

COUNCIL AGENDA

Tuesday, 3rd January 2023 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 Council are requested to attend this meeting to transact the business set out in the Agenda.

Councillor J Abbott
Councillor D Abram
Councillor J Baugh
Councillor Mrs J Beavis
Councillor K Bowers
Councillor G Butland
Councillor J Coleridge
Councillor G Courtauld
Councillor Mrs M Cunningham
Councillor T Cunningham
Councillor C Dervish
Councillor P Euesden
Councillor T Everard
Councillor Mrs D Garrod
Councillor M Green
Councillor A Hensman

Councillor S Hicks
Councillor P Horner
Councillor D Hume
Councillor H Johnson
Councillor A Kilmartin
Councillor W Korsinah
Councillor D Mann
Councillor T McArdle
Councillor J McKee
Councillor A Munday
Councillor Mrs I Parker
Councillor Mrs J Pell
Councillor I Pritchard
Councillor M Radley
Councillor S Rehman
Councillor F Ricci
Councillor B Rose

Councillor J Sandum
Councillor V Santomauro
Councillor Mrs W Scattergood
Councillor Mrs W Schmitt
Councillor P Schwier
Councillor Mrs G Spray
Councillor P Tattersley
Councillor P Thorogood
Councillor R van Dulken
Councillor T Walsh
Councillor L Walters
Councillor Miss M Weeks
Councillor D White
Councillor Mrs S Wilson
Councillor J Wrench
Councillor B Wright

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.

D GASCOYNE
Chief Executive

INFORMATION FOR MEMBER – DECLARATIONS OF MEMBERS' INTERESTS

Declaration of Disclosable Pecuniary Interests (DPI), Other Pecuniary Interests (OPI) or Non-Pecuniary Interests (NPI).

Any Member with a DPI, OPI or NPI 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 DPI or OPI 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.

Public Question Time - Registration and Speaking:

The Agenda allows for a period of up to 30 minutes for Public Question Time. Members of the public may ask questions of the Council on any matter in relation to which the Council has powers or duties or which affect the district.

Members of the public wishing to participate are requested to register by contacting the Governance and Members Team by email (governance@braintree.gov.uk) by **midday on the second 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 Friday, (Where there is a bank holiday you will need to register by midday the previous Thursday).

Public Question Time Speakers may participate in person, choose to participate virtually, or ask for their statements to be read out by an Officer. The Speaker preference must be indicated upon registration

The Council reserves the right to decline any requests to register for Public Question Time if they are received after the registration deadline.

All questions or statements should be concise and should be able to be heard within the 3 minutes allotted to each speaker.

The Chairman of the Council has discretion to amend the order in which questions/ statements are presented to Full Council.

Public Attendance at Meeting:

Public attendance is welcomed, but is subject to restrictions due to the Council's arrangements for keeping Causeway House Covid secure and visitors safe.

Public attendance is limited and will be on a first come first served basis with priority given to any Public Registered Speakers. In order to maintain safe distances, the Council may have to refuse entry to members of the public. The public may not be able to sit in the Council Chamber. If this is the case, members of the public will be able to observe the meeting from a public gallery through a large monitor.

Alternatively, the Council's meetings are all webcast and are available via the Council's YouTube channel and can be viewed by the public as a live broadcast or as a recording following the

meeting.

Public Speakers and public attendees are required to attend on their own, and where possible, only one representative of any community group, family household or company should attend.

Members of the public intending to come to the meeting venue to observe the meeting are recommended to contact the Governance and Members Team to reserve a seat within the public gallery.

Please do not attend the meeting if you are feeling unwell. The Council would recommend that anyone who is intending to attend the meeting take a lateral flow test on the morning of the meeting. This will help to protect you and others.

Health and Safety:

Any person attending meetings are requested to take a few moments to familiarise themselves with the nearest available exit, indicated by the fire evacuation signs. In the event of an alarm you must evacuate the building immediately and follow all instructions provided by Officers. You will be assisted to the nearest designated assembly point until it is safe to return to the building.

Mobile Phones:

Please ensure that your mobile phone is switched to silent during the meeting in order to prevent disturbances.

Webcast and Audio Recording:

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Documents:

Agendas, Reports, Minutes and Public Question Time questions and statements can be accessed via www.braintree.gov.uk

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For further information on how the Council processes data, please see the Council's Privacy Policy. https://braintree.gov.uk/info/200136/access_to_information/376/privacy_policy

Your Comments:

We welcome comments 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 to governance@braintree.gov.uk

| PUBLIC SESSION | Page |
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| 1 Apologies for Absence | |
| 2 Minutes of the Previous Meeting | |
| To approve as a correct record the minutes of the meeting of the Full Council held on 10th October 2022 (copy previously circulated). | |
| 3 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. | |
| 4 Public Question Time | |
| (See paragraph above) | |
| 5 To receive any announcements/statements from the Chairman and/or Leader of the Council. | |
| 6 Motion by Councillor Tom Cunningham– Supporting Communities and Residents | 6 - 6 |
| 7 Motion by Councillor Mrs Joanne Beavis – Cost-of-Living-Crisis | 7 - 8 |
| 8 Motion by Councillor James Abbott – Housing Land Supply | 9 - 10 |
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| 12 To receive a response to the recommendations from the Cost-of-Living Joint Scrutiny report | 192 - 202 |
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Agenda Item: 6

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|---|-------------------------------------|
| Report Title: Motion by Councillor Tom Cunningham – Supporting Communities and Residents | |
| Report to: Council | |
| Date: 3rd January 2023 | For: Debate |
| Key Decision: No | Decision Planner Ref No: N/A |
| Motion Presented by: Councillor Tom Cunningham Motion Seconded by: Councillor Graham Butland Motion Support by: Councillors J Wrench, R van Dulken, Tattersley, J McKee, F Ricci | |
| Enquiries to: Emma Wisbey, Governance and Members Manager | |

1. Motion:

This Council acknowledges the strength and resilience of our local communities as they bounce back from the pandemic. The Council also acknowledges the role it has played, through its bouncing back together plan, investment programme and working with others to support residents, as well as delivering significant projects promoting economic and social recovery. These include supporting town centres, development of new employment land and helping enable new medical facilities, with projects still in the pipeline. This Council reaffirms its commitment to support communities and residents, despite the uncertainties we all face economically.

2. Constitution provisions:

Appropriate Notice of the Motion has been given to the Chief Executive in accordance with Council Procedural Rule 12.17 of Chapter 2 of the Constitution.

Notice of Motion was received on 28th November 2022 at 10:12 hrs giving 9 clear working days' notice and contains the names of five Councillors supporting the Motion including the Proposer and Seconder.

3. Amendments to Motion on Notice:

In accordance with Council Procedural Rule 12.20 of Chapter 2 of the Constitution, no amendments to the Motion shall be moved unless written notice has been given to the Chief Executive or the Monitoring Officer by 12 noon on the third working day before the meeting of Full Council, namely 12noon on Wednesday 7th December 2022.

Agenda Item: 7

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|---|-------------------------------------|
| Report Title: Motion by Councillor Mrs Joanne Beavis – Cost-of-Living-Crisis | |
| Report to: Council | |
| Date: 3rd January 2023 | For: Debate |
| Key Decision: No | Decision Planner Ref No: N/A |
| Motion Presented by: Councillor Mrs Joanne Beavis Motion Seconded by: Councillor James Abbott Motion Support by: Councillors D Abram, S Hicks, Mrs J Sandum, P Thorogood, T Walsh, Miss M Weeks and B Wright | |
| Enquiries to: Emma Wisbey, Governance and Members Manager emma.wisbey@braintree.gov.uk | |

1. Motion:

This Council acknowledges that the Cost-of-Living Crisis continues to impact on the quality of life of many residents of the Braintree District.

Council agrees that it will:

- Continue to use every measure available to it to ensure that our residents who are most vulnerable will be supported, including by working with partner organisations to ensure that community initiatives to help those most in need are achieved speedily;
- Ensure that in the 2023/24 budget setting, measures to meet the budget gap avoid reducing services or creating unnecessary extra costs for residents, such as additional payments for services, as far as it is possible to do so;
- Evaluate the 2023/24 budget to ensure that all people and communities are treated fairly and not disadvantaged for living in town and parish council areas where precepts are applied;
- Commit to ensuring that in the current difficult financial environment and in the future, people and communities are at the forefront of its corporate decision making so that those most in need are supported.

2. Constitution provisions:

Appropriate Notice of the Motion has been given to the Chief Executive in accordance with Council Procedural Rule 12.17 of Chapter 2 of the Constitution.

Notice of Motion was received on 28th November 2022 at 12:29hrs giving 9 clear working days' notice and contains the names of five Councillors supporting the Motion including the Proposer and Seconded.

3. **Amendments to Motion on Notice:**

In accordance with Council Procedural Rule 12.20 of Chapter 2 of the Constitution, no amendments to the Motion shall be moved unless written notice has been given to the Chief Executive or the Monitoring Officer by 12 noon on the third working day before the meeting of Full Council, namely 12noon on Wednesday 7th December 2022.

Agenda Item: 8

| | |
|--|-------------------------------------|
| Report Title: Motion by Councillor James Abbott – Housing Land Supply | |
| Report to: Council | |
| Date: 3rd January 2023 | For: Debate |
| Key Decision: No | Decision Planner Ref No: N/A |
| Motion Presented by: Councillor James Abbott Motion Seconded by: Councillor Paul Thorogood Motion Support by: Councillors Mrs J Beavis, T Walsh, B Wright, Mrs J Sandum, Miss M Weeks, S Hicks, D Abram | |
| Enquiries to: Emma Wisbey, Governance and Members Manager emmawisbey@braintree.gov.uk | |

1. Motion:

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

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

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

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

2. **Constitution provisions:**

Appropriate Notice of the Motion has been given to the Chief Executive in accordance with Council Procedural Rule 12.17 of Chapter 2 of the Constitution.

Notice of Motion was received on 28th November 2022 at 14:30 hrs giving 9 clear working days' notice and contains the names of five Councillors supporting the Motion including the Proposer and Seconder.

3. **Amendments to Motion on Notice:**

In accordance with Council Procedural Rule 12.20 of Chapter 2 of the Constitution, no amendments to the Motion shall be moved unless written notice has been given to the Chief Executive or the Monitoring Officer by 12 noon on the third working day before the meeting of Full Council, namely 12noon on Wednesday 7th December 2022.

| | |
|---|--|
| Report Title: Approval of the Feering Neighbourhood Plan | |
| Report to: Council | |
| Date: 3rd January 2023 | For: Decision |
| Key Decision: No | Decision Planner Ref No: DP/2022/47 |
| Report Presented by: Councillor Mrs Gabrielle Spray, Cabinet Member for Planning and Infrastructure | |
| Enquiries to: Alan Massow, Principal Planning Policy Officer alan.massow@braintree.gov.uk | |

1. Purpose of the Report

- 1.1 Feering 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 Feering Neighbourhood Area.
- 1.2 Following a positive referendum result, Braintree District Council (the Council) is proposing to publish its decision to “make” Feering Neighbourhood Plan as part of the Braintree District Council’s Development Plan in accordance with regulation 19 of the Neighbourhood Planning (General) Regulations 2012. This decision notice is at Appendix 1 to this report.

2. Recommendations

- 2.1 That the Decision Statement attached at Appendix 1 is approved, and the Feering Neighbourhood Plan (Appendix 2) made under section 38A (4) of the 2004 Act.

3. Summary of Issues

- 3.1 Feering Parish Council, as a qualifying body, applied for its parish to be designated as a Neighbourhood Area under part 2 of the Neighbourhood Planning (General) Regulations 2012. The Neighbourhood Area was designated on the 30th of March 2015.
- 3.2 Following a period of drawing up evidence, creating the Plan and undertaking early consultation with the local community, the Plan was submitted to the Council and a further consultation on Feering Neighbourhood Plan took

place. The Council, in agreement with the Parish Council, appointed an independent examiner Tony Burton CBE BA MPhil (Town Planning) Hon FRIBA FRSA, to review if the Neighbourhood Plan met the basic conditions required in legislation, and whether it should proceed to referendum.

- 3.3 The examiner agreed that subject to modifications the Plan could proceed to referendum as it met the necessary “basic conditions” as set out in the Inspectors report of August 2022. The Council considered this report and agreed with the Inspectors recommendations.
- 3.4 The Neighbourhood Plan (amended in line with the examiner’s proposed modifications) was the subject of a referendum held on Thursday 27th October 2022. Just over 94.68% of those who voted, voted in favour of the Neighbourhood Plan. Paragraph 38(4)(a) of the Planning and Compulsory Purchase Act 2004 (As amended) requires that the District Council must “make” the Neighbourhood Plan if more than half of those voting have voted in favour of the Plan unless this would breach or would otherwise be incompatible with an EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).
- 3.6 With the examiner’s proposed modifications, the Neighbourhood Plan is judged to have met the basic conditions laid down in paragraph 8 (2) of Schedule 4B of the Town & Country Planning Act 1990, is compatible with EU obligations and the convention rights and complies with the relevant provisions made by or under Section 38A and B of the Planning and Compulsory Purchase Act 2004 as amended.
- 3.7 The referendum held on Thursday 3rd March 2022 met the requirements of the Localism Act 2011, it was held in the neighbourhood area of Feering and posed the questions;

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

- 3.8 The result of the referendum was:

| Response | Votes Cast | Percentage of total votes cast |
|----------|------------|--------------------------------|
| YES | 414 | 94.68% |
| NO | 23 | 5.25% |

- 3.9 The Council agrees that the Neighbourhood Plan, including its preparation, does not breach or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998) and has passed referendum.

- 3.10 Therefore, in accordance with the relevant Regulations, it is recommended that Feering Neighbourhood Plan is “made” and shall form part of the Development Plan for Braintree District Council.

4. Consultation

- 4.1 Consultations were carried out by Feering Parish Council known as a Regulation 14 consultation. This took place between the 17th of February and 29th March 2020. Following this consultation, a further consultation was carried out by the Council between the 2nd of March and 14th April 2022. This is known as the Regulation 16 consultation.

5. Options

- 5.1 The Council has two options, the first being to adopt Feering Neighbourhood Plan for the purposes of decision making within Feering Neighbourhood Area. This would be in line with the statutory provisions and for the reasons set out above, is the recommended option.
- 5.2 The second option would be not to adopt Feering Neighbourhood Plan for the purposes of decision making within Feering Neighbourhood Area. This would mean that the Plan would be returned to the Parish Council. As set out above the Plan has met the basic conditions and therefore this is not the recommended option.

6. Next Steps

- 6.1 Once the neighbourhood plan has been “Made”, then the decision notice and neighbourhood plan must be published along with details on how to inspect these documents. In addition, the Council notify anyone who asked to be notified of the decision to make the Neighbourhood Plan.

7. Financial Implications

- 7.1 When the LPA (Local Planning Authority) issues a decision statement detailing their intention to send a Neighbourhood Plan to referendum the Council will receive £20,000 from central government at the next available claim window. This is to recognise the costs in officer time in supporting the plan and to support the costs of the referendum.
- 7.2 If the Neighbourhood Plan were subject to a legal challenge, this could incur significant costs.

8. Legal Implications

- 8.1 The provisions of a neighbourhood plan are set out in the legislation provisions set out within this report. These provide a clear framework through which a Parish Council can seek to bring forward a neighbourhood plan, and

the Council can adopt it. If the process is not followed correctly, it could be open to a legal challenge. However, the Council is satisfied that all appropriate steps have been adhered to throughout the process.

- 8.2 If the Neighbourhood Plan is adopted by Full Council, there is a 6-week window for any legal challenges.

9. Other Implications

- 9.1 There are no other implications arising out of the recommendations set out in this report.

10. Equality and Diversity Implications

- 10.1 Section 149 of the Equality Act 2010 creates the public sector equality duty which requires that when the Council makes decisions it must have regard to the need to:
- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act
 - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not
 - (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 10.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).
- 10.3 The Equality Impact Assessment indicates that the proposals in this report will/will not have a disproportionately adverse impact on any people with a particular characteristic. *(Describe the specific equality and diversity implications of the proposal, any adverse findings, and the proposed mitigation).*

11. List of Appendices

- 11.1 Appendix 1 – Feering Neighbourhood Plan – Regulation 19 Decision Statement.
- 11.2 Appendix 2 - Feering Neighbourhood Plan

12. Background Papers

- 12.1 Report to Braintree District Council of the Independent Examination
- 12.2 Declaration of result – Feering Neighbourhood Plan

Feering Neighbourhood Plan Decision Statement (Regulation 18(2))

Summary

Following an independent examination undertaken by written representations, Braintree District Council now confirms that The Feering Neighbourhood Plan (The Plan) will proceed to a Neighbourhood Planning Referendum. This decision statement will be available on the Council's internet page linked below.

<https://www.braintree.gov.uk/planning-building-control/neighbourhood-planning/4>

Background

Braintree District Council formally designated the area as The Feering Neighbourhood Area, at the request of the qualifying body Feering Parish Council on 30th March 2015

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 consultation period ended on the 14th April 2022.

The District Council appointed Tony Burton as independent examiner with agreement of Feering 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 Feering 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 (August 2022) concluded as follows;

"I am satisfied the Feering 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 Feering to help it decide planning applications in the 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 27th October 2022.

FEERING NEIGHBOURHOOD PLAN

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
August 2022

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1. Executive Summary

1. I was appointed by Braintree District Council with the support of Feering Parish Council to carry out the independent examination of the Feering 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 Feering. It is based on an effective programme of public consultation which has informed a Vision to 2033 supported by plan objectives. This is to be achieved through a set of 23 objectives and 12 planning policies largely dealing with issues distinct to the locality. The Plan also includes an Action Plan of local projects and initiatives. The Plan is supported by a Consultation Statement and Basic Conditions Statement and has been the subject of Strategic Environmental and Habitats Regulations Assessments. An Appropriate Assessment has been undertaken. There is supporting evidence provided and there is evidence of community support and the involvement of the local planning authority.

