the Parish. This is a popular walking route which encourages people to visit the area. There are no train stations within the Parish, however the stations of Cressing and Braintree Freeport on the Braintree Branch Line are less than a 10 minute drive from the centre of the Parish, as is the closest mainline station south of the Parish at Kelvedon but the road access is poor.

Key relevant policies in the emerging BDLP include:

- Policy LPP 44 – Sustainable Transport;
- Policy LPP 45 – Parking Provision;
- Policy LPP 47 – Transport-Related Policy Areas; and
- Policy LPP 48 – New Road Infrastructure.

²⁶ See section 2.2 and the Neighbourhood Plan evidence base available on the Parish Council website.

²⁷ A120 to A12 Options Assessment Report, Essex County Council, Jacobs, April 2016

Policy 9: Transport

Essex County Council (ECC) has recently consulted on options for the improvement of the A120 route east of Braintree, and have identified two broad corridors²⁸ to take forward for further assessment and submission to Highways England for consideration in the 2020-2025 funding period of the Road Investment Strategy²⁹. Proposals for the realignment of the A120 could have a significant impact on the Parish visually and through noise and air pollution, and options B / D would run immediately south of Glazenwood historic house and gardens. The Parish Council will therefore seek to work closely with Essex County Council to ensure that the views and amenity of local residents are fully taken into account in the decision-making process, and to ensure that the potential impacts on the Parish and proposed mitigation measures are fully understood. The Parish Council will also seek to ensure that any direct or indirect benefits to Bradwell with Pattiswick Parish as a result of the A120 realignment are realised.

Following the completion of a new A120 route, the current A120 running through Bradwell village will no longer be a strategic highway route. The character of road could therefore be changed to relate more appropriately to its surroundings and the character of the village. Residents expect less traffic – well below the road's design capacity of 16,500 vehicle movements at peak times – less noise and less pollution. The changes could include considering a reduced speed limit, more public crossing points, increased vegetation alongside the road, wider footpaths, cycle track (from Marks Tey to Braintree via Bradwell) and increased traffic calming measures. The Parish Council will seek to work with ECC to consider what changes would be appropriate following the completion of the new route.

The 2015 and 2017 consultations identified a range of transport related comments which are summarised below:

- The Parish has adequate well-signed public footpaths;
- On-street parking on The Street and Forge Crescent in Bradwell village makes access difficult;
- Improved pavements in Bradwell village;
- Restrictions of HGV movements in The Street;
- New development should not result in any detrimental impact on local highway safety, and where possible improve highway safety within the Parish;
- The safety of pedestrians within Bradwell village, particularly in the area where The Street meets Church Road;
- Road safety improvements such as a 20mph speed limit and speed checks; and
- The speed of traffic travelling through Bradwell village.

The Parish Council will seek to address the concerns raised through public consultation through this policy and the progression of projects emerging from the Neighbourhood Plan. The following highways related projects are ongoing and in various stages of progression through the Braintree Local Highways Panel. These additional projects will therefore also be identified as future transport related projects in this Plan:

- Provide children and pedestrian warning signs at Doghouse Lane, Pattiswick. Cost of £4,000;
- Safety of the bends in The Street / Church Road, Bradwell village. Essex County Council and Highways England to discuss issues and potential options with the Parish Council;
- Proposed speed limit reduction on the A120 from 40mph to 30mph; and
- Road safety improvements to The Street / Coggeshall Road (A120) junction.

28 Made up of options B / C and D /E from the February 2017 consultation.

29 The Road Investment Strategy is a document produced by the Department of Transport, Highways England, and the Office of Rail and Road, to set out the Governments approach to implementing long-term improvements to the country's motorways and major roads.

Policy 9: Transport

Proposals for new development must **should:**

- i. provide parking in accordance with the adopted Essex County Council Parking Standards;
 - ii. protect public rights of way, **including footpaths, cycle routes and bridleways**; and
 - iii. Not create a significant potential risk or be detrimental to the safety of the highway network.
- ~~a) The Parish Council will work with Essex County Council, relevant infrastructure providers and developers in order to facilitate and implement a range of transport related infrastructure projects to benefit the Parish and surrounding areas.~~
- ~~b) The Parish Council will work with local bus operators, Essex County Council and neighbouring Parish Councils to explore opportunities to extend the coverage and enhance the frequency of local village bus services in the locality.~~
-
- ~~c) The Parish Council will seek to engage with Essex County Council, or appropriate delivery body, to consider how the existing A120 route could be better utilised once a new A120 is brought forward.~~