4. I have considered the 22 separate representations made on the submitted Plan. These are addressed in this report as appropriate.

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

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

2. Introduction

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

8. I was appointed as the independent examiner of the Feering Neighbourhood Plan by Braintree District Council with the agreement of Feering Parish Council.

9. I am independent of both Feering 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 (as amended). 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, including the Conservation of Habitats and Species Regulations 2017.

12. An additional Basic Condition was introduced by Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) in 2018 that the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017. 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 Feering Neighbourhood Plan
- the Basic Conditions Statement
- the Consultation Statement
- Strategic Environmental and Habitats Regulations Assessments, including the Appropriate Assessment
- the relevant parts of the development plan comprising Local Plan Review (2005) and the Core Strategy (2011) which were in force during the Plan’s preparation and the Local Plan 2013-2033 (Section 1) which was adopted in February 2021. The emerging Local Plan to 2033 (Section 2) was adopted during the examination
- representations made on the submitted neighbourhood plan
- relevant material held on the Feering Parish Council and Braintree District Council websites
- National Planning Policy Framework (2021)
- Planning Practice Guidance
- relevant Ministerial Statements

14. The Plan was largely prepared under an earlier version of the National Planning Policy Framework than that used for my examination but the consultation on the submitted Plan took place after the most recent NPPF’s publication in July 2021.

15. No representations were received requesting a public hearing and 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 hearing.

16. I carried out an unaccompanied visit to the Neighbourhood Area on a weekday during July. I visited the main locations addressed in the Plan, including the main development site, Local Green Spaces and the Conservation Area.

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”. Existing wording is in “*italics*”. Modifications are also recommended to some parts of the supporting text. These recommended modifications are numbered from M1 and are necessary for the Plan to meet the Basic Conditions. A number of modifications are not essential for the Plan to meet the Basic Conditions and these are indicated by [square brackets]. These optional modifications are numbered from OM1.

18. Producing the Feering Neighbourhood Plan has clearly involved significant effort over many years led by the Steering Group. The process began in 2014 following publication of a Parish Plan in 2012 and is informed by significant community involvement. There is evidence of collaboration with Braintree District Council and continuing this will be important in ensuring implementation of the Plan. The commitment of all those who have worked so hard over such a long period of time to prepare the Plan is to be commended and I would like to thank all those at Braintree District Council and Feering 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. The neighbourhood plan has been prepared by a suitable Qualifying Body – Feering 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 which comprises the parish area of Feering Parish Council and was agreed by Braintree District Council on 30 March 2015.

22. The boundary of the neighbourhood area can be discerned from Figure 2 which references it as the “Map of Feering Parish”. This is not at a scale that allows the detailed boundary to be determined and no link is provided to where the boundary is available online.

- M1 – Provide a link to where the neighbourhood area boundary can be viewed at a larger scale

Land use issues

23. I am satisfied that the Plan’s policies relate to relevant land use planning issues.

Plan period

24. The period of the neighbourhood plan runs from 2020 to 2033 and the 2033 end date aligns with the period of the Braintree District Local Plan review. The period is shown on the cover and referenced in the Plan.

Excluded development

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

4. Consultation

26. I have reviewed the Consultation Statement, its many appendices and relevant information provided on the Feering Neighbourhood Plan website. While the Consultation Statement submitted included some tracked changes and extensive highlighting it provides a clear record of the consultation process that has been undertaken since 2015 under the guidance of the Steering Group and Neighbourhood Plan Committee. I was provided with the final version of the Consultation Statement on request.

27. The public consultation process has been adequately open and transparent and participation levels have been good. A number of different engagement methods have been used, including a website, public meetings, workshops, stands at local events, online surveys, an exhibition and regular use of social media and the Feering Parish magazine. The process has included workshops and surveys supported by the Rural Community Council for Essex.

28. The work has included a Housing Needs Survey which received over 200 responses (27%) and a workshop at Feering primary school involving 61 pupils. A Community Survey was delivered to every home in the parish and all local businesses received emails inviting views. The Community Survey received over 620 responses. Braintree District Council has been engaged in the emerging Plan before formal consultation on the draft. There is evidence of strong support from the public for the approach presented in the Plan.

29. The Plan was subject to Regulation 14 consultation between 7 February 2020 and 29 March 2020. The end of this period coincided with the introduction of national COVID restrictions. The consultation included an exhibition and promotion through the Parish magazine, noticeboards, a banner and online. Consultation questionnaires were sent to every home and business. Printed copies of the draft plan were made available in the Feering Parish Council Office, Feering Community Centre, All Saints Church and other venues. There is evidence of the consultation including the required statutory and other

consultees. Over 100 responses were received and I consider an adequate process has been followed.

30. Details of the response to each of the representations are provided in Appendix 14 of the Consultation Statement and there is evidence of changes being made to the Plan.

31. 22 separate representations have been made on the submitted Plan including from individuals, statutory bodies, development interests, landowners and neighbouring district and parish councils. All the representations have been considered as part of the examination and are addressed as appropriate in this report.

32. I am satisfied with the evidence of the public consultation undertaken in preparing the Plan since 2015. The Plan has been subject to wide public consultation at different stages in its development. Participation rates have generally been good, including at the Regulation 14 consultation stage. The process has allowed community input to shape the Plan as it has developed and as proposals have been firmed up. Local businesses, development interests, significant landowners and the local planning authority have been engaged through the process.

5. General comments on the Plan's presentation

Vision and Objectives

33. The Plan includes a Vision for Feering Parish. This reflects the feedback received through consultation and is consistent with the themes, objectives and policies in the Plan. The overall approach combines a desire to look after the existing character, improve the local environment, address pollution and climate change, provide community facilities and incorporate considerably designed development. While the emphasis is on conservation, the Vision is consistent with sustainable development and this is re-enforced by the Plan's objectives which expand on the opportunities to accommodate new development.

Addressing a number of representations on the Plan, including from Essex County Council, I am content with the objectives extending beyond land use planning issues. This is a normal role played by objectives in a neighbourhood plan with a view to them being achieved in multiple ways and not just through implementation of the planning policies.

Other issues

34. The Plan has a clear and consistent format. On a detail the title of each of the Tables appears at the end rather than the beginning of each Table. As they can extend over several pages this means the purpose of the Table isn't immediately clear. It would also be more logical to include the details for "*Local Green Space identification and justification*" as an Appendix rather than a Table in an Appendix. This should be included in the Contents. It is also incorrectly identified as both Table 4 and Table 5 in the Appendix of the submitted Plan.

- OM1 – [Make recommended changes to improve the clarity of the Tables presented in the Plan]

35. The Local Plan context has continued to change during the Plan's preparation, including adoption of Section 2 of Braintree's Local Plan during the examination. If the Plan is successful at referendum then the made Plan should reference the most up to date position, including updating the numbering of policies referenced in the Local Plan. There are other updates required as referenced in a number of representations, including to community services available in the area and the progress made on the Essex Coast

Recreational disturbance Avoidance and Mitigation Strategy. These should be addressed as factual changes as appropriate.

- M2 – Update references to the Local Plan to reflect the most recent position
- OM2 – [Update the supporting text to address issues where the Plan is factually out of date raised in representations on the submitted Plan]

36. The Plan includes references to a number of documents which comprise the evidence base to support some but not all of the Plan’s policies. Some of these documents are included in Section 7 “*References*” but this does not include the entire evidence base. Links to the documents are not provided and the section of Feering Parish Council’s website on “*Neighbourhood Plan Information*” provides links to only some of the documents.

- OM3– [List all the evidence base documents used in the Plan in a renamed Section 8 and provide a link to an updated and renamed section on Feering Parish Council’s website which includes all documents as links where available. Rename Section 8 and the website page as “Evidence Base”]

6. Compliance with the Basic Conditions

National planning policy

37. The Plan is required to “*have regard*” to national planning policies and advice. This is addressed in the Basic Conditions Statement which relates each of the Plan’s policies and objectives to the National Planning Policy Framework (NPPF) (February 2019). A new National Planning Policy Framework was published after the Basic Conditions Statement was prepared and before the examination. I do not consider the changes to national planning policy to be material in terms of the Plan’s ability to meet this Basic Condition.

38. The Basic Conditions Statement provides a table that tests compatibility of each of the Plan’s objectives with relevant sections of the National Planning Policy Framework and each of the Plan’s policies is also assessed in relation to relevant sections of the National Planning Policy Framework. This assessment is supported by a brief commentary. In every case the assessment is that the Policy “*has regard*” to national planning policy and no instances of conflict are identified.

39. Overall the analysis serves to demonstrate that regard has been given to national planning policy.

40. I address some issues with regard to national planning policy in my consideration of individual policies and recommend some modifications. These include 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 development proposals*” (paragraph 16). It is also important for the Plan to address the requirement expressed in national planning policy and Planning Practice Guidance that “*A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood*”

area for which it has been prepared.” (NPPG Paragraph: 041 Reference ID: 41-041-20140306). The Plan’s policies do not always meet these requirements and a number of recommended modifications are made as a result.

41. Generally, I conclude that the Plan has regard to national planning policy and guidance but there are exceptions as set out in my comments below. These include the need for some policies to be more clearly expressed and/or evidenced or for duplication with other planning policies or the National Planning Policy Framework to be avoided.

42. I am satisfied that the Plan meets this Basic Condition other than where identified in my detailed comments and recommended modifications to the Plan policies.

Sustainable development

43. The Plan must *“contribute to the achievement of sustainable development”*. This is addressed in the Basic Conditions Statement by a brief assessment of how relevant Plan policies contribute to each of the economic, social and environmental dimensions of sustainable development. It identifies a positive contribution for every policy.

44. The assessment is broad brush and succinct in its approach and provides the bare minimum of information required to meet this Basic Condition. Nevertheless, it accords with my own assessment that the overall contribution of the Plan to sustainable development is positive.

Development plan

45. The Plan must be *“in general conformity with the strategic policies of the development plan”*. The Basic Conditions Statement addresses this by relating the relevant policies which have been identified as strategic by Braintree District Council to each of the neighbourhood plan policies and providing a brief commentary. This includes the strategic policies in Section 2 of Braintree’s Local Plan which was not adopted until after the Plan was submitted. I do not consider the subsequent changes made to Section 2 of Braintree’s Local Plan as adopted during the examination are significant for the purposes of assessing general

conformity other than in relation to the revised (and renumbered) Local Plan Policy LPP21. I address this relationship as part of the examination.

46. The assessment identifies a number of instances where a Plan policy goes beyond the strategic policies in the Local Plan and concludes that there are no policies which conflict with or depart from the strategic policies.

47. Braintree District Council made representations on the consultation draft Plan and when requested for a view on the submitted Plan it said *“subject to the comments submitted by Braintree District Council made at reg 16, we believe that the Neighbourhood Plan can be modified to be in general conformity with the strategic policies.”*

48. I address Braintree District Council’s where relevant as part of my consideration of general conformity in relation to each of the Plan’s policies. I am satisfied the Plan meets this Basic Condition other than where identified in my detailed comments and recommended modifications to the Plan policies.

Strategic Environmental Assessment

49. The Plan must be informed by a Strategic Environmental Assessment if it is likely to have significant environmental effects. Feering Parish Council submitted an Environment Report of the Strategic Environment Assessment undertaken of the Plan. This included assessment of *“reasonable alternatives”* for the masterplanning of the Strategic Growth Location identified in Policy LPP22 of Section 2 of Braintree’s Local Plan (subsequently renumbered as LPP21).

50. The Environment Report concludes that *“Overall, minor long-term positive effects are predicted in relation to all SEA themes”* and that the Plan *“provides an additional layer of policy provisions to the strategic allocation of the Local Plan and masterplanning of the site that will, on the whole, deliver positive effects in relation to SEA objectives”*. I am satisfied by the robustness of the approach taken.

51. The views of the statutory bodies on the Environment Report were not apparent in the submitted documents although Historic England, Natural England and Environment Agency were invited to contribute to the Draft Scoping Report. On request I was provided with a copy of the consultation undertaken by Braintree District Council. Historic England *“concur with its conclusions that there are unlikely to be significant effects on designated heritage assets”* although it concluded the overall impact may be neutral rather than *“minor long-term positive”*. It also raised an issue about the lack of any reference to below ground archaeology. Natural England responded positively to the SEA’s suggestion for additional wording on financial contributions being sought from residential development although this relates more to the Habitats Regulations Assessment considered below. Policy 6 addresses the role of developer contributions towards mitigation measures identified in the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy 2018-2038 (RAMS) and these considerations are also addressed in Local Plan Policy LPP64. Environment Agency did not respond. I am satisfied this feedback does not raise any issues for the examination.

52. I conclude that the Plan meets this Basic Condition.

Habitats Regulations Assessment

53. The Plan must be informed by a Habitats Regulations Assessment if it is likely to lead to significant negative effects on protected European sites. Feering Parish Council published a Habitats Regulations Assessment, including both Screening and Appropriate Assessment relating to four internationally designated sites which could not be screened out. The Assessment concluded *“that the Plan document will not result in an adverse effect on the integrity of any international sites either alone or in combination”*. On being consulted Natural England said *“we can agree with the conclusions of the appropriate assessment”*.

54. Both conclusions are conditional on addressing the need for on- or off-site green space to be provided as part of developments of 20 or more dwellings to mitigate and avoid recreational disturbance of internationally designated sites. There is a proposal that this is addressed through additional supporting text or policy wording which addresses the eventuality of such development coming forward in the neighbourhood area on a windfall

site. I am, however, satisfied that Local Plan Policy LPP50 and Policy LPP64 will be material to any such development and that these address the relevant considerations. It is unnecessary to duplicate these provisions in the Plan. I do recommend a strengthening of Policy 6 in line with Natural England's representations.

55. I have considered whether the changes made to the submitted Plan since the Habitats Regulations Assessment are so significant as to require it to be revisited and concluded that the Assessment undertaken is adequate for the purpose.

56. I conclude that the Plan includes appropriate mitigation to meet this Basic Condition subject to the recommended modifications made in this report.

Other European obligations

57. The Plan must be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations. The Basic Conditions Statement asserts that this is the case. No contrary evidence has been presented and there is good evidence of changes being made to the Plan during its preparation. I conclude that 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 manner with changes made to the Plan.

58. I conclude that the Plan meets this Basic Condition.

7. Detailed comments on the Plan policies

59. This section of the report reviews and makes recommendations on each of the Plan's policies to ensure that they meet the Basic Conditions. I make comments on all policies in order to provide clarity on whether each meets the Basic Conditions. Some of the supporting text, policy numbering, headings and the Contents will need to be amended to take account of the recommended modifications.

Development of Site F1

60. **Policy 1** – This provides considerations for the development of the Strategic Growth Location identified in Local Plan Policy LPP21 and support for self-build plots.

61. **Policy 2** – This makes provision for masterplanning the development of the Strategic Growth Location, including identifying relevant considerations and place shaping principles.

62. The context for the policies is provided by adopted Local Plan Policy LPP21 providing for *“around 835 new homes”* and other facilities, including a primary school and nursery, community centre, open space and new connections. This is shown in both Figures 5 and 7. Policy LPP21 states *“Development will be required to follow any associated neighbourhood policies (e.g. design, housing mix and density) in the Feering Neighbourhood Plan if one is in place at the time of the Planning application.”* Contrary to Policy 1's title this is the only site allocated for development and the local detail is provided in Policy 2. I recommend that the two policies are combined into a single Policy guiding development of Site F1.

63. The Policy references a *“Neighbourhood Plan Proposals Map”* showing the site allocation. There is no Proposals Map provided. On request I was informed this was provided by Figure 7 although this only addresses the development site. The Plan includes other proposals.

64. The Policy refers to an allocation for *“up to 750 dwellings”* and *“4 hectares”* for employment use. Policy LPP21 is for *“around 835 new homes”* and *“appropriate employment generating uses”* without specifying an area. No evidence is presented for

varying the quantum of new housing or specifying an area of employment land and the differences reflect the evolution of Policy LPP21 through the Local Plan process.

65. I have considered a number of representations concerning the relationship between the neighbourhood plan and the Local Plan regarding the Strategic Growth Location. As representations from The Crown Estate make clear it is not the role of the neighbourhood plan to revisit a strategic site already allocated. It is clear that the intention of the Policy is not to question or depart from the strategic allocation but to provide more local considerations when accommodating the range and quantum of development identified in Policy LPP21. This is an appropriate role for the neighbourhood plan and one envisaged in Local Plan Policy LPP21.

66. I recommend Policy 1 is aligned with Policy LPP21 in a manner that supports its delivery. This will ensure the Plan meet the requirement of national planning policy that *“neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies”* (paragraph 29, NPPF)

67. The Policy specifies employment uses within Use Classes E(g), B2 and B8 and sui generis uses. There are other appropriate employment uses and no evidence is provided as to why the site should only be used for those specified. The supporting text provides a clear rationale supporting any uses appropriate to a residential area which do not have significant traffic impacts.

68. The Policy’s support for *“self-build plots”* is consistent with national planning policy (paragraph 62, NPPF). This also includes custom-build. It is unclear whether the support for self-build is limited to the Strategic Growth location and there is no evidence provided as to why such support should be limited to this location. I recommend support for opportunities for people to build their own homes is addressed more generally as part of Policy 4.

69. The support for the use of an independent quality review panel is appropriate although the detail of the preferred arrangement should be provided in the supporting text.

This part of Policy 1 relates more to Policy 2 and is repeated in Policy 2, section D. This is addressed as part of my recommendation to combine the two policies.