Relevant Evidence Base Documents

A120 to A12 Options Assessment Report, Essex County Council, Jacobs, April 2016
Parking Standards, Essex County Council, September 2009



The Street, Bradwell village

4.8 Design

Design

**To ensure high standards of design within new development
To support design which respects and enhances the Parish's heritage and character**

Context

The Bradwell with Pattiswick Parish Village Design Statement³⁰ provides a comprehensive description of the design of buildings through the Parish. There is a wide range of building designs throughout Bradwell and Pattiswick Parish. The character of the Parish as a whole is rural, however various areas have their own individual character and style of buildings. The north and south areas of the Parish include small dispersed hamlets with predominantly large residential dwellings on large plots of land, set back from the road. In the central area of the Parish is the village of Bradwell, which provides the largest settlement where existing development is focused around the A120, The Street, and Church Road. A number of small cul-de-sac developments are connected to the A120 and The Street. Existing residential development in Bradwell village is predominantly a mixture of detached and semi-detached low-density dwellings, usually with front gardens, off street parking, and large gardens to the rear.

Key relevant policies in the emerging BDLP include:

- Policy LPP 55 Layout and Design of Development.

Policy 10: Design

New development in the Parish should respond positively to the design, layout, scale, character, and appearance of existing development within the vicinity of any proposal site, and the rural character of the Parish.

The design of new development within the Parish should seek to protect the village identity, rural environment, and ambience, by ensuring that alterations and additions to existing buildings are sympathetic, and the use of materials reflect the existing character and appearance of the Parish.

The Neighbourhood Plan also requires new development to incorporate sustainable design features which promote energy efficiency, biodiversity gains ([Such as built in bat boxes and swift hollow bricks 31](#)), innovative low carbon technology, water efficiency, energy conservation and efficiency, flood resilience, sustainable waste and mineral management. The Design and Access Statement supporting a planning application should therefore demonstrate how the design, materials used, layout and building orientation contribute to creating a sustainable development.

³⁰ This document is available on the Parish Council web-site.

³¹ See also the RSPB's "Growing with Nature" ecology and landscape design guide.

Policy 10: Design

All new development proposals should be of a high quality design which contributes positively to the character and appearance of the surrounding area and they should include a high-quality design which will contribute positively to the character and appearance of the surrounding area in accordance with the Bradwell with Pattiswick Parish Village Design Statement³¹.

- i. Demonstrate how the proposal will contribute positively to the existing rural character and appearance of the area as described in the Bradwell with Pattiswick Village Design Statement;
- ii. Ensure that the design reflects and responds positively to the scale, design, density, layout and historic character of existing development in the surrounding area, and ~~would~~ will not result in significant harm to neighbouring residential amenity;
- iii. Ensure that the design, layout, scale, and appearance ~~would~~ will not result in significant harm to heritage assets in the surrounding area, in accordance with BPNP Policy 5;
- iv. Be of a scale and size which reflects the rural character and appearance of villages and hamlets in the area;
- v. Ensure that there is an appropriate use of materials which preserves and enhances the character of the area;
- vi. Be at a height which is in keeping with the character of the Parish and existing development surrounding the proposal site;
- vii. Incorporate sustainable design features which promote energy efficiency, biodiversity gains, innovative low carbon technology, water efficiency, energy conservation and efficiency, flood resilience, sustainable waste and mineral management;
- viii. Include an appropriate provision of off-street parking ~~in accordance with BPNP Policy 9~~;
- ix. ~~Provide open plan front gardens or the planting of native boundary hedges kept at 3 feet high or less; and~~
- x. ~~Provide rear garden space sufficient to allow for home food production to the rear of the property.~~

Development proposals should where appropriate respond sensitively to the existing natural environment by:

- i. Ensuring that the proposed layout protects and enhances important features of the natural environment and biodiversity of the site and its surrounds, ~~in accordance with BPNP Policy 1~~;
- ii. ~~Preserving~~ Retaining and protecting existing trees and hedges in and around the Parish wherever possible;
- iii. Incorporating the planting of trees, hedging and vegetation which is predominantly native and consistent with flora in the surrounding area. The planting of broadleaf species is encouraged to retain the leafy character of the Parish;
- iv. Retaining and maintaining grass verges, ideally incorporating native wildflowers which support local fauna; and
- v. Including features within the design of the building which help declining species. ~~For example, built in bat boxes and swift hollow bricks~~³².

Relevant Evidence Base Documents

Bradwell with Pattiswick Parish Village Design Statement, 2018

³¹ This document is available on the Parish Council web-site.

~~³² See also the RSPB's "Growing with Nature" ecology and landscape design guide.~~

4.9 Developer contributions

Context

When determining a planning application, BDC can seek contributions from developers to mitigate the impact of the development on the local area, known as developer contributions or planning obligations. The contributions can include financial contributions towards a range of infrastructure items such as community services and facilities, affordable housing, parks, play areas, public transport and community buildings, or the contribution can provide an item such as land, roads, constructed affordable housing and community buildings for example.

~~The amount of contributions which can be sought from a developer are limited by the financial viability of the scheme and Regulation 122 of the Community Infrastructure Levy Regulations 2010 (CIL Regulations)³³. The NPPF states that required contributions should ensure the viability of proposed development schemes, therefore 'the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable'³⁴.~~

Key relevant policies in the emerging BDLP include:

- Policy LPP 33 – Affordable Housing; and
- Policy LPP 82 – Infrastructure Delivery and Impact Mitigation.

Policy 11: Developer Contributions

The emerging BDLP sets out some District-wide standards and guidance for developer contributions, informed and supplemented by the Infrastructure Delivery Plan³⁵ and the Essex County Council Developers' Guide to Infrastructure Contributions³⁶. However, these do not take into consideration all of the specific needs for Bradwell with Pattiswick Parish.

Policies within the BPNP have identified a range of infrastructure needs in the Parish which could be provided through developer contributions subject to viability ~~and the requirements of the CIL Regulations~~. The potential developer contributions included within this Plan are summarised in Table 2 below.

33 Regulation 122 of the Community Infrastructure Levy Regulations 2010 state that 'a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:(a) necessary to make the development acceptable in planning terms; (b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development.

34 Paragraph 173 of the National Planning Policy Framework (NPPF)

35 Braintree Infrastructure Delivery Plan 2017 (Troy Planning & Design and Navigus Planning)

36 Revised Edition 2016 (Essex County Council)

Table 2: Potential developer contributions included within the BPNP

| BPNP Policy | Local Infrastructure Requirements for Bradwell with Pattiswick Parish |
|-------------|---|
| Policy 3 | <ul style="list-style-type: none"> • Enhancements and upgrades to the playing fields in Bradwell village to ensure that the needs of local sports teams can be accommodated in the future • Contributions to the establishment of an early years and childcare facility to be located within Bradwell Village Hall to accommodate future needs for the Parish • Contributions to primary school provision in the locality to meet the future needs of the Parish |
| Policy 9 | <ul style="list-style-type: none"> • Maintaining an excellent network of footpaths by keeping them clear of vegetation. • Improving off-road parking facilities in The Street and Forge Crescent. • Improving pavements in Bradwell village. • Restrictions of HGV movements in The Street. • Road safety improvements such as 20mph speed limit, and speed checks. • Providing children and pedestrian warning signs at Doghouse Lane, Pattiswick. • Safety improvements on the bends in The Street / Church Road, Bradwell village. • Proposed speed limit reduction on the A120 from 40mph to 30mph. • Road safety improvements to The Street / Coggeshall Road (A120) junction. • Enhanced provision of Community Transport services. • Extend the coverage and enhance the frequency of local village bus services in the locality. |

Where appropriate, the Parish Council expect new development to contribute towards relevant infrastructure requirements identified in Table 2 when identifying contributions as part of an application. However, it is acknowledged that not all new developments will be able to contribute towards infrastructure needs in the Parish due to the financial viability of a scheme, **and** the particular infrastructure needs of the proposal, ~~and the restrictions of the CIL Regulations~~. The need to provide developer contributions towards Parish based infrastructure requirements will be considered individually for specific development proposals. It is therefore recommended that developers consult with Bradwell with Pattiswick Parish Council and Braintree District Council at an early stage of preparing development proposals, to ensure that proposed developer contributions satisfactorily meet the requirements of the Neighbourhood Plan and the needs of the Parish.