70. The use of a masterplan to inform development of the site is consistent with national Planning Practice Guidance on *“Design: process and tools”*. The considerations to be addressed are provided in Policy 2 which is informed by public consultation and evidence gathered during the Plan’s preparation. It provides additional detail to Local Plan Policy LPP21 and supports its delivery. Braintree District Council has developed its masterplanning approach to use an Outline Parameter Plan, Design Code and Illustrative Masterplan and this is now part of the adopted Local Plan. Given it is the intention of Policy 1 and Policy 2 to support delivery of Local Plan Policy LPP21 I recommend that the approach taken to masterplanning is consistent with that of Braintree District Council. I acknowledge that The Crown Estate is concerned that the Policy does not introduce requirements beyond its scope for the production of a Supplementary Planning Document. Nevertheless, I am content with the support for a collaborative approach and public consultation which meets the standards required of a Supplementary Planning Document without requiring it to be adopted as one. The use of an independent design review process can also be supported without fettering the decision by Braintree District Council as to whether and how this is delivered.

71. I have considered Braintree District Council’s representations that the infrastructure requirements identified in the Plan should align with those in Local Plan Policy LPP21. There is insufficient evidence presented as part of the Plan to support changes or additions to the infrastructure requirements in Policy LPP21 and the needs identified through the neighbourhood planning process in paragraph 5.2.6 are not carried through into the Plan’s policies. I recommend the policies are aligned and additional community identified needs, such as the cemetery expansion supported in representations from the Parish Church Council of All Saints’ Church and bespoke youth space, are addressed in the supporting text.

72. Section B ix. serves no useful purpose as flood risks will be managed by the Environment Agency in accordance with national policy and through the Local Plan.

73. My recommendations address some detailed issues with the Policy drafting. I share Braintree District Council's representations that *"imaginatively designed homes"* lacks sufficient clarity as a policy expectation and a reference to "beauty" would be consistent with national planning policy. It is inappropriate and unduly restrictive to specify a requirement to provide ecological reports less than three years old. The reference to CIEEM guidance can be provided in the supporting text. It is unnecessary to reference a need to comply with Policy 12 as planning applications must be considered against all relevant development plan policies. Any masterplan prepared as described would be a material planning consideration and this does not need to be included in the Policy. Policy 2 uses a mix of Roman numerals and numbers.

74. Policy 1 and Policy 2 do not meet the Basic Conditions.

- **M3 - Retitle and combine Policy 1 and Policy 2 as follows:**

"Development of Site F1

- A Development of Site F1 (Figure 7) as a Strategic Growth Location in accordance with Local Plan Policy LPP21 will be supported in accordance with an Outline Parameter Plan, Design Code and Illustrative Masterplan developed through a collaborative approach.**
- B The Outline Parameter Plan, Design Code and Illustrative Masterplan should:**
- I. Provide a strategic development framework which will define key development principles and strategic concepts to enable a co-ordinated approach to delivering the planned level of growth on Site F1 (excluding Phase 1);**
 - II. Be informed by a comprehensive assessment of the site and key opportunities and constraints;**
 - III. Develop an overarching vision and objectives for the creation of a high-quality development, outlining how the vision and objectives have been developed through collaborative working, including with the Parish Council and the local community;**

- IV. Explain how the identified vision and objectives for the site will be secured;
 - V. Outline how infrastructure requirements identified in Local Plan Policy LPP21 will be delivered and phased;
 - VI. Identify requirements for future planning applications associated with the site to ensure that if a phased approach is used there is an overall cohesive and sustainable plan that is responsive to the changing needs of the parish;
 - VII. Establish design codes which will guide the production of future planning applications informed by the Feering Village Assessment & Design Guide; and
 - VIII. Allow for small and medium business opportunities, appropriately located adjacent to Threshelfords Business Park and/or near an A12 junction, supported by sustainable transport links; such as public transport, safe walking and cycling
- C To incorporate appropriate 'place shaping' principles the Outline Parameter Plan, Design Code and Illustrative Masterplan should:**
- I. Establish key routes and linkages within the site and with the wider Parish and connecting to neighbouring parishes;
 - II. Maintain and enhance the important features, character and assets within the site and the wider Parish;
 - III. Conserve and, where appropriate, enhance landscapes, habitats and biodiversity, including connections to the wider green and blue infrastructure network;
 - IV. Establish a long-term plan for the stewardship of assets, incorporating the local community;
 - V. Provide high quality and beautiful homes with gardens or access to usable and accessible amenity space;
 - VI. Provide sustainable urban drainage solutions which are multi-functional and create areas of open space which can be used for recreation and deliver benefits for the built, natural and historic environment;

- VII. Ensure generous, well connected and biodiverse rich green and blue space provision as part of the Parish's green and blue infrastructure network, supported by timely ecological reports;
- VIII. Ensure a biodiversity net gain which is well connected to a range of multi-functional green and blue infrastructure and landscape;
- IX. Ensure that development respects and where appropriate enhances the natural environment;
- X. Provide for sustainable movement and access to local and strategic destinations including rail, bus, pedestrians, cycling and horse riding;
- XI. Ensure positive integration with Feering village and the wider surrounds;
- XII. Ensure appropriate varied density of development across the site which reflects and maintains the character of the surrounding area;
- XIII. Establish an appropriate location for employment land which provides good access to surrounding transport networks and seeks to minimise through-traffic movement and avoids congestion within Feering village;
- XIV. Establish an appropriate location for a new local centre which includes new community facilities and is accessible and well connected to both the new development and the existing village; and
- XV. Ensure that new development provides or contributes towards appropriate public realm improvements.

D The production of the Outline Parameter Plan, Design Code and Illustrative Masterplan and subsequent planning applications informed by an independent quality review panel is supported.

E The production of the Outline Parameter Plan, Design Code and Illustrative Masterplan in a manner capable of being adopted as supplementary planning documents, including being subject to public consultation, is supported."

and make consequential changes to the supporting text.

- M4 – Update the supporting text to reflect the adopted Local Plan Policy LPP21 and Outline Parameter Plan, Design Code and Illustrative Masterplan approach and to include any additional community aspirations for infrastructure
- OM4 – [Provide examples and/or further detail on the operation of an independent quality review panel in the supporting text]

Design

75. **Policy 3** – This establishes considerations and standards for a high quality of design in new development.

76. The Policy is supported by the *Village Assessment & Design Guide* prepared alongside the Plan which development proposals should “*take into account*”. The document will need updating following adoption of the Local Plan and modifications to the neighbourhood plan. This also provides an opportunity to address some of the issues raised about the Guide by Braintree District Council. The Guide is described as being “*Part 2*” of the Plan despite being a freestanding document which is not part of the development plan. I recommend that a clear distinction is made between the Plan and the Guide.

77. The first part of Policy 3 is positively worded and appropriate to the need to secure high quality design. Not all considerations are relevant to all development proposals. Some relate only to residential development whereas the Policy relates to all types of development. Addressing representations from The Crown Estate it is also apparent that not all considerations are relevant to the development of Site F1 but a number are appropriate and these can be identified and addressed through the masterplanning and development management process.

78. The Policy is unduly restrictive in stating that all development “*must*” contribute toward an improved public realm. I agree with Essex County Council’s representations that development proposals should “have regard to” the Essex Parking Standards.

79. Section B specifies standards for BREEAM, Home Quality Mark and Secured by Design as well as supporting standards for nature and aspiring to the Livewell Developer Accreditation Scheme. These are all voluntary standards and there is no evidence presented as to why they should be required by planning policy due to specific circumstances within the neighbourhood area. National planning policy is that *“any local requirements for the sustainability of buildings should reflect the Government’s policy for national technical standards”* (NPPF, paragraph 154) and the Plan can support but not require development to deliver higher voluntary standards.

80. I note Braintree District Council’s support for using the Lifetime Homes Standard to provide clarity but this is not consistent with Government policy for Part M (Access to and Use of Buildings) of the Building Regulations to set minimum access standards for all new buildings.

81. Section C introduces specific requirements for electric vehicle charging points in both residential and non-residential development. The issue of electric vehicle charging is not addressed in the supporting text and no evidence is provided for the requirements specified. On request I was informed by Feering Parish Council that *“This is based on the Essex Parking Standards where we have added the EV charging points to the parking standards to take account of the changing environmental issues.”* National planning policy is to address *“the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles”* when setting local parking standards. The Essex Parking Standards were published in 2009 and do not address electric vehicle charging. While it would be appropriate, therefore, to include requirements that constitute *“adequate provision”* this needs to be based on some evidence as to the proportion of parking spaces which should have charging infrastructure. Otherwise the Plan will not be adding to existing national policy.

82. The purpose of paragraph 5.3.3 of the supporting text setting out design requirements is unclear as such considerations should be included in the Policy if they are to be requirements. I share Braintree District Council’s concern that some of the requirements are didactic and constraining.

83. Policy 3 does not meet the Basic Conditions.

- **M5 – Amend Policy 3 to:**
 - Insert “, as appropriate” after “*All development proposals should*”
 - In Section A subsection iv. replace “*in accordance with*” with “have regard to”
 - In Section A subsection x. replace “*must provide*” with “provides”
 - Replace Section B with:
“Development proposals which demonstrate achievement of the highest possible rating under the Home Quality Mark, ‘Livewell’ accreditation or BREEAM, as appropriate, will be supported. Development proposals should have regard to the Secured by Design initiative.”
 - Replace Section C with:
“Development proposals should make adequate provision for charging electric vehicles. Public charging points should be located in highly visible, accessible locations close to building entrances.”
- M6 – Delete references to the Village Assessment and Design Guide being “*Part 2*” of the Plan and update it following adoption of the Local Plan
- M7 – Amend paragraph 5.3.3 of the supporting text to express aspirations rather than requirements – e.g. replace “*requires new development to*” with “supports new developments which”

Housing

84. **Policy 4** – This addresses the location and affordability of new housing.

85. In 2019 Braintree District Council provided an indicative requirement for 750 dwellings in the neighbourhood area and although this has now been surpassed by the adoption of the Local Plan it is agreed that the area’s housing requirements are met through the Strategic Growth Location addressed in Policies 1 and 2. No contrary view has been expressed.

86. The Policy is supported by a Housing Needs Assessment (2018) that concludes there is a need to increase provision of affordable/social rent and smaller 2-3 bedroom homes. There is also support for additional specialist housing for older people. These conclusions are supported by the public consultation outcomes.

87. Policy 4 seeks development proposals which demonstrate how they meet these needs for affordability and smaller homes. It is not, however, for applicants to *“outline current local housing needs”* but to demonstrate, where appropriate, how proposals meet identified needs. The requirement for affordable homes to be provided *“in accordance with the requirements set out within the Braintree Local Plan”* serves no useful purpose and duplicates existing development plan policy.

88. For clarity the reference to *“settlement boundaries”* should be consistent with that for *“development boundary”* as defined in the Local Plan. This should be referenced in the supporting text.

89. The Policy seeks affordable housing which is *“dispersed throughout new development”*. This is a potentially onerous requirement and an alternative arrangement of affordable homes may be appropriate and more suited to management needs. No evidence is provided as to why this expectation is included in the Policy and I share some of Braintree District Council’s concerns with the approach.

90. The Policy’s approach to providing affordable housing to those with a *“local connection”* on exceptions sites is broadly consistent with that operated by Braintree District Council although this will not be possible in all circumstances. The drafting is not clear whether both subsections apply in Section B.

91. There are grammatical issues with the structure of the Policy with subsections iv. and v. being drafted as freestanding statements.

92. I recommend that support for self-build and custom-build plots is addressed in this Policy given it relates to more than Site F1.

93. Policy 4 does not meet the Basic Conditions.

- **M8 – Amend Policy 4 to:**

- **Replace “*settlement boundaries*” with “development boundaries” in two instances**
- **In Section Aii. Replace the second sentence with “Development proposals should demonstrate how the proposed housing mix will assist in meeting identified local needs, including for affordable homes;”**
- **In Section A delete subsections iii, iv and v**
- **In Section B insert “and” at the end of subsection i.**
- **In Section B insert “where possible” at the end of subsection ii.**
- **Add a new Section C “Development proposals for self-build and custom-build homes will be supported where they assist in meeting identified local needs.”**

- OM5 – [Update the supporting text following adoption of the Local Plan and make reference to Local Plan policy defining development boundaries in the neighbourhood area]

Heritage assets and their settings

94. **Policy 5** – This sets out policy expectations for recognising and protecting heritage assets.

95. The Policy is supported by limited evidence and is general in nature. Section A, Bv., C and D serve no useful purpose as they address matters already considered in the National Planning Policy Framework (Chapter 16). There are also inconsistencies in the approach which reduces the clarity of policies relating to heritage, including a need for greater clarity by referring to both “designated and undesignated” heritage assets.

96. I agree with Braintree District Council that the title of the Policy would be clearer as “Heritage assets and their settings”.

97. Policy 5 does not meet the Basic Conditions.

- **M9 – Amend Policy 5 to:**

- **Include a new title “Heritage assets and their settings” and to delete Sections A, Bv., C and D**
- **In the first line of Section B insert “designated and non-designated” before “heritage”**

Natural Environment and Green and Blue Infrastructure

98. **Policy 6** – This establishes policy considerations for identifying and protecting the natural environment, including green and blue infrastructure and Local Green Spaces.

99. The Policy is supported by mapped details of two existing Local Wildlife Sites (Figure 9) and existing green spaces intended to be designated as Local Green Spaces (Figure 10). Figure 10 erroneously includes details of the “*School and Community Centre*”. There is strong support for measures to protect nature and green spaces in the public consultation outcomes.

100. Evidence is provided that the case for designating 15 Local Green Spaces has been considered in a manner consistent with national planning policy requirements (paragraph 102, NPPF). I visited each of the Local Green Spaces and have considered representations on the proposals, including from Braintree District Council and The Crown Estate. Land ownership is not a relevant consideration when designating Local Green Space.

101. I concur with the assessment provided in the evidence base and support the proposed designations with some exceptions that do not meet the requirements of national planning policy:

- LGS5 St Martins cemetery and cemetery extension – the existing cemetery meets the requirements for Local Green Space designation but the proposed extension anticipates decisions not yet made and should be excluded
- LGS10 & LGS11 River Blackwater – these comprise “*an extensive tract of land*” in terms of national planning policy and includes areas of agricultural land which otherwise fail to meet the criteria. I note Feering Parish Council’s desire to retain some aspect of both proposed Local Green Spaces as a narrower corridor but this would be a significant change requiring further public consultation. It may be considered as part of a future review of the Plan
- LGS15 Domsey Brook - there is a lack of evidence for the wildlife interest of this land and very limited recreational benefit from rights of way passing across it. I note Feering Parish Council’s view that this proposal would support improved east/west connections but designation as a Local Green Space confers no additional right of access to the land

102. Further to representations from Braintree District Council I would be content with Local Green Space designations that may continue beyond the neighbourhood area if this were to be the case. It is an inevitable consequence of any planning boundary that other boundaries may not coincide and this is as true of a Local Plan as a neighbourhood plan.

103. Figure 10 does not include the boundary of each Local Green Space and this was provided as a hand annotated map on request. The Plan does not include an explicit policy designating the Local Green Spaces although this is implicit in their inclusion in Policy 6, Figure 10 and the supporting text and evidence. It is unfortunate that the Plan was not clearer in its designation of Local Green Spaces but I am satisfied that the intent was sufficiently apparent during the public consultation on the draft and submitted plans. It is essential that detailed boundaries for each of the designated Local Green Spaces are included at an appropriately large scale in the final Plan alongside a Policy which designates them. This may require the use of inset maps. Given the recommended deletion of some proposed Local Green Spaces their numbering has been changed where necessary in my recommended modification.

104. Section A is very general and the balance of decision making in the final sentence is not consistent with the National Planning Policy Framework. Section C is similarly not consistent with national planning policy and it concludes with a statement that serves no purpose in a planning policy.

105. The Policy refers inconsistently to different types of routes and networks. Figure 12 is correct in identifying footpaths, bridleways and byways and these combine to create the Public Rights of Way network. For clarity I recommend this term is used throughout the Plan and reference is made to Figure 12. This will also help to address some of the concerns of the Essex Bridleways Association regarding the lack of attention to equestrian users. There are additional routes used by cyclists and horse riders, including permissive routes and alongside roads which also need to be addressed and these should be identified in Figure 12. The use of acronyms – such as “*PROW*” and “*SuDS*” and references to “*The Plan*” should be avoided.

106. Natural England’s representations include a strengthening of the way the Plan addresses the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy. It states that this is necessary to secure the mitigation required by the Habitats Regulations. I am content with the proposed change.

107. The Policy is unduly onerous in requiring all development proposals, regardless of their size or impact, in two character areas to demonstrate how they will protect and enhance their special features and overall character.

108. The management and maintenance arrangements associated with new development may need to be agreed with a number of parties and this does not need to be specified in the Policy. This also addresses representations from The Crown Estate.

109. Policy 6 does not meet the Basic Conditions.

- **M10 – Insert a new Policy:**

“Local Green Spaces

The following areas shown in Figure(s) ?? are designated as Local Green Spaces

| | |
|--------------|--|
| LGS1 | Feering Churchyard |
| LGS2 | Village Green |
| LGS3 | Taylors, Coggeshall Road |
| LGS4 | Allotments |
| LGS5 | St Martins cemetery |
| LGS6 | Playing Field, Rye Mill Lane |
| LGS7 | Feering Marsh |
| LGS8 | Kelvedon & Feering Cricket Ground |
| LGS9 | Cricket Ground extension |
| LGS10 | Lady Meadow |
| LGS11 | Bridge Meadow and “Packhorse” Bridge |
| LGS12 | Bridge Meadow and Feering Hill Green” |

- **M11 – Amend Policy 6 to:**

- Replace *“The Plan supports development proposals”* with **“Development proposals will be supported”** at the beginning of Sections A and B
- Delete the final sentence of Section A
- In Section B iii. insert **“walking, cycling & horse-riding networks, including Public Rights of Way (Figure 12)”** after *“the”* and delete rest of sentence
- In Section B v. replace *“PROW network”* with **“walking, cycling & horse-riding networks, including Public Rights of Way”**
- In Section B vii. Replace *“SuDS”* with **“sustainable urban drainage systems”**
- Replace Section B viii. with **“All new residential development will be required to make a financial contribution towards mitigation measures, in accordance with the adopted Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Supplementary Planning Document, to avoid adverse in-combination recreational disturbance effects on European Sites”**
- Delete Section C

- In Section D replace “*within*” with “which are likely to have a significant individual or cumulative impact on”
 - In Section E insert “agreed at the time of planning consent” after “*should be*” and delete rest of sentence
- M12 - Delete the “*School and Community Centre*” from Figure 10
 - M13 – Amend and retitle Figure 12 to provide a map of “Walking, cycling and horse-riding routes, including Public Rights of Way” that distinguishes the footpaths, bridleways and byways that form the Public Rights of Way network from other routes

Flood Management

110. **Policy 7** – This seeks to avoid or reduce flood risk by complying with Local Plan policies.

111. The Policy is supported by very limited evidence. There is recognition of flooding as an issue in the public consultation outcomes.

112. As drafted the Policy serves no useful purpose as it relies on implementation of Local Plan flood risk policies “*as a minimum*”. There is no evidence provided as to why the measures in the Local Plan should be exceeded in the neighbourhood area. Nevertheless, the element of the Policy supporting natural flood management measures is appropriate. Their benefit, including for carbon saving, should be addressed in the supporting text.

113. Policy 7 does not meet the Basic Conditions.

- **M14 – Replace Policy 7 with:**
“The use of natural flood management techniques is supported wherever possible.”

- OM6 – [Address the benefits of natural flood management measures in the supporting text, including any appropriate references]

Community and Leisure Facilities

114. **Policy 8** – This establishes policy considerations for the expansion and protection of community and leisure facilities

115. The Policy seeks to amplify Local Plan policy to address the circumstances of the neighbourhood area. This is informed by consultation identifying a need for additional community facilities to meet both existing and future additional needs arising from the development of Site F1.

116. Section A is unduly onerous in requiring all development proposals to consider issues regarding community and leisure facilities regardless of their scale or impact. The Policy would read more clearly if Section A and B were combined and if Sections B iv. and B v. were redrafted so as not to be freestanding statements.

117. Section C seeks to protect existing facilities by requiring evidence that they are not economically viable and no longer required. Both considerations should not apply. A further missing consideration should be the provision of an equivalent alternative facility.

118. Footnote 30 refers erroneously to section 5.6 which deals with the natural environment and green and blue infrastructure.

119. Policy 8 does not meet the Basic Conditions.

- **M15 – Amend Policy 8 to:**
 - **Combine Sections A and B into a single Section with two sentences**
 - **Insert “Relevant” before “Development” at the beginning of Section A**
 - **In subsection iv. replace “There would be no” with “avoid”**
 - **In subsection v. insert “Provide” at beginning and delete “would be provided”**

- **Replace Section C with “Development proposals resulting in the loss of a locally valued community or leisure facility should be supported by evidence that:**
 - **The use is not economically viable; or**
 - **The facility is no longer required to meet the needs of the local community; or**
 - **An equivalent alternative facility will be provided in an appropriate location.”**
- OM7 – [Provide the correct reference in Footnote 30]

Moving around

120. **Policy 9** – This establishes policy considerations for new development relating to existing transport and Public Rights of Way networks and addressing their impact.

Additional considerations are established for employment uses.

121. The Policy is supported by limited evidence beyond a breakdown of the modal split for residents travel to work journeys. There is evidence from public consultation of future priorities for transport investment.

122. The Policy relates to all development proposals regardless of their scale or transport impacts. It is unduly onerous in requiring evidence of no impact on congestion from development. The provisions for employment uses also take no account of the scale of significance of their transport impact and I share the view expressed by The Crown Estate that to be consistent with national planning policy any impact on the highway network should be “severe” (paragraph 111, NPPF) before it is material to a decision to refuse permission.

123. I share the concern in representations from Barton Willmore Planning on behalf of L&Q Estates, Cirrus Land and G120 Land Ltd that Section A v. and Section A vi. duplicate each other. Section A iv. is also addressed in Section A ii. and Essex County Council notes

that the deletion of Section A iv. was agreed by Feering Parish Council in considering its earlier representations on the Plan.

124. Section A viii. seeks to require parking standards in accordance with the Plan's Objective D6. This Objective is not included at the beginning of the Policy section and no evidence is provided that it will not be delivered through application of the Essex Parking Standards. Section A viii is also duplicated in Section B v.

125. The drafting is inconsistent in its description of the component parts of the Public Rights of Way network. The drafting can also be improved to support a clearer sentence structure and to clarify that all the criteria in both Sections need to be considered.

126. Section B vi. lacks clarity in the way it references *"The plan"* and should be freestanding as it is not an additional consideration for employment generating development. I note the uncertainty over the investment required for a *"new and improved A120"* whilst recognising this may happen within the Plan period. There is a lack of evidence for broad based support for new and improved road infrastructure over and above that specifically identified.

127. Policy 9 does not meet the Basic Conditions.

- **M16 – Amend Policy 9 to:**
 - **At the beginning of Section A insert "as appropriate" after "should"**
 - **In Section A ii. Replace "*public rights of way, pedestrian, cycle, passenger transport and bridleway*" with "*walking, cycling & horse-riding networks, including Public Rights of Way, (Figure 12) and passenger transport*"**
 - **In Section A iii. replace "*detrimental impact*" with "*severe cumulative detrimental impacts*"**
 - **Delete Section A iv.**
 - **Replace Section A v. and vi. with "*Not have a severe detrimental impact on air quality and public health as a result of increased traffic flows and congestion*"**

- Replace Section A viii with “Make provisions for parking which have regard to the Essex Parking Standards (2009) or subsequent amendments”
 - In Section A ix. delete “*Where appropriate*”
 - Delete “to” in Section A iii. A v. and A vi
 - Move “; and” from end Section A vi. to end Section A viii. and from end Section B iv. to end Section B v.
 - In the opening line of Section B delete “*In addition to A*” and insert “as appropriate” at end
 - Insert at the end of Section B ii. “when delivered”
 - Delete Section B v.
 - Delete Section B vi. and insert a new Section C:
“Where new and improved infrastructure is provided it should make adequate provision for safe crossing points and corridors for wildlife and equestrian use.”
- OM8 – [Include Objective D6 under Section 5.9 and provide appropriate supporting text regarding how it can be delivered through application of agreed parking standards]

Business and Economy

128. **Policy 10** – This establishes policy considerations for employment generating development and the protection of employment uses.

129. The evidence base identifies the neighbourhood area has a higher proportion of self-employed than neighbouring areas and that existing major employment sites are at capacity.

130. Section A is enabling and supportive while also being very general in nature. The considerations are more appropriate as indicators of what will be supported than as policy criteria. This will help to address representations made by The Crown Estate as to the vagueness of the approach.

131. Whether a business is a *“Small and Medium Sized Enterprise”* is not directly a planning consideration although the size and nature of premises is material. There is a lack of evidence for the Policy not also considering larger enterprises and this can be addressed by recasting the policy to identify proposals which are offered support. There is a lack of any definition of *“environmentally friendly”* and *“carbon neutral”* which means the Policy is not *“clear and unambiguous”* (NPPG Paragraph: 041 Reference ID: 41-041-20140306). I recommend an alignment with national planning policy. It is unclear whether all the considerations apply.

132. Section B is negatively worded in stating what *“will be resisted”*. It does not address the possibility of alternative equivalent additional employment generating development being available elsewhere in an appropriate location.

133. Policy 10 does not meet the Basic Conditions.

- **M17 – Amend Policy 10 to:**

- In the first line of Section A replace *“should”* with **“will be supported that”**
- Insert at beginning of Section A i. **“Provide suitably sized and supported premises that will”** and delete from *“e.g.”* to end
- In Section A move *“; and”* from the end of subsection iii. to the end of subsection iv.
- In Section A iv. replace *“significantly”* with **“severe cumulative”**
- Replace Section A v. with **“contribute to and enhance the natural and local environment and support the transition to a low carbon future.”**
- In the second line of Section B replace *“will be resisted unless”* with **“should meet”** and delete *“is met”*
- In Section B insert a new subsection after subsection i. **“Equivalent, alternative and additional provision is available elsewhere locally in an appropriate location.”**

Developer Contributions to Community Infrastructure

134. **Policy 11** – This supports developer contributions where appropriate based on an understanding of the impact of development and prioritises an identified list Infrastructure Items.

135. The context for the Policy is that the Community Infrastructure Levy has not been introduced by Braintree District Council. The Policy and accompanying Table received strong support through public consultation.

136. Sections A and B of the Policy are broad in approach and can be delivered through different mechanisms, including use of s106 obligations.

137. Section C relates specifically to an identified list of priority infrastructure items in Table 3. There is a lack of evidence supporting the identification and prioritisation of the items in Table 3 and no indication as to their viability. The Policy is that they “*must*” be provided. Braintree District Council raises significant concerns stating that “*Many of the infrastructure items for site F1 is contradictory to S2LP Policy LPP22 and the Council's IDP. As written paragraph C is not appropriate in regards to National Policy and does not conform with Local Plan policy LPP82 [now LPP78], and is not compatible with the Council's viability tested IDP.*” I share the view that there is unnecessary overlap with Local Plan Policy LPP78 and there are inconsistencies with the infrastructure requirements for delivering Site F1. This is also highlighted by representations from The Crown Estate and inconsistent with the Plan’s overall intention to support delivery of Local Plan Policy LPP21. I conclude that Section C lacks sufficient evidence and raises general conformity issues with the Local Plan. The aspirations in Table 3 may be addressed through reference in the supporting text.

138. Policy 11 does not meet the Basic Conditions.

- **M18 – Amend Policy 11 to delete Section C**
- M19– Make consequential adjustments to the supporting text, including identifying Table 3 as a summary of desired not “*required*” local infrastructure projects.

Climate Change and Sustainability

139. **Policy 12** – This establishes policy considerations for supporting development of renewable energy schemes, reducing light pollution, recycling water and providing sufficient information with which to assess development proposals.

140. The Policy is supported by relatively little evidence as to the climate change considerations specific to the neighbourhood area. The Parish Council has declared a climate emergency.

141. The Policy takes a supportive approach. Its expectations on information to be provided with development are desirable and not requirements and I consider this to be a sufficiently flexible approach. I share Essex County Council's view in representations that development proposals may be accompanied by an "environment statement" rather than a "*sustainability appraisal*".

142. It is not appropriate to include examples in the Policy and they should be provided in the supporting text. The Policy should be freestanding and not reference "*The plan*".

143. Section A addresses a non-planning issue, support for funding, and not appropriate to planning policy. The planning considerations are addressed in Section B.

144. Section F is unspecific in its support for development that "*looks at ways*" of harvesting grey water.

145. Policy 12 does not meet the Basic Conditions.

- **M20 – Amend Policy 12 to:**
 - **Delete Section A**
 - **In Section C replace "*The plan supports development proposals*" with "**Development proposals are supported**"**
 - **Replace Section C i. with "**an environment statement**"**

- **Replace Section C iv. with “sustainable drainage systems which manage the risk of flooding”**
- **In Sections D, E and F replace “*The plan support developments*” with “Development proposals are supported”**
- **In Section F replace “*look at ways of harvesting*” with “incorporate”**

8. Recommendation and Referendum Area

146. I am satisfied the Feering 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.

DECLARATION OF RESULT OF POLL

Braintree District Council

Feering Neighbourhood Plan Referendum

I Dan Gascoyne, being the Returning Officer at the above referendum held on Thursday 27 October 2022, do hereby give notice that the results of the votes cast is as follows:

| Question | | |
|--|----------------|------------|
| Do you want Braintree District Council to use the Neighbourhood Plan for Feering to help it decide planning applications in the neighbourhood area? | | |
| | Votes Recorded | Percentage |
| Number cast in favour of a Yes | 414 | 94.68 % |
| Number cast in favour of a No | 23 | 5.25 % |

| The number of ballot papers rejected was as follows: | Number of ballot papers |
|--|-------------------------|
| A want of an official mark | 0 |
| B voting for more answers than required | 0 |
| C writing or mark by which voter could be identified | 0 |
| D being unmarked or wholly void for uncertainty | 1 |
| E rejected in part | 0 |
| Total | 1 |

Electorate: 1774

Ballot Papers Issued: 438

Turnout: 24.68%

And I do hereby declare that more than half of those voting have voted **in favour of** the Neighbourhood Plan.

Dated Monday 31 October 2022

Dan Gascoyne
Returning Officer

Referendum version



October 2022

Vision

Vision

Vision For Feering

To preserve the individual village character of Feering, whilst enhancing the local environment, reducing pollution and impact on climate change, incorporating sensitive and considerate design, green technologies and infrastructure as well as providing quality community facilities. Our vision is to be a happy, thriving, cohesive community, enjoying an improved and sustainable quality of life with aspirations for future generations.

Picture 1 Community Consultation Event at Feering Community Centre



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SUMMARY OF THE NEIGHBOURHOOD PLAN

1 SUMMARY OF THE NEIGHBOURHOOD PLAN

1.0.1 The Feering Neighbourhood Plan (FNP) covers the period 2020 – 2033. The Plan provides a vision, objectives and planning policies which will guide future development in the Parish and protect valued assets. The Plan will ensure that future development in the Parish is high quality, appropriate, sustainable, and supported by appropriate infrastructure provision.

1.0.2 The Plan presents the existing status and nature of the community, its environment and its economy. The Plan then identifies the current and future issues affecting the Parish, and considers how these can be addressed. The Neighbourhood Plan Vision Statement and associated Objectives and Policies have been developed, alongside a comprehensive Village Assessment and Design Guide, to address local issues and concerns identified through available evidence and a range of community consultation events.

1.0.3 The FNP policies set out how the community plans to manage the future development of the Parish, whilst protecting the local environment, community services and facilities, and the character of the area, improving the quality of life for residents of Feering Parish.

Picture 2 Feering Community Association Annual May Fayre



INTRODUCTION

2 INTRODUCTION

2.1 What is Neighbourhood Planning?

2.1.1 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 (BDLP) and other material planning considerations, including the National Planning Policy Framework (NPPF (2019)).

2.1.2 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-based documents and Strategic Environment Assessment / Habitats Regulation Assessment as necessary. Neighbourhood plans must accord with the overall aims and objectives of the NPPF, particularly in relation to supporting and promoting sustainable development.

2.1.3 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 future development meets the needs and requirements of the local community.

2.1.4 Where a Community Infrastructure Levy⁽¹⁾ (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.

2.1.5 The Planning Practice Guidance⁽²⁾ 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 1990⁽³⁾ The submission of the final version of the FNP to Braintree District Council included 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.

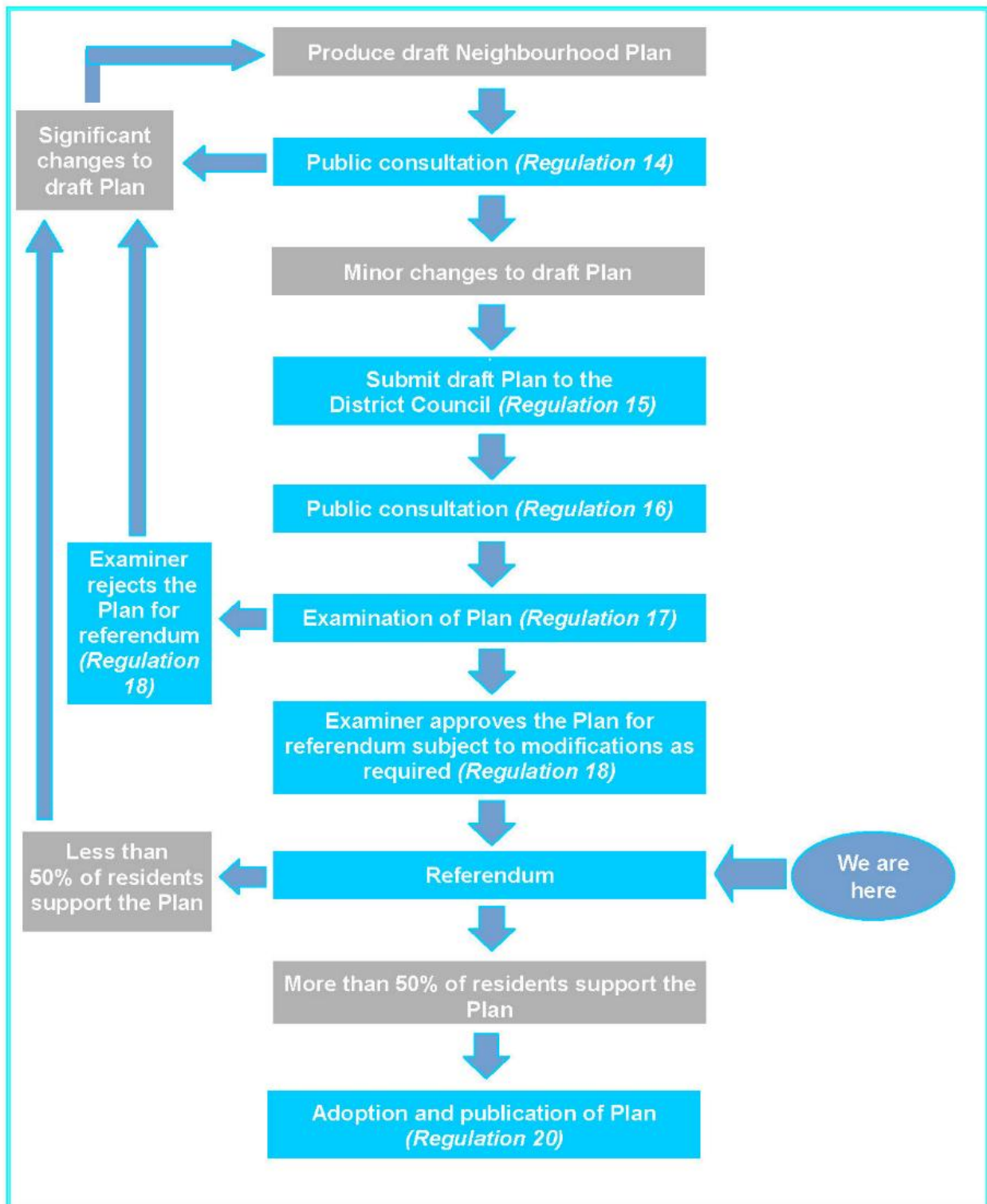
1 The Community Infrastructure Levy (CIL) was introduced by the Planning Act 2008 and came into effect in April 2010. It is a levy which can be charged on new development in an area to contribute towards infrastructure. The local charging authority can determine the rate of the levy and how contributions 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.