Policy 11: Developer Contributions

- a) ~~Subject to the financial viability of development and the application of CIL Regulations, where appropriate development will be required to contribute towards the provision of relevant infrastructure in the Parish~~ **and provide a proportionate contribution to the relevant projects identified in Table 3.**
- b) ~~Planning applications for non-residential development of a nature and scale that will be required to mitigate its impact upon local infrastructure, services and facilities will be required to provide a proportionate contribution towards relevant projects identified in Table 2 where viable, in accordance with the CIL Regulations.~~
- c) ~~The requirements for developer contributions should be discussed and agreed prior to the submission of a planning application with Bradwell with Pattiswick Parish Council, Braintree District Council, and where relevant Essex County Council. Developer contributions towards local infrastructure needs will be sought in accordance with Table 2 and Table 3 (the Neighbourhood Plan Action Plan). Any reduction in contributions will only be considered on viability grounds where a full and thorough investigation has been undertaken to find innovative solutions to issues and all possible steps have been taken to minimise the residual level of unmitigated impacts.~~
- d) ~~Planning applications for residential developments, and relevant planning applications for non-residential development, 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.
- e) Relevant development proposals that fail to provide sufficient mitigation of the impact of the development through developer contributions will not be supported, unless:
 - i. It is proven that the benefit of the development proceeding without full mitigation outweighs the collective harm; and
 - ii. A fully transparent open book viability assessment has proven that full mitigation cannot be afforded, allowing only for the minimum level of developer profit and land owner receipt necessary for the development to proceed; and
 - iii. Obligations are entered into by the developer that provide for appropriate additional mitigation in the event that viability improves prior to completion of the development.
- f) ~~Where viability evidence is to be provided by the applicant, it must be 'open book' and clearly demonstrate the level of developer contributions which can be provided without rendering the scheme financially unviable.~~

Relevant Evidence Base Documents

Community Infrastructure Levy Regulations (HM Government, 2014)

National Planning Policy Framework (HM Government, 2012)

Braintree Infrastructure Delivery Plan (Troy Planning & Design and Navigus Planning, 2017)

Essex County Council Developers' Guide to Infrastructure Contributions (Essex County Council, 2016)

5. Implementation

5.1 The Neighbourhood Plan Action Plan

The BPNP has identified a range of objectives within 7 topic areas, and set out 10 policies to enable the delivery of the objectives. The BPNP policies include a number of actions and projects to guide the delivery of Neighbourhood Plan objectives. Table 3 below considers in detail each action / project identified within the Plan, and outlines how the actions / projects will be delivered.

Note that BDC intend to produce a Community Infrastructure Levy (CIL), however at this time no draft Charging Schedule has been published for consultation. The Action Plan in the table below will therefore not refer to CIL specifically until there is greater certainty on when a Charging Schedule may be produced and adopted. The terms 'developer funding' or 'planning obligations' in table 3 therefore refers to Section 106 contributions agreed as part of planning applications to BDC, however, where appropriate in the future CIL funding may be utilised.

Table 3: The Neighbourhood Plan Action Plan

| Community facilities and public open space | | | | | | |
|--|---|--|---|--------------------|---|--|
| Ref | Action / Project | Relevant BPNP Objective | How will this be delivered | Who is responsible | Outcome (Indicators of achievement) | Monitoring |
| 1 | To nominate Bradwell Village Hall as an Asset of Community Value | To protect locally important areas of open space and community facilities | A nomination form will be completed by Bradwell with Pattiswick Parish Council, and submitted to BDC for consideration. | BPPC BDC | Approval of the nomination by BDC. The village hall will then be listed as a community asset for 5 years. | Undertaken by BPPC, to review progress of application with BDC. BPPC to consider re-nomination after the 5 year listing period. |
| 2 | Enhance and upgrade the playing fields in Bradwell village to ensure that the needs of local sports teams can be accommodated in the future | To retain and encourage the use of facilities for outdoor recreation To provide leisure facilities to meet the needs of all residents | The Parish Council will identify appropriate projects, and seek funds to deliver projects. | BPPC | Improved playing fields which meet the needs of local sports teams. | Undertaken by BPPC. |
| 3 | The establishment of an early years and childcare facility to be located within Bradwell | To support a cohesive, supportive community | Funding will be sought by the Parish Council, including through developer contributions. | BPPC ECC BDC | The establishment of an early years and childcare facility in Bradwell village. | Undertaken by BPPC, supported by ECC and BDC. |