2.1.6 The Neighbourhood Planning (General) Regulations 2012 (as amended) sets out the statutory stages which must be completed in the production of a neighbourhood plan. The diagram below presents this process, and identifies which stage we are currently at in the production of the FNP.

Figure 1 Neighbourhood Plan Production Stages



2.2 Why does Feering Parish need a Neighbourhood Plan?

2.2.1 The Feering Neighbourhood Plan (FNP) is a community led document which expands on the Feering Parish Plan produced in 2012 and provides local people with more say in what happens in their environment. Neighbourhood Plans give local communities direct power to guide and shape the future of their Parish. The production of a Neighbourhood Plan provides parishioners and stakeholders with the opportunity to establish objectives and requirements to guide and manage future development proposals in the Parish. This will ensure that local needs are met and that the valued characteristics of the Parish can be maintained and protected for future generations.

2.2.2 The Braintree District Local Plan (BDLP) 2013-2033 identifies land within Feering Parish as a 'Strategic Growth Location' for the development of 795 new dwellings up to 2033, and around 835 in total. Through emerging development proposals in Feering Parish, there will be important decisions being made in the coming years which will have a significant impact on the Parish. A Neighbourhood Plan provides a powerful tool to guide the long-term future of Feering village and its surrounding countryside.

2.2.3 Policies in the FNP will be able to influence the design and type of sustainable development by identifying need and working towards the best use of developer contributions (Section 106 or Community Infrastructure Levy funding) and other funds, with particular regard to retaining the enlarged village as one entity whilst protecting the existing rural and village environment.

2.3 Production of the Feering Neighbourhood Plan

2.3.1 In December 2012, Feering Parish Council published the Parish Plan. This identified a range of issues and projects within the Parish. In March 2015, Feering Parish Council submitted a request to Braintree District Council (BDC) for the Parish to be designated as a Neighbourhood Area. Confirmation was later provided by BDC that the Parish of Feering had been designated as a Neighbourhood Area for the purposes of producing a Neighbourhood Plan. A Steering Group was formed as a committee of the Parish Council to oversee the production of the Plan.

2.3.2 The Neighbourhood Plan Steering Group (NPC) engaged with the local community and stakeholders to seek views and inputs into shaping the draft FNP. Drop-in sessions and public exhibitions were held in February 2016, February 2017 and February 2018. In early 2017 the NPC carried out a survey of local businesses. In November 2017 a Parish wide survey⁽⁴⁾ of the community was undertaken.

2.3.3 In addition to public consultation, the NPC has also produced evidence base documents to inform the production of the FNP related to the historical background of the Parish, key Parish statistics, an assessment of local character, mapping of local facilities and community assets, documenting the local environmental context, analysing housing needs and future options, and master planning potential growth options in the Parish.

2.3.4 During the process of development of the NP the Parish Council engaged a number of highly respected and recommended professional bodies. Grants and technical support packages were made available through Locality. DAC Planning was commissioned by the Parish Council in January

4 Feering Parish Community Survey 2017

2019 to provide support in producing the Regulation 14 Draft FNP consultation document. HTA then undertook in the autumn 2019 a critical friend review of the draft document and provided comments. AR Urbanism was also commissioned in the summer of 2019 by the Parish Council to develop a Neighbourhood Plan Village Assessment and Design Guide.

2.4 Regulation 14 Consultation on the Feering Neighbourhood Plan

2.4.1 As outlined in the Neighbourhood Production Stages Diagram, the Neighbourhood Planning (General) Regulations 2012 (as amended) require a draft Neighbourhood Plan to be subject to public consultation before the Plan can be submitted to a Local Planning Authority (LPA) for examination. The requirements for this stage of public consultation are set out within Regulation 14 of the Neighbourhood Planning Regulations.

2.4.2 Based on the outcomes of community events and surveys since 2016 and research and evidence gathering, a draft Regulation 14 FNP was produced and consulted on in February-March 2020.

2.4.3 In addition to meeting the 'basic conditions', the FNP should represent the views of residents of the Parish, as well as people and organisations who have an interest in the future of the area. The Regulation 14 consultation therefore sought comments on all elements of the draft Neighbourhood Plan to identify any changes required prior to the submission of the Plan to Braintree District Council for Regulation 16 consultation and examination.

Picture 3 Old Feering, the Village Green & Feering Church



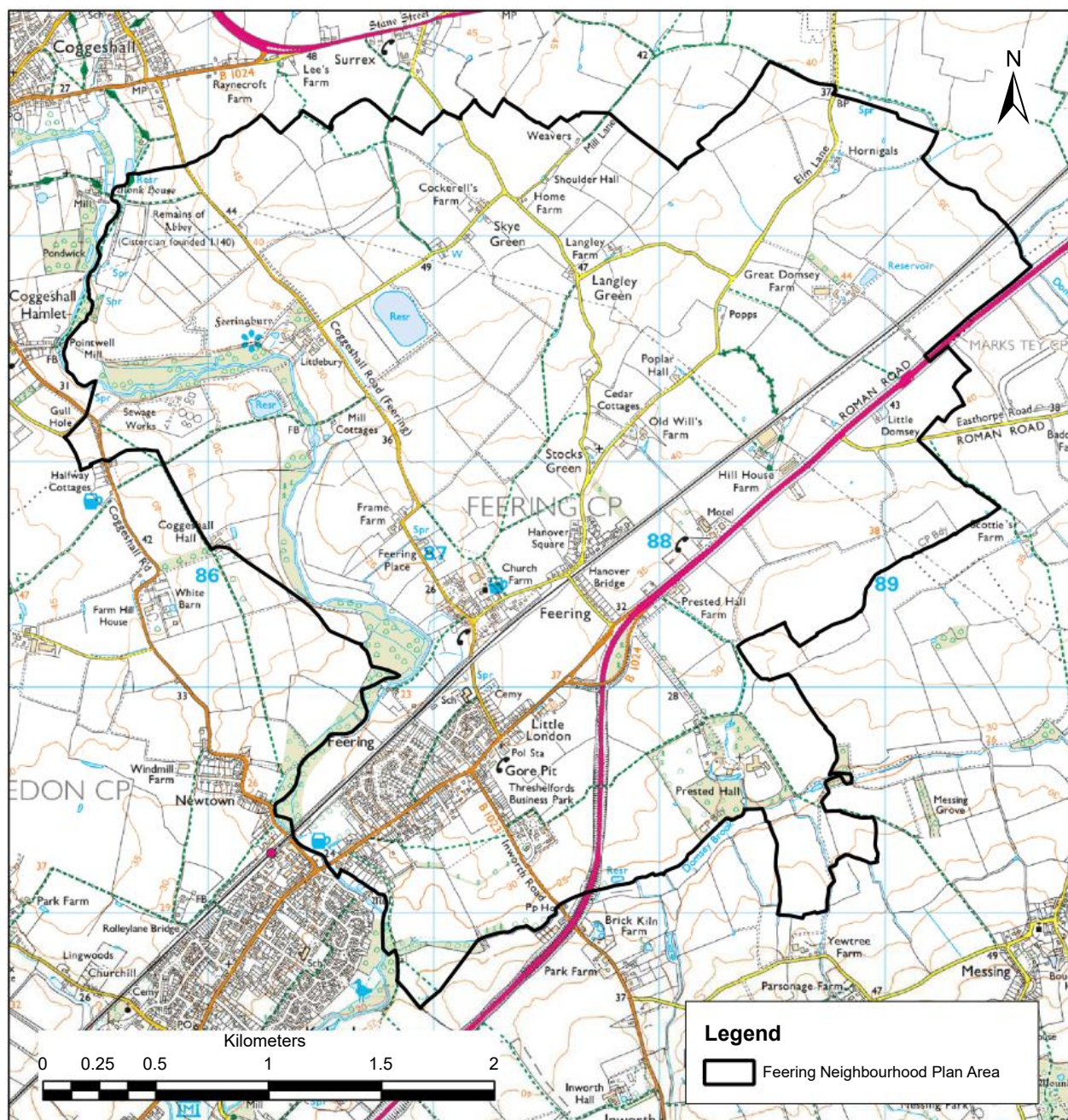
ABOUT FEERING PARISH

3 ABOUT FEERING PARISH

3.1 Location and Context

3.1.1 The Parish of Feering is located in the District of Braintree, Essex. The designated Neighbourhood Area for the purposes of producing the Neighbourhood Plan is consistent with the Parish boundary presented in Figure 2. The Parish has a population of just over 2,000 residents and around 830 houses, predominantly located within the village of Feering.

Figure 2 Map of Feering Parish



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3.1.2 Feering Parish consists of Feering village, and a number of small hamlets. The hamlets of Feeringbury, Skye Green and Langley Green are located in the north of the Parish, and consist of dispersed houses and agricultural buildings set back from the road on large plots. The northern area of the Parish is predominantly agricultural & rural in character, accessible via mostly narrow country lanes.

3.1.3 The village of Feering is the largest settlement in the Parish, located in the south west of the Parish adjacent to Kelvedon village. The village has developed over many centuries as an agricultural centre and as a coaching station on the B1024 London Road, which historically was the main route between London and Colchester. These two distinctive economic activities have each contributed to the evolution of the village and its built environment and underpin the character of buildings throughout the village as a whole. The historic core of the village (known as Old Feering) is located off London Road around the Registered Village Green and the Parish Church, which originates from the 13th century. The village contains a number of listed buildings, predominantly located around the Parish Church and on Feering Hill. Many historic buildings in the village are wattle & daub with a timber frame. For the current list please refer to the Feering Parish Council Neighbourhood Plan Village Assessment & Design Guide.

3.1.4 The village is characterised by low density single and two-storey dwellings predominantly with large gardens. Since the 1950s small pockets of development have been added to enlarge the village envelope, largely due to fluctuating housing demand booms. These small housing estates present a uniform architectural style which reflects their period of development from the 1950s to the present day. Modern residential development in the village presents more mixed house designs and sizes, however, they predominantly consist of 3 to 4 bedrooms with 2 storeys. There are a small number of terraced houses within the village, mainly with 2 bedrooms.

3.2 Services, facilities and community assets in and around the Parish

3.2.1 Near the village green, the Parish Church of All Saints shares its clergy with the church in Kelvedon and holds family services in addition to Holy Communion and Evensong. The cemetery of St Martins on the Coggeshall Road is now the main burial site. It also hosts the village cenotaph. The Parish Magazine allows the residents to keep in touch with what is going on in the village as well as promoting local businesses and events.

3.2.2 The main educational facility in the village is Feering Church of England Primary School with a published admission number of 25 places per year group. The school forms part of the All Saints Academy Trust family of schools, and has access to a playing field and small wooded area. The school shares its building, main hall and multi-use games area with the community centre which attracts visitors from outside the Parish. Within the shared community building there is a well-attended early year's nursery with links to the primary school. The nearest secondary schools to the Parish are Honywood School in Coggeshall and Thurstable School in Tiptree.

3.2.3 The playing fields next to the school provide a large children's playground area which includes skate ramps and a football pitch. These community fields also provide space for the annual May Fayre which attracts thousands of people each year to raise money for the community centre. The community centre is a busy hub of the village, hosting many different societies and fitness groups, the parish office, and three bookable rooms which include a large hall which is shared with the primary

school. The nearest library facility is located in Kelvedon, and a mobile library attends Feering primary school once every 3 weeks. In summer 2019 Essex County Council (ECC) adopted a new Future Library Services Strategy (2019-2024) in which it committed to keeping all libraries including Kelvedon library open⁽⁵⁾ until 2024.

3.2.4 Kelvedon and Feering Cricket Club is on Rye Mill Lane north of the railway line. The club includes male and female teams of all ages and has its own pavilion, nets and two separate pitches. The club also hires out the pavilion and bar for social functions.

3.2.5 The Parish contains two public houses, the Sun Inn and the Bell Inn, and a restaurant called the Blue Anchor, which also provides overnight accommodation. Prested Hall is located east of Feering Village, and includes a hotel, a private health club with a swimming pool, and hire facilities for parties. There are four allotments at the back of the village green.

3.2.6 The A12 runs across the south of the Parish, which bypasses the villages of Kelvedon and Feering. The train line between London, Colchester and beyond is also located in the south of the Parish and bisects Feering village. The nearest train station is located just outside the Parish in Kelvedon, providing regular services to Colchester, Chelmsford, and beyond to London. Bus services run through the village, providing regular weekday routes to Colchester, Chelmsford, Witham, Kelvedon, and Tollesbury. There is a 2 hourly Sunday service between Colchester and Chelmsford but no service to Tiptree / Tollesbury.

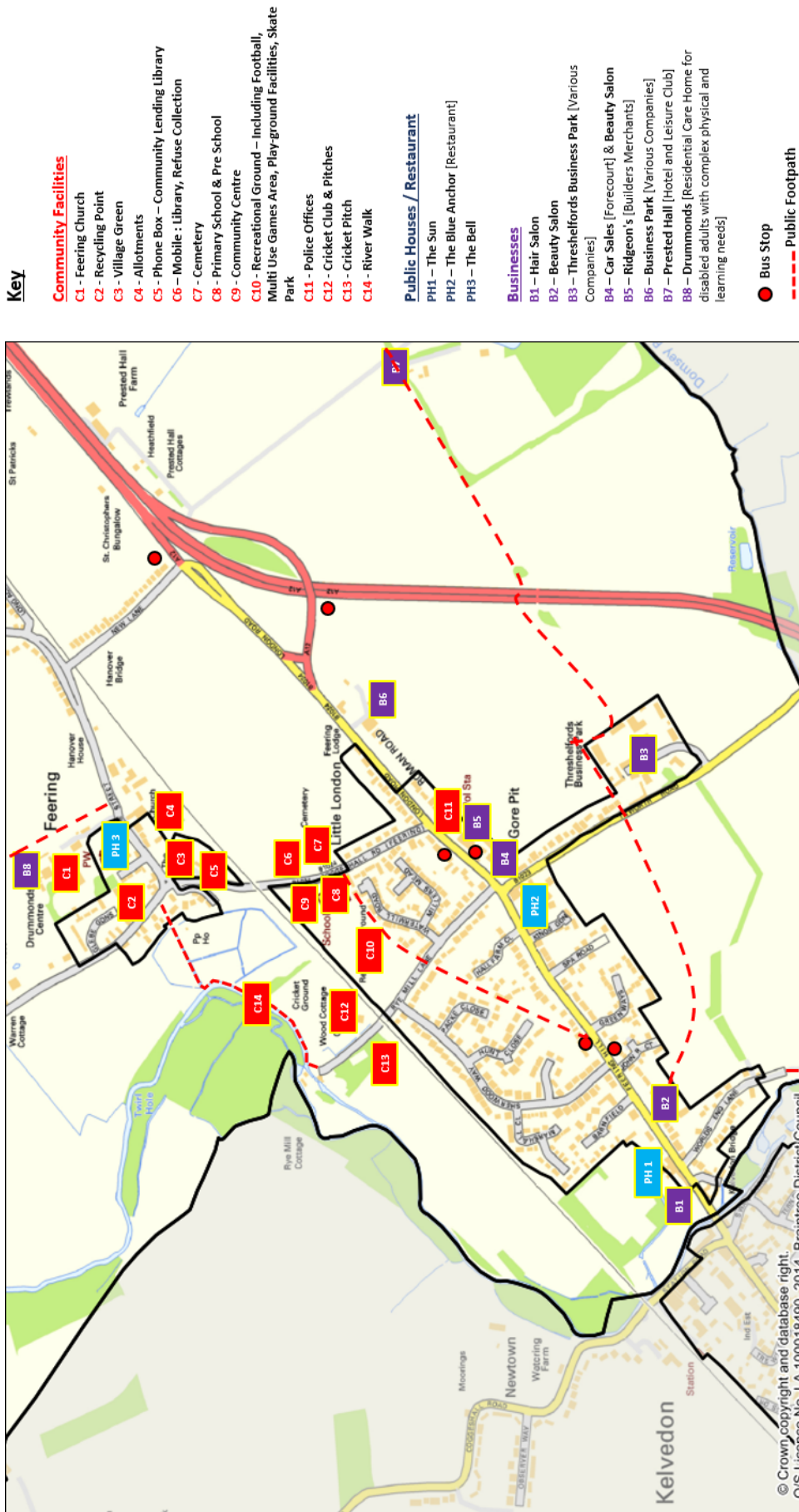
3.2.7 There is a good network of public footpaths that are well used by the village residents. In 2015, a section of the river walk, Feering public footpath 17, was upgraded with a new boardwalk using Section 106 money. The old section is now showing its age. Although there is some stabling in both Feering & Kelvedon, there are only three public bridleways within the Parish. Cyclists can use the bridleways but otherwise there are no cycle routes apart from the bi-directional cycle-/foot-ways along one side of the A12. These do not go along the A12 Kelvedon by-pass and cyclists are directed along the main road through Kelvedon and Feering, which is narrow in places.

3.2.8 There are currently no healthcare facilities in the village. The nearest GP surgery is located on Kelvedon High Street (Kelvedon & Feering Health Centre). Local residents also use Coggeshall Surgery and Tiptree Medical Centre. The nearest hospitals to the Parish are Colchester General Hospital and Chelmsford Broomfield Hospital. Two dentists are located just outside the Parish in Kelvedon. A police station is located on London Road within the Parish; however, this is not open to the public and is used only for special operations.

3.2.9 Retail facilities in the Parish include a small shop at a petrol station on the A12, a large building supplier and a second-hand car outlet. Additional retail services are available just outside the Parish within Kelvedon village, including a Co-op supermarket & two smaller convenience stores.

5 Future Library Services Strategy 2019-2024, Essex County Council, 2018

Figure 3 Feering Parish Community Asset Map



3.3 Local economy

3.3.1 The Parish is located within close proximity to key transport networks which provide good access to surrounding towns and cities, making it a good area for businesses to locate. The largest employment area in the Parish is Threshelfords Business Park, built in 2007 comprising a range of substantial detached office buildings including companies such as Granville Developments, Intel, the Environment Agency and the Rural Community Council for Essex.

3.3.2 Exchange Court is located on the northern edge of the village near the A12 and comprises of a few small businesses. Other employers in the Parish include car sales and builder's merchants on London Road, Drummonds' assisted living facility, and local pubs and restaurants.

3.3.3 Further employers are located within close proximity to the Parish in Kelvedon, including a range of businesses on the Goldkey Industrial Estate near Kelvedon train station, and various businesses located along Kelvedon High Street.

3.4 History of Feering

3.4.1 The name Feering is thought to derive from Feringas or Pheringas (as it is referred to in the Domesday Book) meaning Bulls Pasture or Meadow or from the Saxon Fering meaning dwellers by the road. However, there is evidence of earlier habitation as artefacts have been found dating to the Stone Age, Iron Age and Roman periods as well as the Saxon and Medieval (some of these are in the Colchester and Essex Museum). The remains of a mammoth have also been found in the area.

3.4.2 Feering has always been important geographically as it is the crossing point of the River Blackwater and traces of the old Roman London to Colchester road have been found on Feering Hill. The present bridge was built around 1785. The Packhorse Bridge, an earlier bridge, the ruins of which have been recently renovated lies approximately 35m downstream of the current crossing point and is referenced in the recently published Kelvedon Conservation Area Character Appraisal and Management Plan, July 2020. Originally the parish was much larger than it is today, extending around the north side of Coggeshall and including the village of Inworth. Feering Hill remained an important connection between London and Colchester until the building of the Kelvedon By-Pass in the 1960's.

3.4.3 There are two Conservation Areas identified on Figure 5, the BDC Inset 23 proposals map and on Figure 8, the specific Conservation areas map:

- Feering Conservation Area (based around the historic church)
- Kelvedon Conservation Area (which includes part of Feering Parish)

3.4.4 There are more than 40 listed buildings (including the Gilbert Scott telephone box on the Village Green), six of which are Grade II*. The parish church, which is built of flint, septaria rubble and English bonded red bricks, is dedicated to All Saints and is Grade I listed. Sections of the church date from the 12/13th century onwards.

3.4.5 There are two scheduled Ancient Monuments in Feering Parish:

- i. one is located on the northern slopes of the Blackwater River Valley, south-west of Frame Farm. It consists of a Neolithic mortuary chamber and adjacent round barrow. Although the long mortuary enclosure and round barrow are no longer visible on the ground, their infilled ditches can be seen from the air as cropmarks.
- ii. one is an early Saxon cemetery located in the same areas as a Roman cemetery, in the field to the east of Worlds End Lane and the river Blackwater. Historically this was a detached part of Inworth Parish. The field is referred to as Barrow Field with the tree area marking the grid reference.

3.4.6 There were two capital manors in the village, Feeringbury and Prested Hall and two lesser ones, Houchins (now in the parish of Coggeshall) and Chambers. A Quaker burial site was located on Feering Hill, which was in use between 1727 and 1834.

3.4.7 The village has always had strong associations with agriculture. Land within the Parish has been used for seed production by King Seeds, and Threshelfords Business Park is located on a former 'pick your own' fruit farm.

Picture 4 Feering Church



3.5 Utilities

3.5.1 Anglia Water serves the area and the majority of houses within the village have access to mains water. Currently Anglia Water does not have any construction schemes proposed, and there are no current proposals to develop the electricity infrastructure. There are some areas in the Parish, such as Domsey Chase, that have no access to mains sewage or gas.

3.5.2 The village is served by BT Openreach Kelvedon Exchange which provides Broadband mostly via ADSL. At this time (Nov 2019), some households in the village have been upgraded to fibre connections and are now not reliant on ADSL. The Kelvedon Exchange is not scheduled to be upgraded at present although the situation is reviewed regularly.

3.6 Natural environment

3.6.1 The Parish of Feering, from Feering Hill to the north and west, is flat lime rich arable land, generally classified as grade 2 agricultural land⁽⁶⁾, which is used for the growth of cereals and related crops. There is a predominance of elm hedgerows to the west of the Parish. These were historically common in north Essex and there are some veteran elms on Elm Lane and around the hamlets of Domsey and Feeringbury which survived Dutch elm disease. Trees predominantly found in the Parish include field maple, oak, ash, and elm.

3.6.2 There is very little woodland within the arable areas, although there are some shelter belts⁽⁷⁾ that have been recently planted which provide landscape benefits. Further shelter belts are located bordering lanes at Langley Green, Lordship Lane and Mill Lane. There are a number of ancient trees within the Parish countryside, mainly consisting of oak trees. Riverside areas bordering the River Blackwater also have a semi woodland character, commercially used for the growing of wood for cricket bats. Feering Hill was previously lined with trees and there were many orchard areas which have now been developed for housing. There is however a number of veteran trees remaining which add to the attractiveness of the village landscape, many of which are covered by TPOs.

3.6.3 Agricultural fields are predominantly large, but in some areas, remnants of a smaller field pattern exist. The area is characterised by small lanes and high hedges, however there are also areas of the Parish with low and open hedgerows. The River Blackwater runs along the western edge of the Parish and provides a floodplain area that is a valuable recreational area for walkers, and also an important habitat area for wildlife such as otters, kingfishers, herons, deer, water voles and many other small mammals and birds.

3.6.4 The local lime rich soils support a number of unusual wildflowers and plants which grow on the roadside verges and can be seen in the spring and summer time, including *Carduus tenuiflorus*. Roadside verges support cowslips, clustered bellflowers and bee orchids along with the more common roadside herbs such as vetch and cow parsley. Dogwood and viburnum can often be seen within hedgerows in the Parish.

Picture 5 Fields in Feering Parish



6 Grade 2 is very good quality agricultural land. Land with minor limitations which affect crop yield, cultivations or harvesting. A wide range of agricultural and horticultural crops can usually be grown but on some land in the grade there may be reduced flexibility due to difficulties with the production of the more demanding crops such as winter harvested vegetables and arable root crops. The level of yield is generally high but may be lower or more variable than Grade 1.

7 A 'shelter belt' is a line of trees or shrubs planted to protect an area, especially a field of crops, from fierce weather.

3.6.5 Small lanes, bridleways, footpaths, and corner field plantings in the Parish provide good habitats for local wildlife, including muntjac and roe deer, buzzards, songbirds, swallows, rabbits, stoats, hazel dormice, and foxes. There are a number of ponds and farm reservoirs which provide a valuable habitat for wildlife such as frogs, newts, eels and elvers.

3.6.6 There are two Local Wildlife Sites in the Parish (identified on Figure 5, the BDC Inset 23 Proposals Map, and on Figure 9, the specific Local Wildlife Sites map):

- Feering freshwater marsh (Bra234) located between the River Blackwater and the main London Railway Line,
- Coggeshall Hall Farm (Bra225) which follows the River Blackwater valley across 30.3 hectares of open cricket-bat willow plantations, flower rich grasslands and hedgerows. Bra225 is a key foraging area for the nationally rare bumblebee *Bombus ruderals*, while also providing a foraging habitat for other scarce invertebrates including bee species *Sphecodes niger* and *Lasioglossum pauxillum*.

3.6.7 The Braintree District Landscape Character Assessment⁽⁸⁾ provides an assessment of the landscape character of the entire District, and identifies two distinct landscape character areas within Feering Parish, the Blackwater River Valley and the Langley Green Farmland Plateau. The features which define the two areas are outlined in FNP Policy 6 and more detail can be found in the Feering Parish Council Neighbourhood Plan Village Assessment and Design Guide.

3.7 Flooding and drainage

3.7.1 Meadows adjacent to the River Blackwater are within the flood plain. In 2001 thirty-four properties were severely affected by flooding. Further flood mitigation arrangements are required to ensure the future safety of residents living near the River Blackwater, as recognised by the Environment Agency.

Picture 6 Flooding on Lady Meadow 1980s



Picture 6a - Flooding on Lady Meadow in 2009



8 Braintree District Landscape Character Assessment, Chris Blandford Associates, 2006

3.8 Key statistics on Feering Parish

Key statistics on Feering Parish ⁽⁹⁾

| Social | Housing |
|--|--|
| <ul style="list-style-type: none"> • The population of the Parish is 2,035, which accounts for 1.4% of the total Braintree District population • Population growth in the Parish since 2011 is proportionally below the level of growth experience at District and County levels. • Feering Parish has a higher proportion of older residents (aged 45-74) than the District average; 41% compared to 36% for the District. The proportion of older residents in the Parish is projected to increase throughout the Plan period (Feering Housing Needs Assessment, 2018). • The proportion of residents with a level 4 or above qualification in the area is higher than the District and County averages. | <ul style="list-style-type: none"> • There are 815 households in the Parish. • The majority of households in Feering Parish are owner occupied. The Parish has a significantly higher proportion of owner-occupied housing than the District average. • Feering Parish has a lower proportion of social rented properties than the District average. • The majority of households in the Parish consist of married or civil partnership couples without dependent children. • The Parish has a higher proportional incidence of concealed households (households containing more than one family) (Feering Housing Needs Assessment, 2018). |
| Economy | Transport |
| <ul style="list-style-type: none"> • The area has a slightly higher proportion of self-employed workers than the District and County averages. • The largest employment sectors in the area are retail, finance and insurance, and health and social work. | <ul style="list-style-type: none"> • The majority of local residents travel to work by car or van. • Many residents travel to work by train from Kelvedon Station. • Very few residents travel to work by bus. • Most households in the Parish have two cars (Parish Survey 2017). • A large proportion of residents commute more than 25 miles to work (Parish Survey, 2017) |

9 Unless stated, all statistics are based on the 2011 census set out within the Braintree District Ward Profiles, Kelvedon and Feering Ward, May 2015 or the Key Housing Needs Statistics, Feering, Housing SatNav, July 2016. Both documents are available in the FNP evidence base on the Parish Council website.

Key conclusions

- In comparison to other areas of the District, there could be a greater demand in Feering Parish for older people's housing, and services and facilities appropriate to support older residents.
- There may be a need to provide more affordable / social rented properties within the Parish.
- The prevalence of concealed families indicates a need for additional smaller family housing (2-3 bedroom units) and more affordable housing.
- Access to the train station, and facilities around the station, are important to a large number of commuting residents.
- Projects which seek to encourage the use of public transport, walking, and cycling as transport options for accessing employment could assist in reducing the reliance on the private car in the area.
- The FNP may need to consider how to best support local businesses and self-employed workers.

Picture 7 Community Engagement Exhibit 2017



3.9 Consultation Feedback

3.9.1 The production of the Parish Plan, and community engagement⁽¹⁰⁾ in support of the FNP since 2016 including drop-in sessions, public exhibitions, and surveys with local residents and businesses, has provided the NPC with a good understanding of the key issues affecting the Parish now and in the future. The following provides a summary of the views received through local resident surveys on key issues affecting the future of the Parish.



¹⁰ See the Feering Neighbourhood Plan Consultation Statement for further details, available on the Parish Council website.

Residents views on the preferred character, type, and design of new development

- *There is significant concern that any large-scale development would materially change the village environment for the worse.*
- *The focus of any new housing should be on 1-3 bedroom properties, with very limited development of 4 bedroom houses, preferably detached dwellings and bungalows.*
- *New housing should have 'reasonable' garden sizes, include flats, parking for at least two cars, built to lifetime home standards, and should be energy efficient.*
- *New developments should provide a mix of housing types throughout the development.*
- *Affordable housing should be offered first to local families or those with local connections.*
- *Starter homes would be supported as an affordable housing option.*
- *The majority of respondents believe that a buffer zone of open countryside should be used to stop Feering merging with other settlements.*
- *Overlooking should be avoided.*
- *Reduce the potential for rat runs to be created.*

Greatest concerns about new development Traffic congestion, loss of rural character, lack of amenities, parking.

The most important future infrastructure projects in and around the Parish

- *Improving access to Tiptree to and from the A12 by passing Feering*
- *Reducing heavy goods traffic and congestion within Feering village*
- *Improving A12 Junction 24 to be all ways*
- *Improvements to the Blue Anchor / Gore Pit / Inworth Road junction*
- *Improving A12 Junction 23 to be all ways.*

New infrastructure

- *The majority of respondents would not support new development in order to attract funding for new infrastructure.*
- *Respondents would support additional education related infrastructure in the area.*
- *New sporting facilities which would be popular with local residents include a new swimming pool, gym, and cycle track.*
- *The most important community facilities which should be provided alongside new development are a dentist and a village shop.*
- *The majority of respondents believe that current infrastructure does not have the capacity to support an increased population.*
- *There is support for a new off road cycle path to Coggeshall and Tiptree.*
- *New community woodland to provide a wildlife and recreational area.*

Other issues

- *The majority of respondents believe that flooding is a concern in the Parish.*
- *There is support for preserving habitats for wildlife, hedgerows and mature trees.*
- *The expansion of existing cemetery in Feering is important.*
- *Bad or no pavements are the most significant accessibility challenge in the Parish for local disabled*

Table 1 Feering Parish SWOT Analysis

| Strengths | Weaknesses |
|---|--|
| <p>Attractive rural community and location. Listed buildings and heritage features. Connectivity to road and rail network. Friendly community. Open space around village. Views of the church (within north side of village and on northern village approaches). Trees/hedgerows with species diversity. The River Walk. The Cricket Club. The Community Centre. Public rights of way and footpath network. Low density housing (lots of space). The Green. Primary School. The Village May Fayre & Medieval Fete. Three pubs/eateries. Prested Hall with gym, real tennis and swimming pool. The Parish Council. High quality agricultural and horticultural land.</p> | <p>Above average house prices. Lack of “affordable” housing. Traffic congestion. Speeding traffic. A12 re-direction route in emergencies and for planned road works. Inadequate road network and junctions. Heavy vehicles on narrow roads. No medical facilities (reliant on surrounding villages). No shops or post office and lack of village centre to act as a focus for the village. Limited and unreliable bus service. Lack of suitable recreational facilities and no bespoke youth provision (especially for teenagers). Formal sports provision (football and cricket) nearly at capacity. Inadequate road drainage. Lack of well-kept pavements. Lack of specific cycle paths and road crossings. Quality of bridleways. Secondary School capacity (outside the Parish).</p> |

| Opportunities | Threats |
|---|--|
| <p>Willingness of residents to engage with developers.</p> <p>New multi-way junction on A12 to divert traffic from village residential streets.</p> <p>Potential for more affordable housing for local people.</p> <p>Potential for increased opportunities to 'down size' while staying in the area.</p> <p>Create wildlife/habitat corridors to adjoining areas.</p> <p>Create a new village centre with services and facilities in walking distance.</p> <p>Create a sustainable village with local employment.</p> <p>Aim for high eco standard developments.</p> <p>Enhanced footpaths, cycleway and bridleway networks.</p> <p>Enlarged school and early year's provision.</p> <p>New community hall and leisure facilities to include additional sports field and bespoke youth space.</p> <p>Green streets, trees and screening, open space.</p> <p>Expansion of the churchyard.</p> <p>Improved road drainage and improved junctions.</p> <p>New community woodland to provide a wildlife and recreational area.</p> <p>(Outside of the Parish)</p> <p>Additional parking at Kelvedon Rail Station.</p> <p>Secondary school provision.</p> <p>Better Bus Links e.g. Commuter Hopper Bus.</p> | <p>Large scale development could result in a loss of rural character, sprawling housing estates and urbanisation due to poor design.</p> <p>Road and rail improvements not delivered before new housing is built.</p> <p>Pressure on infrastructure.</p> <p>Increased potential for road traffic, congestion, heavy vehicles and speeding.</p> <p>New development could be approved before the Neighbourhood Plan is prepared.</p> <p>Loss of agricultural and horticultural land.</p> <p>Developments may be out of scale/ not in keeping with the aspirations of local residents.</p> <p>Potential for the Parish to become fragmented.</p> <p>Impact of the Garden Settlement on village edges and on shared facilities.</p> <p>Sustainability of local secondary school provision.</p> <p>Capacity of existing primary school and local pre-schools.</p> <p>Insufficient off-street parking resulting in congestion.</p> <p>Loss of wildlife.</p> <p>Conflict between vehicles and vulnerable road users such as walkers and cyclists.</p> <p>Flooding and sewage overflow in certain areas.</p> |

3.10 Local Planning Context

New development in Feering Parish is currently guided by the policies contained within the adopted Braintree District Local Plan 2013-2033, together with other material considerations (including national planning policy). The Local Plan sets a framework for future growth in the area, identifying the level of need and locations for new housing, employment, and retail development. The Local Plan also includes specific policies which guide the design, scale, impact and location of new development and infrastructure, as well as policies related to protecting and enhancing heritage assets, the environment, town centres and rural areas.