| | Village Hall. | | BDC to seek developer contributions where possible. ECC to support the progression and delivery of the project. | | | |
|--------------------------------------|--|---|--|---------------------------|---|---|
| 4 | Improved primary school provision in the locality to meet the future needs of the Parish | To support a cohesive, supportive community | BDC to seek developer contributions where possible. ECC to support the progression and delivery of the project. | BPPC ECC BDC | Improved primary school provision in the locality which meets the needs of the Parish. | Undertaken by BPPC, supported by ECC and BDC. |
| Drainage and Flood Management | | | | | | |
| Ref | Action / Project | Relevant BPNP Objective | How will this be delivered | Who is responsible | Outcome (Indicators of achievement) | Monitoring |
| 5 | Document all watercourses in the area through the 'Where does water go' project. | To document local watercourses in co-operation with Essex County Council by 2019 | Working with ECC as the Lead Local Flood Authority. | BPPC ECC Landowners | Production of a Local Flood Plan identifying and outlining the quality of water courses in the area, any flood risks, and how these may be mitigated. | Undertaken by BPPC, working with ECC. |
| Transport | | | | | | |
| Ref | Action / Project | Relevant BPNP Objective | How will this be delivered | Who is responsible | Outcome (Indicators of achievement) | Monitoring |
| 6 | Maintaining an excellent network of footpaths by keeping them clear of vegetation. | To maintain an excellent network of public footpaths and public rights of way (including byways and bridleways) | Setting up a group of volunteers to regularly check and maintain the paths. Joint working with ECC / BDC. | ECC BDC BPPC | A usable, clear, and well maintained footpath network throughout the Parish. | Undertaken by BPPC and volunteers. |
| 7 | Improving off-road parking facilities in The Street and | To improve off-road parking facilities in | Discussions with ECC to identify options. | ECC BPPC | Identification of deliverable options. Improved | Undertaken by BPPC and ECC. |

| | | | | | | |
|----|---|---|---|-------------|---|-----------------------------|
| | Forge Crescent. | The Street and Forge Crescent | Could seek support through planning obligations where appropriate. | | parking arrangements in The Street and Forge Crescent. | |
| 8 | Improving pavements in Bradwell village. | To improve road safety by creating and safe road network, which is fit for purpose To maintain an excellent network of public footpaths and public rights of way (including byways and bridleways) | Discussions with ECC to identify options. Could seek support through planning obligations where appropriate. | ECC BPPC | Identification of deliverable options. Delivery of improved pavements in Bradwell village. | Undertaken by BPPC and ECC. |
| 9 | Restrictions of HGV movements in The Street. | To improve road safety by creating and safe road network, which is fit for purpose | Discussions with ECC to identify options. | ECC BPPC | Construction of signs restricting HGV movements in The Street. | Undertaken by BPPC and ECC. |
| 10 | Road safety improvements such as 20mph speed limit and speed checks. | To improve road safety by creating and safe road network, which is fit for purpose | Discussions with ECC to identify options. Could seek support through planning obligations where appropriate. | ECC BPPC | Implementation of road safety measures. | Undertaken by BPPC and ECC. |
| 11 | Providing children and pedestrian warning signs at Doghouse Lane, Pattiswick. | To improve road safety by creating and safe road network, which is fit for purpose | Discussion with ECC. Raise required funds for signage where necessary. | ECC BPPC | Implementation of new signs. | Undertaken by BPPC and ECC. |
| 12 | Safety | To improve | Discussions | ECC | Identification of | Undertaken by BPPC |

| | | | | | | |
|----|--|--|--|--------------------------|--|--|
| | improvements on the bends in The Street / Church Road, Bradwell village. | road safety by creating a safe road network, which is fit for purpose | with ECC to identify options. Could seek support through planning obligations. | BPPC | deliverable options. Delivery of safety measures. | and ECC. |
| 13 | Proposed speed limit reduction on the A120 from 40mph to 30mph | To improve road safety by creating and safe road network, which is fit for purpose | Discussions with Highways England. | Highways England BPPC | Reduction in the speed limit on the A120. | Undertaken by BPPC and Highways England. |
| 14 | Road safety improvements to The Street / Coggeshall Road (A120) junction. | To improve road safety by creating and safe road network, which is fit for purpose | Discussions with Highways England. Could seek support through planning obligations. | Highways England BPPC | Identification of deliverable options. Delivery of safety measures. | Undertaken by BPPC and Highways England. |
| 15 | Repairing Hollies Road water leak, and associated damage to road and roadside bank.. | To improve road safety by creating and safe road network, which is fit for purpose | ECC to further investigate and repair leak and associate damage to the road. | ECC | No further water leaks, standing water and mud at Hollies Road. | Undertaken by BPPC and ECC. |
| 16 | Enhanced provision of community transport services. | To improve the provision of community and public transport | Parish Council to consider options through discussions with ECC. Could seek support through planning obligations. | ECC BPPC | Identification of deliverable options. Delivery of improved community transport services. | Undertaken by BPPC and ECC. |
| 17 | Extend the coverage and enhance the frequency of local village bus services in the locality. | To improve the provision of community and public transport | Discussions with ECC to identify options. Could seek support through planning obligations. | ECC BPPC | Identification of deliverable options. Delivery of improved public transport provision. | Undertaken by BPPC and ECC. |
| 18 | To engage with Essex County | To improve road safety | Parish Council presence on | BPPC | Realisation of quantified | Undertaken by BPPC |

| | Council and Highways England to ensure potential impacts of the route choice for the new A120 are understood and mitigated sufficiently and the any direct or indirect benefits to the Parish are realised | by creating and safe road network, which is fit for purpose | relevant for a such as the A120 Braintree Community Forum and regular meetings with ECC Highways and Highways England | | benefits to the Parish | |
|----------|--|---|---|--------------------|--|--------------------|
| Heritage | | | | | | |
| Ref | Action / Project | Relevant BPNP Objective | How will this be delivered | Who is responsible | Outcome (Indicators of achievement) | Monitoring |
| 19 | To seek to promote the identification and designation of a Conservation Area covering Bradwell village | To conserve and promote the heritage of the Parish | The Parish Council will build a case | BPPC | Designation of a Conservation Area covering Bradwell Village (or part thereof) | Undertaken by BPPC |

Abbreviations

BDC – Braintree District Council
BDLP – Braintree District Local Plan
BPNP – Bradwell with Pattiswick Neighbourhood Plan
BPPC – Bradwell with Pattiswick Parish Council
CIL – Community Infrastructure Levy
ECC – Essex County Council
NPPF – National Planning Policy Framework

References

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A120 to A12 Options Assessment Report, Essex County Council, Jacobs, April 2016
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Bradwell with Pattiswick Parish Neighbourhood Plan Consultation Statement, 2018
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RLP – Braintree District Local Plan Review

Bradwell with Pattiswick Neighbourhood Plan Decision Statement (Regulation 18(2))

Summary

Following an independent examination undertaken by written representations, Braintree District Council now confirms that the Bradwell with Pattiswick Neighbourhood Plan (The Plan) will proceed to a Neighbourhood Planning Referendum.

This decision statement will be available on the Council's internet page and main offices.

Background

On 14th September 2016 Braintree District Council formally designated the area shown at appendix 1 as the Bradwell with Pattiswick Neighbourhood Area, at the request of the qualifying body Bradwell with Pattiswick 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 December 2018.

The District Council appointed Tony Burton CBE BA MPhil (Town Planning) Hon FRIBA FRSA, as independent examiner with agreement of Bradwell with Pattiswick 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 Bradwell with Pattiswick Neighbourhood Plan should proceed to referendum.

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) concludes as follows;

"I am satisfied the Bradwell with Pattiswick Neighbourhood Plan meets the Basic Conditions and other requirements subject to the modifications recommended in this report and that it can proceed to a referendum. I have received no information to suggest other than that I recommend the referendum area matches that of the Neighbourhood Area."

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;

“Do you want Braintree District Council to use the Neighbourhood Plan for Bradwell with Pattiswick Neighbourhood Plan to help it decide planning applications in the Bradwell with Pattiswick neighbourhood area?”

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 XX/XX/XX.

Equality Impact Assessment Basic



This basic impact assessment is an initial screening process to help identify if a full Equality Impact Assessment is required and, if it isn't, to record the reasons why.

It considers positive, negative or no impact on each of the 9 protected characteristics in relation to addressing the 3 aims of the Equality Duty that we as a public body must give due regard to;

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- 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.

Directorate

Service

Title of policy, strategy, project or service

Is the policy, strategy, project or service;

Existing New/proposed Changed/Reviewed

Q 1. Aim of the policy, strategy, project or service

Q 2. Who is this policy, strategy, project or service going to benefit or have a detrimental impact on & how?

Q3. Is this policy, strategy, project or service aimed at one of the protected characteristics?
If so, what justification is there for this?