3.10.1 Braintree District Council (BDC) Local Plan was adopted in July 2022. The production of the BDLP 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 with minor modifications made by the Inspectors prior to adoption. The BDLP includes strategic policies, development management policies, and site allocations.

3.10.2 The BDLP includes a Strategic Section 1, which is shared by all three North Essex local authority areas of Braintree, Colchester, and Tendring. Section 1 contains policies on strategic cross boundary issues including infrastructure and housing.

3.10.3 The Braintree District specific Section 2 of the Local Plan sets out the spatial strategy for the District and includes the Local Plan Key Diagram for the District⁽¹¹⁾.

3.10.4 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.

3.10.5 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

11 www.braintree.gov.uk/planning-building-control/local-plan-2033

Minerals Safeguarding policy, which seeks to prevent deposits being sterilised by mineral development. Mineral Consultation Areas require 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.

3.10.6 Coggeshall and Kelvedon Neighbourhood Plans were adopted in July 2021 and July 2022 respectively. Tiptree is also currently undertaking a Neighbourhood Development Plan. The Parish Council have consulted and worked with these Neighbourhood Plan teams and have identified clear common issues. Including but not limited to; transport infrastructure (national and local routes), connectivity, medical/healthcare, flooding, education and environment.

3.10.7 Section 2 Braintree District Local Plan (BDLP) policies affecting Feering are:

- Policy LPP 2 g): Location of Employment Land: up to 4ha allocated - see also Policy LPP 21
- Policy LPP 6: Business Parks: Threshelfords (2.7ha)
- Policy LPP 16: Housing Provision and Delivery: 795 new homes at Land in Feering (within the Plan period)
- Policy LPP 21: Strategic Growth Location - Land at Feering: see Figure 4 below
- Policy LPP 45: New Road Infrastructure: includes provision of a new connection between Inworth Road and London Road

Figure 4 Braintree District Local Plan Policy LPP 21, Strategic Growth Location – Land at Feering

Policy LPP 21

Strategic Growth Location - Land at Feering

A Strategic Growth Location has been identified at land south east of Feering and is shown on the Proposals Map. Development will be expected to provide:

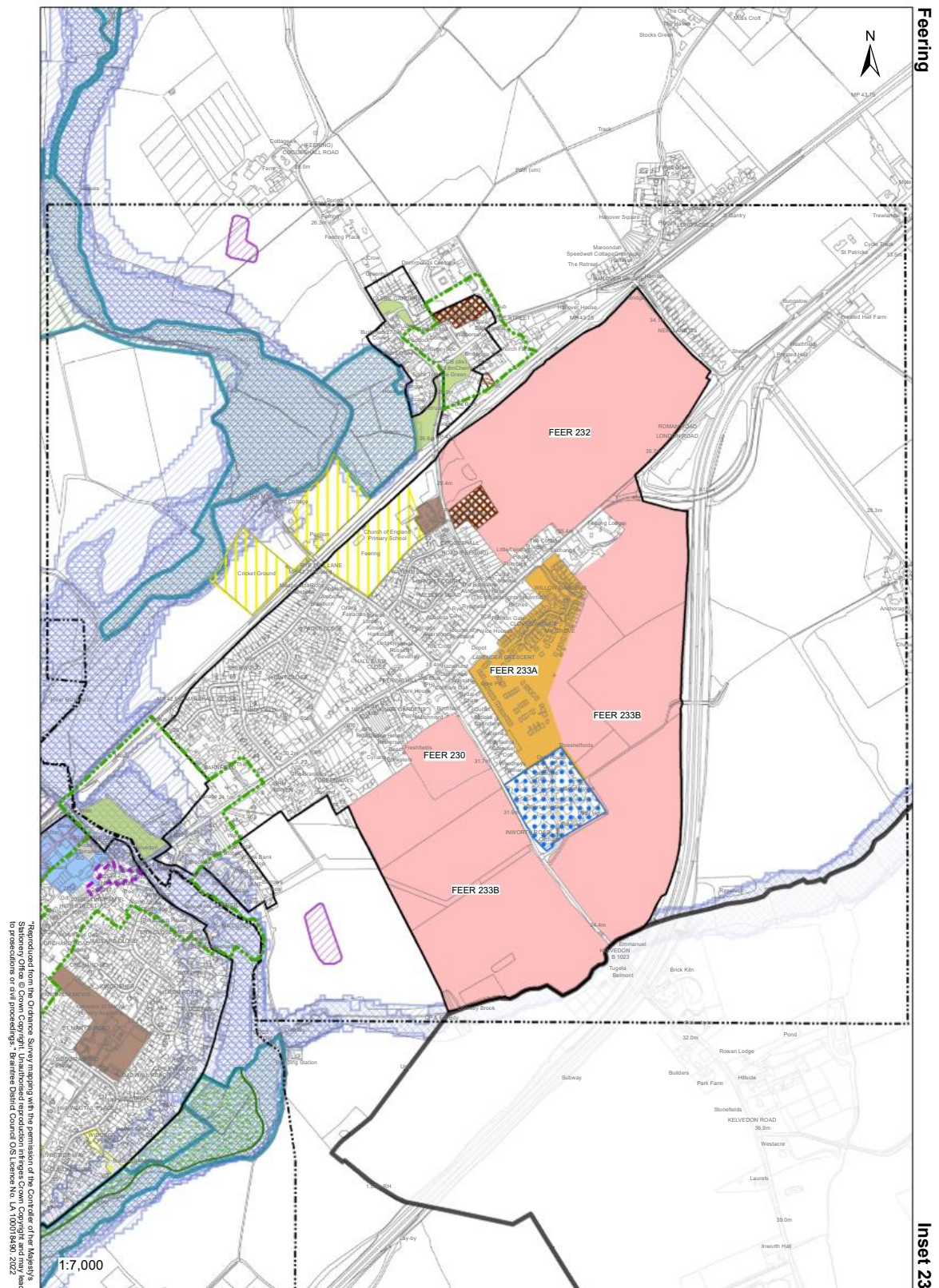
- Around 835 new homes of a mixed size and type appropriate to the area
- Affordable housing as per the Council's policy requirements
- Appropriate employment generating uses to support the new community
- A new primary school with co-located early years and childcare nursery on 2.1 ha of suitable land allocated for education and childcare use or the expansion of Feering School
- A new 56 place stand alone early years and childcare nursery on 0.13 hectares of suitable land allocated for education and childcare use or potentially co-located with any new primary school site
- Provision of a community centre or a financial contribution towards off site provision of the same
- Community facilities including a contribution to or provision of infrastructure for new NHS facilities
- Retail Provision
- Public open space in accordance with the Open Spaces Study, and informal and formal recreation in accordance with the Playing Pitch Strategy
- Safe cycle and pedestrian access between all parts of the development and Kelvedon and Feering
- Provision of or contributions towards a Gypsy and Traveller site
- Contributions to highway and transport infrastructure as required by the Highway Authorities
- Provision of a new connection between Inworth Road and London Road.

Development should conserve and, where opportunities arise, enhance the Conservation Areas and their settings, preserve listed buildings and Scheduled Monuments and their settings.

The delivery of each facility shall coincide with the completion of different phases of development to ensure that local services are in place when they are needed.

Development proposals which would compromise the delivery of an identified and coherent Strategic Growth Location will be resisted.

Figure 5 BDC Local Plan - Inset 23 Proposals Map: Feering



Site F1 comprises of site FEER 230 and sites FEER 232 & FEER 233 (Crown Estates)

Key: Local Plan 2013-2033

| | | | | | |
|---|---------------------------|---|---------------------------------------|---|--|
|  | District Boundary |  | Designer Outlet Centre |  | Formal Recreation |
|  | Inset Map |  | Strategic Growth Location |  | Informal Recreation |
|  | Development Boundary |  | Residential Site 10 or more Dwellings |  | Allotments |
|  | Conservation Area |  | Specialist Housing |  | Visually Important Space |
|  | Road Proposal |  | Proposed Gypsy/Travellers Site |  | Structural Landscaping |
|  | Halstead Bypass Corridor |  | Business Use |  | Local Wildlife Site |
|  | Protected Lanes |  | Employment Policy Area |  | Cemetery/Churchyard |
|  | 2033 Cycleway |  | Comprehensive Development Area |  | Local Nature Reserve |
|  | Local Centre |  | Special Employment Area |  | Green Buffer |
|  | District Centre |  | Vehicle Storage |  | Suitable Accessible Natural Greenspace |
|  | Town Centre |  | Transport Related Policy Area |  | Site of Special Scientific Interest (SSSI) |
|  | Primary Shopping Area |  | Regeneration Area |  | Historic Parks and Gardens |
|  | Primary Frontage |  | Education |  | Scheduled monument |
|  | Secondary Frontage |  | Car Park |  | Flood Zone 2 |
|  | Retail & Town Centre Uses |  | Community Uses |  | Flood Zone 3 |
|  | Retail Warehousing |  | Leisure and Entertainment |  | Flood Zone 3B |

VISION AND OBJECTIVES

4 VISION AND OBJECTIVES

Consultation with the local community through surveys and community events has guided the production of a vision and set of objectives for the Neighbourhood Plan.

4.1 Vision Statement

Vision for Feering Parish

To preserve the individual village character of Feering, whilst enhancing the local environment, reducing pollution and impact on climate change, incorporating sensitive and considerate design, green technologies and infrastructure as well as providing quality community facilities. Our vision is to be a happy, thriving, cohesive community, enjoying an improved and sustainable quality of life with aspirations for future generations.

4.2 Objectives

4.2.1 To achieve the vision for Feering Parish, 23 objectives listed below have been identified.

4.2.2 Section 5 of this Plan will outline how the Neighbourhood Plan policies seek to deliver the identified objectives and overarching vision.

4.2.3 Policies are presented together with associated objectives, context and policy justification. Relevant evidence base documents are also identified for each policy.

Neighbourhood Plan Objectives

MP1 - To ensure master planning of all future strategic development in collaboration with the local community and other stakeholders, including the Parish Council, prior to the submission of planning applications.

D1 - Ensure new development respects, adds to or maintains the rural nature, character and scale of existing development within the Parish in line with the FPC NP Village Assessment and Design Guide.

D2 – Any development proposal must respect, conserve and enhance the rural landscape and character of the Parish. Preserve the existing open views and the natural green buffers, including hedgerows & mature trees.

D3 - Ensure that new development responds positively to the character of surrounding existing development.

D4 - Ensure new buildings are as energy efficient as possible and comply with the latest energy efficiency standards.

D5 - Ensure that any new development creates a safe, active, well designed and accessible environment where crime and disorder, and the fear of crime do not undermine the quality of life, health and wellbeing and community cohesion.

D6- Parking provision to be well thought out with sufficient car parking spaces associated with each dwelling and to be located inside the development perimeter. The use of frontage parking must be limited and commensurate with pedestrian, cyclist and vehicle safety.

D7 – A fully connected ultra-fast reliable broadband connection throughout the Parish

H1 - Any new development to consist of a mix of high-quality housing and tenures to ensure a socially strong, inclusive and integrated community, achieved through sensitive design (considering existing dwelling heights, housing density and the need for quality accommodation and amenity space)

H2 - Ensure local people can stay living in the village throughout their lifetime and as their needs change.

H3 - Ensure new housing development provides affordable homes which would be available to local people to meet the local needs of the Parish.

HE1 – To conserve and enhance the historic environment within the Parish.

E1 - Conserve and enhance the rural landscape and character of the Parish. Preserve the existing open views and the natural green buffers, including hedgerows & mature trees.

E2 - Protect open spaces and wildlife of local importance and enhance biodiversity.

E3 – Preserve and, where appropriate, enhance designated nature conservation sites and green and blue infrastructure

E4 – Deliver a biodiversity net gain and reduce the carbon footprint of the Parish.

FM1 - Reduce the risk of flooding (fluvial, pluvial and sewer) in Feering and immediate surrounding areas and take measures to ensure proper controls are applied to any development to avoid and manage flood risk.

CL1 - Community and leisure facilities to be enhanced, protected and developed to meet the changing needs of a growing Parish.

CL2 - Ensure early years and childcare, primary school and secondary school facilities are provided to meet the needs of the growing population.

MA1 - To provide safe, new and improved walking, cycling, bridleways and public transport routes, both within Feering and to surrounding parishes.

BE1 - Develop and protect sustainable community employment in the Parish including the facilitation of flexible working.

CIP1 - Ensure appropriate collection and allocation of developer contributions.

CE - Improve the local environment of the Parish for future generations by reducing its carbon footprint and developing sustainable ways of living.

NEIGHBOURHOOD PLAN POLICIES

5 NEIGHBOURHOOD PLAN POLICIES

5.1 Master planning Site F1 (excluding Phase 1)

Objectives

H1 - Any new development to consist of a mix of high-quality housing and tenures to ensure a socially strong, inclusive and integrated community, achieved through sensitive design (considering existing dwelling heights, housing density and the need for quality accommodation and amenity space)

H2 - Ensure local people can stay living in the village throughout their lifetime and as their needs change.

H3 - Ensure new housing development provides affordable homes which would be available to local people to meet the local needs of the Parish.

BE1 – Develop and protect sustainable community employment in the Parish including the facilitation of flexible working.

MP1 - To ensure master planning of all future strategic development in collaboration with the local community and other stakeholders, including the Parish Council, prior to the submission of planning applications.

Context and policy justification

Housing

5.1.1 In accordance with the requirements of paragraph 65, 66, 14 and footnote 31 of the NPPF, BDC has made clear that the identification of a Strategic Growth Location at Feering through LPP21 is enough to satisfy the housing requirement for the Feering area. Therefore the FNP should support around 835 new dwellings with 795 within the plan period.

5.1.2 The Braintree District Local Plan (BDLP) seeks to allocate land within Feering Parish for the development of around 835 new dwellings as a Strategic Growth Location for the District (see Figure 5), with the allocation formed across three sites outlined in Figure 7.

5.1.3 The Parish Council recognises that the identification of a Strategic Growth Location within the adopted BDLP seeks to address District-wide housing needs. Through policies contained within this Neighbourhood Plan, the Parish Council will seek to ensure that the development of the Strategic Growth Location will not detrimentally impact the character and appearance of the Parish, and that significant benefits and improvements to the Parish can be realised as part of the new development. FNP Policy 1 therefore supports around 835 new dwellings with 795 within the plan period on Site F1.

5.1.4 Land within the BDLP allocation has been subject to outline planning approval for 162 dwellings and associated open space, landscaping, infrastructure and drainage works. Outline planning application 16/00569/OUT and 19/01222/REM, on land north east of Inworth Road was approved in December 2017. This constitutes Phase 1 of the F1.

5.1.5 Essex County Council (ECC) acknowledged that the proposal would result in additional traffic using the already over capacity Inworth Road/London Road/Rye Mill Lane junction. ECC, as highway authority, was satisfied that the proposal could be mitigated by traffic light controls at that junction, as well as the provision of pedestrian and passenger transport infrastructure in the area. Consequently, considering the proposal in isolation ECC has secured the following highway contribution and measures to mitigate the 162 homes:

- a financial contribution of £300,000 for the design and provision of such capacity, safety or accessibility enhancements on the London Road and/or Inworth Road and in particular at the junction of Inworth Road/London Road/Rye Mill Lane Junction.
- appropriate site access from the B1024.
- a footway on the B1024 (London Road) to link the footway on the proposed access and the existing footway to the south.
- a pedestrian crossing the in the form of an island refuge with associated drop kerbs, tactile paving.
- upgrading of the two bus stops on either side of the B1024 (London Road) with new shelters, seating, raised kerbs, and to be made Real Time Passenger Information ready.

Figure 6 Illustrative Masterplan for Planning Application 16/00569/OUT and 19/01222/REM



5.1.6 In reaching the above, ECC considered it was a more pragmatic approach to consider the potential mitigation required arising from the entire Strategic Allocation (LPP 21) of around 835 new dwellings. Policy LPP 21 requires the site to provide access from the development to the A12, Inworth Road and London Road, to the satisfaction of the Local Highways Authority. Such a link may comprise a link road through the allocation site to meet Inworth Road to the south of Threshelfords Business Park. Such a link would divert a significant amount of traffic away from the Inworth Road/London Road junction, and combined with a potential all-movements A12 junction, would enable traffic to and from Tiptree and the strategic allocation to avoid routing to the A12 through the villages of Feering and Kelvedon.

5.1.7 Consequently, in isolation a signalised junction at Inworth Road/London Road would mitigate the effects of the proposal. However, when the strategic allocation is adopted and developed in full, with the likelihood of a link road, the provision of the aforementioned signal-controlled junction is unlikely to be required. In those circumstances it is considered preferable that the highways contribution be directed to alternative local highway improvements on London Road (B1024), Inworth Road and/or their junctions with Rye Mill Lane/Feering Hill.

5.1.8 FNP Policy 1 consists of Phases 1 & 2. Phase 1 comprises of 162 homes is being developed by Bloor Homes. A Outline Parameter Plan, Design Code and Illustrative Masterplan for the overall development of the remaining allocation of around 835 (Phase 2) will need to take into account the approved proposals associated with this site.