No

Q 4. Thinking about each of the protected characteristics does or could the policy, strategy, project or service have a negative or positive impact?

| Group | Negative | Positive/ No impact | Unclear |
|--|--------------------------|------------------------|--------------------------|
| Age | <input type="checkbox"/> | X | <input type="checkbox"/> |
| Disability | <input type="checkbox"/> | X | <input type="checkbox"/> |
| Gender reassignment | <input type="checkbox"/> | X | <input type="checkbox"/> |
| Marriage & civil partnership (only in respect of eliminating unlawful discrimination). | <input type="checkbox"/> | X | <input type="checkbox"/> |
| Pregnancy & maternity | <input type="checkbox"/> | X | <input type="checkbox"/> |
| Race | <input type="checkbox"/> | X | <input type="checkbox"/> |
| Religion or belief | <input type="checkbox"/> | X | <input type="checkbox"/> |
| Sex | <input type="checkbox"/> | X | <input type="checkbox"/> |
| Sexual orientation | <input type="checkbox"/> | X | <input type="checkbox"/> |

If the answer for any group is 'negative' or 'unclear' do a full EIA

Q5. Thinking about each of the protected characteristics does or could the policy, strategy, project or service help to support the 3 aims of the Equality Duty?

| Group | Yes | No | Unclear |
|--|--------------------------|--------------------------|----------|
| Age | <input type="checkbox"/> | <input type="checkbox"/> | X |
| Disability | <input type="checkbox"/> | <input type="checkbox"/> | X |
| Gender reassignment | <input type="checkbox"/> | <input type="checkbox"/> | X |
| Marriage & civil partnership (only in respect of eliminating unlawful discrimination). | <input type="checkbox"/> | <input type="checkbox"/> | X |
| Pregnancy & maternity | <input type="checkbox"/> | <input type="checkbox"/> | X |
| Race | <input type="checkbox"/> | <input type="checkbox"/> | X |
| Religion or belief | <input type="checkbox"/> | <input type="checkbox"/> | X |
| Sex | <input type="checkbox"/> | <input type="checkbox"/> | X |
| Sexual orientation | <input type="checkbox"/> | <input type="checkbox"/> | X |

If the answer for any group is 'no' do a full EIA

Q 6. What evidence has been used (e.g. data, feedback, consultation & engagement, surveys) that may influence the policy, strategy, project or service?

| Group | Evidence |
|-----------------------|-----------------------------------|
| Age | Consultation & Engagement/surveys |
| Disability | Consultation & Engagement/surveys |
| Gender reassignment | Consultation & Engagement/surveys |
| Pregnancy & maternity | Consultation & Engagement/surveys |
| Race | Consultation & Engagement/surveys |
| Religion or belief | Consultation & Engagement/surveys |
| Sex | Consultation & Engagement/surveys |
| Sexual orientation | Consultation & Engagement/surveys |

Q 7. Using the responses to questions 4 & 5 should a full EIA be carried out on this policy, strategy, project or service?

Yes No

Provide your reasons for your response showing how you have considered due regard

The Bradwell with Pattisiwick Neighbourhood Plan has been subject to public consultation and independent examination. This would include insuring that the Plan was compliant with relevant legislation.

Completed by (Print name):

Signature :

Approved by Head of Service (print name):

Signature :

Date:

| | |
|--|-------------------------|
| Cabinet Member Decisions made under delegated powers | Agenda No: 8 |
| <p>Portfolio See body of report Corporate Outcome: Report presented by: Not applicable – report for noting Report prepared by: Chloe Glock, Governance Business Officer</p> | |
| Background Papers: | Public Report |
| Cabinet Decisions made by individual Cabinet Members under delegated powers. | Key Decision: No |
| <p>Executive Summary:</p> <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 Mrs Wendy Schmitt - Cabinet Member for Environment and Place. Decision taken on 22nd February 2019</p> <p>To agree and approve the new charges for the Council’s Commercial Waste Service covering the period 1st April 2019 to 31st March 2020 (inclusive) as set out in Appendix 1 of the delegated decision.</p> <p>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</p> | |
| <p>Recommended Decision:</p> <p>For Cabinet to note the delegated decisions.</p> | |
| <p>Purpose of Decision:</p> <p>The reasons for decision can be found in the individual delegated decision.</p> | |

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. |
| Officer Contact: Chloe Glock | |
| Designation: | Governance Business Officer |
| Ext. No: | 2615 |
| E-mail | chloe.glock@braintree.gov.uk |