5.1.9 A Design or Quality Review Panel can independently assess emerging development proposals to inform the production and determination of planning applications. The purpose of this approach is to enable better designed development schemes earlier in the process, create better quality proposals and reduce delays during the planning application stage. There are a range of companies and organisations which provide this service nationally, including the recently formed Essex Quality Review Panel, managed by the Essex Planning Officers Association. A Panel can be requested by the applicant through the EQRP website or alternatively can be recommended by the Local Authority for either strategic, major or complex schemes. To ensure that the highest quality of design is incorporated into the development of Phase 2 of Site F1, the Parish Council requires the production of planning proposals (the Outline Parameter Plan, Design Code and Illustrative Masterplan and detailed proposals) to be informed by an independent design quality review. This panel should be guided by the FPC NP Village Assessment and Design Guide, the NPPF 2019 (para 127) and RIBA 10 Primary Characteristics of Places where People Want to Live.

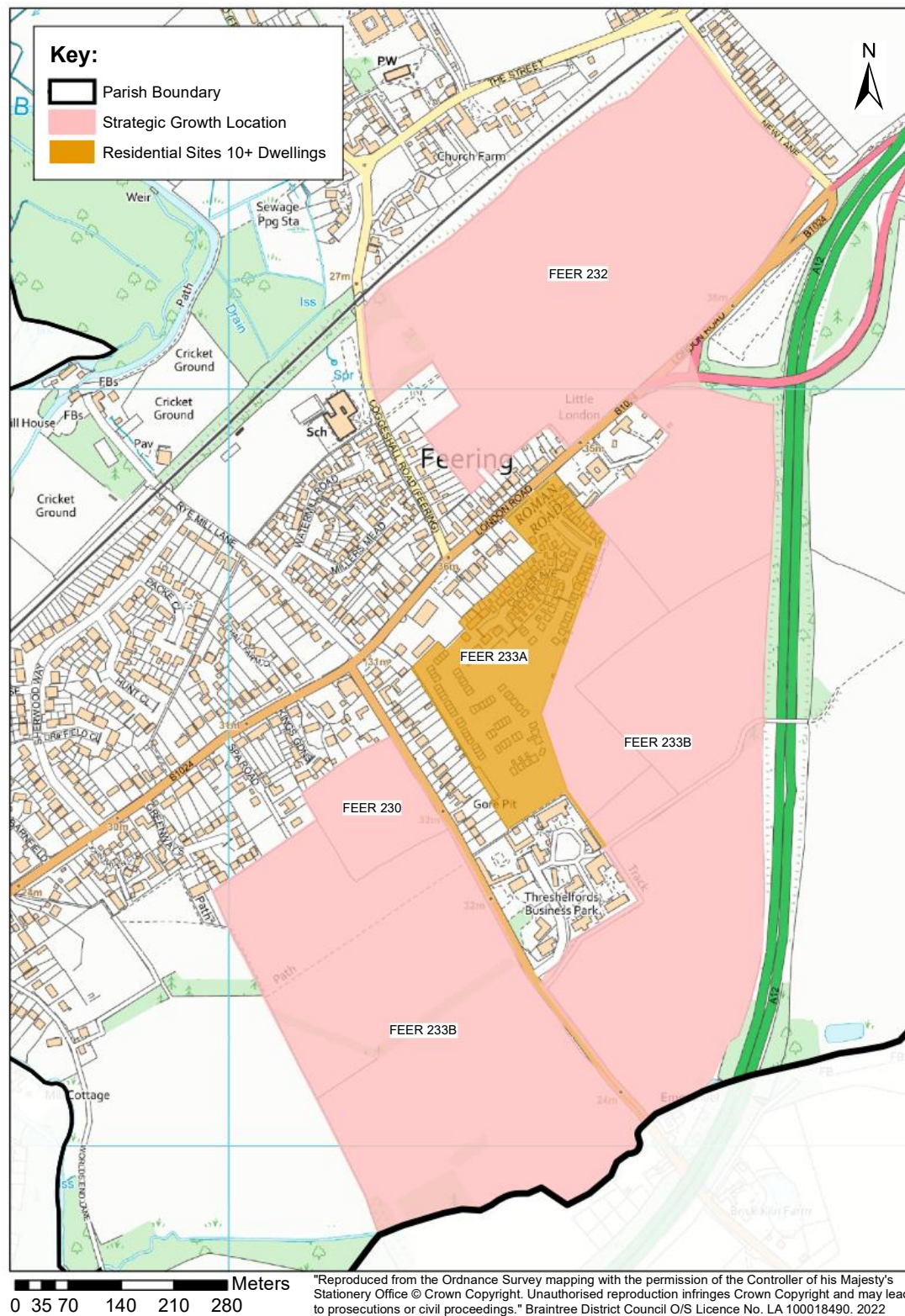
Master Planning Site F1 (excluding Phase 1)

5.1.10 The BDLP Strategic Growth Location allocation in Feering Parish (LPP21) includes:

- The development of around 835 new dwellings with 795 within the plan period of a mixed size and type appropriate to the area;
- Affordable housing as per the Council's policy requirements;
- Appropriate employment generating uses to support the new community;
- A site for a new primary school with co-located early years and childcare nursery on 2.1 ha of suitable land allocated for education and childcare or the expansion of Feering School;
- A new 56 place stand alone early years and childcare nursery on 0.13 ha of suitable land allocated for education and childcare use or potentially co-located within any new primary school site;
- Provision of a community centre or a financial contribution towards off site provision of the same;
- Community facilities including a contribution to or provision of infrastructure for new NHS facilities;
- Public open space in accordance with the Open Spaces Study, and informal and formal recreation in accordance with the Playing Pitch Strategy;
- Retail facilities;
- Provision of or contributions towards a gypsy and traveller site;
- Safe cycle & pedestrian access between all parts of the development and to Feering & Kelvedon;
- Contributions to highway and transport infrastructure as required by the Highway Authorities;
- Provision of a new connection between Inworth Road and London Road.

5.1.11 The preparation of an Outline Parameter Plan, Design Code and Illustrative Masterplan for Phase 2 prior to the submission of planning applications will ensure that proposals for housing, infrastructure, open space, flood risk and other matters are developed in a coordinated manner with appropriate inputs from key stakeholders in order to 'front-load' the planning process and ensure high quality design and place-making. By ensuring that key matters are addressed prior to the submission of planning applications, this approach will ensure the timely delivery of new housing and necessary infrastructure such as roads, drainage and schools, whilst ensuring that local character, historic assets and environmental assets are maintained and protected.

Figure 7 Site F1 allocated including Phase 1&2 - BDLP FEER230 & FEER232 & FEER 233 (Crown Estates)



5.1.12 A plan-led approach will help to facilitate the creation of a high-quality living environment which is well integrated with the existing village. The production of an Outline Parameter Plan, Design Code and Illustrative Masterplan covering the entire site will also ensure that a cohesive and joined-up approach is taken to the detailed planning and development of the individual parcels, recognising that the parcels may ultimately be delivered at different times and by different developers.

5.1.13 The Outline Parameter Plan, Design Code and Illustrative Masterplan will be produced by the developer(s) / site promoter(s) of phase 2 of Site F1 in partnership with the Parish Council and BDC. This will be a collaborative process between the developer / site promoter, the Parish Council, the local community, local businesses, organisations, and community groups, infrastructure providers, Braintree District Council, and other relevant stakeholders. It will be informed by consultation and engagement with the local community. Future planning applications will be delivered in accordance with the Outline Parameter Plan, Design Code and Illustrative Masterplan endorsed by Braintree District Council and Feering Parish Council.

5.1.14 Public consultation and evidence collated as part of the production of the FNP have identified the following additional community identified needs to support the level of development proposed through Site F1:

- i. A new primary school/ additional education provision
- ii. Additional sporting facilities, preferably including a swimming pool and gym;
- iii. A new dentist and village shop;
- iv. Community woodland;
- v. Library facilities;
- vi. Footpaths, cycle tracks, fitness trails; and
- vii. A new community hall with bespoke youth space.
- viii. Cemetery expansion (to account for the expansion of population in both Feering and Kelvedon as it is a joint benefice).

5.1.15 The Outline Parameter Plan, Design Code and Illustrative Masterplan will outline how the development of phase 2 of Site F1 should be phased to enable the delivery of infrastructure improvements, new green infrastructure and areas of open space, and new services and facilities alongside the delivery of new houses. The Parish Council will seek to ensure that agreed phasing of the development set out within the Outline Parameter Plan, Design Code and Illustrative Masterplan is incorporated into future planning permissions for development on the site.

5.1.16 Emerging development proposals can benefit significantly from the inclusion of an independent quality review process. This approach should also be used to support the production of a Outline Parameter Plan, Design Code and Illustrative Masterplan. The Parish Council will therefore require the production of a Outline Parameter Plan, Design Code and Illustrative Masterplan for the entirety of phase 2 of Site F1 to be informed by independent quality review.

Employment land

5.1.17 The largest employment area in the Parish is Threshelfords Business Park, which contains a range of businesses and organisations and has no vacant units. Threshelfords Business Park is located close to public transport links and the A12, and therefore provides good transport connections

for businesses. The extension of the village through residential allocation F1 will increase demand in the local area for employment opportunities. The expansion of the village therefore provides the opportunity to allocate additional employment land to enable an expansion of Theshelfords Business Park and provide employment opportunities close to new and existing housing.

5.1.18 The BDLP has confirmed that Braintree should deliver between 20.9 and 43.3ha of new employment land. BDLP Policy LPP 2 therefore identifies proposed employment land allocations throughout the District. The Parish Council recognise the importance of seeking to provide more local employment opportunities to support housing growth in the area, and also the potential to expand on the success of Threshelford Business Park. In accordance with the proposals in the Braintree District Local Plan, FNP Policy 1 therefore supports appropriately located small and medium business and employment generating uses to support the new community.

5.1.19 The proposed additional employment land is likely to be located adjacent to the new homes within phase 2 of Site F1. Uses on the employment land therefore should be appropriate to be located adjacent to a residential area. Class E(g) (offices, research and development of products and processes, and light industry appropriate in a residential area) uses are preferred adjacent to residential areas. B2 (industrial process other than one falling within class E(g) excluding incineration purposes, chemical treatment or landfill or hazardous waste) uses would also be appropriate near residential areas in certain circumstances, with greater consideration given to design and the management of uses through conditions to ensure there is no detrimental impact on surrounding residential amenity.

5.1.20 The appropriate location for employment uses within phase 2 of Site F1 will be determined through the production of a masterplan for the site, as set out within FNP Policy 1. The location of new employment land should however seek to provide good access to the A12, good pedestrian and cycle access to Kelvedon Station, and avoid significantly increasing traffic flows through the village. E(g) and B2 uses would be preferred in areas closer to central areas of the village, such as an expansion to Threshelfords Business Park. B8 uses (storage and distribution) would be most appropriate close to the A12, to remove the need for large vehicles to regularly travel through the central areas of the village.

Picture 8 Watermill Road



Policy 1

Development of Site F1

- A. Development of Site F1 (Figure 7) as a Strategic Growth Location in accordance with Local Plan Policy LPP21 will be supported in accordance with an Outline Parameter Plan, Design Code and Illustrative Masterplan developed through a collaborative approach.
- B. The Outline Parameter Plan, Design Code and Illustrative Masterplan should:
 - i. Provide a strategic development framework which will define key development principles and strategic concepts to enable a co-ordinated approach to delivering the planned level of growth on Site F1 (excluding Phase 1);
 - ii. Be informed by a comprehensive assessment of the site and key opportunities and constraints;
 - iii. Develop an overarching vision and objectives for the creation of a high-quality development, outlining how the vision and objectives have been developed through collaborative working, including with the Parish Council and the local community;
 - iv. Explain how the identified vision and objectives for the site will be secured;
 - v. Outline how infrastructure requirements identified in Local Plan Policy LPP21 will be delivered and phased;
 - vi. Identify requirements for future planning applications associated with the site to ensure that if a phased approach is used there is an overall cohesive and sustainable plan that is responsive to the changing needs of the parish;
 - vii. Establish design codes which will guide the production of future planning applications informed by the Feering Village Assessment & Design Guide; and
 - viii. Allow for small and medium business opportunities, appropriately located adjacent to Threshelfords Business Park and/or near an A12 junction, supported by sustainable transport links; such as public transport, safe walking and cycling
- C. To incorporate appropriate 'place shaping' principles the Outline Parameter Plan, Design Code and Illustrative Masterplan should:
 - i. Establish key routes and linkages within the site and with the wider Parish and connecting to neighbouring parishes;
 - ii. Maintain and enhance the important features, character and assets within the site and the wider Parish;
 - iii. Conserve and, where appropriate, enhance landscapes, habitats and biodiversity, including connections to the wider green and blue infrastructure network;
 - iv. Establish a long-term plan for the stewardship of assets, incorporating the local community;
 - v. Provide high quality and beautiful homes with gardens or access to usable and accessible amenity space;

- vi. Provide sustainable urban drainage solutions which are multi-functional and create areas of open space which can be used for recreation and deliver benefits for the built, natural and historic environment;
 - vii. Ensure generous, well connected and biodiverse rich green and blue space provision as part of the Parish's green and blue infrastructure network, supported by timely ecological reports;
 - viii. Ensure a biodiversity net gain which is well connected to a range of multi-functional green and blue infrastructure and landscape;
 - ix. Ensure that development respects and where appropriate enhances the natural environment;
 - x. Provide for sustainable movement and access to local and strategic destinations including rail, bus, pedestrians, cycling and horse riding;
 - xi. Ensure positive integration with Feering village and the wider surrounds;
 - xii. Ensure appropriate varied density of development across the site which reflects and maintains the character of the surrounding area;
 - xiii. Establish an appropriate location for employment land which provides good access to surrounding transport networks and seeks to minimise through-traffic movement and avoids congestion within Feering village;
 - xiv. Establish an appropriate location for a new local centre which includes new community facilities and is accessible and well connected to both the new development and the existing village; and
 - xv. Ensure that new development provides or contributes towards appropriate public realm improvements.
- D. The production of the Outline Parameter Plan, Design Code and Illustrative Masterplan and subsequent planning applications informed by an independent quality review panel is supported.
- E. The production of the Outline Parameter Plan, Design Code and Illustrative Masterplan in a manner capable of being adopted as supplementary planning documents, including being subject to public consultation, is supported.

Relevant Evidence Base Documents

- Braintree District Strategic Housing Land Availability Assessment, BDC, 2016
- Feering Parish Council Housing Needs Assessment, AECOM, July 2018
- Feering Parish Council Neighbourhood Plan Village Assessment & Design Guide 2020
- Housing Needs Survey, Feering, RCCE, April 2016
- Strategic Housing Market Assessment Update, HDH Planning and Development, December 2015

5.2 Design

Please also refer to **FNP NP Village Assessment & Design Guide, 2020**

Objectives

H1 - Any new development to consist of a mix of high-quality housing and tenures to ensure a socially strong, inclusive and integrated community, achieved through sensitive design (considering existing dwelling heights, housing density and the need for quality accommodation and amenity space)

D1 - Ensure new development respects, adds to or maintains the rural nature, character and scale of existing development within the Parish, in line with the FPC NP Village Assessment and Design Guide.

D2 - Any development proposal must respect, conserve and enhance the rural landscape and character of the Parish. Preserve the existing open views and the natural green buffers, including hedgerows & mature trees

D3 - Ensure that new development responds positively to the character of surrounding existing development.

D4 - Ensure new buildings are as energy efficient as possible and comply with the latest energy efficiency standards.

D5 - Ensure that any new development creates a safe, active, well designed and accessible environment where crime and disorder, and the fear of crime do not undermine the quality of life, health and wellbeing and community cohesion.

D6 - Parking provision to be well thought out with sufficient car parking spaces associated with each dwelling and to be located inside the development perimeter. The use of frontage parking must be limited and commensurate with pedestrian, cyclist and vehicle safety.

D7 – A fully connected ultra-fast reliable broadband connection throughout the Parish.

Context and policy justification

5.2.1 *The Feering Parish Council Neighbourhood Plan Village Assessment & Design Guide*⁽¹²⁾ provides a comprehensive description of the design of buildings throughout the Parish. There is a wide range of building designs within the Parish, which is often related to the time period when development took place. Overall the Parish has a rural character; however, different areas of the Parish have their own individual character and style of buildings.

5.2.2 Public consultations were used to inform the production of the FNP which identified that the most popular features of the Parish are the character of Feering village and the green and open spaces within the Parish. It also highlighted the inconsistencies throughout the Parish with regards to broadband service. New development proposals in the Parish should respond positively to the

12 FNP NP Village Assessment & Design Guide 2020

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 character 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.

5.2.3 Through good quality design, the Parish Council supports new developments which include:

- i. Appropriate access for all transport modes which are well integrated into surrounding areas;
- ii. Materials which preferably are traditional and locally sourced, to reinforce local identity;
- iii. High quality amenity through well designed green spaces, generous garden areas at the front and rear of new properties, and where possible maintaining existing hedgerows;
- iv. Low-density small-scale housing in keeping with the existing character of development within the Parish, usually to a maximum of 2 storeys in height;
- v. Off road car parking;
- vi. Features which assist people in feeling safe when moving around the built environment, such as lighting and pedestrian and cycle routes which can be observed from the surrounding area; and
- vii. Ultra-fast broadband provision (300mb+ via FTTP)

5.2.4 Public consultation responses also highlighted a preference towards ‘lifetime homes’⁽¹³⁾ within new developments. In 2015 the Building Regulations Part M4(2) were amended to require a higher standard of design which ensures that new dwellings can be more easily accessed and adapted for the changing future needs of the resident. The Parish Council will encourage new development proposals to include adaptable design features within new dwellings.

5.2.5 Views of local landmarks, open spaces, green and blue infrastructure, rural landscape, and special landscape features associated with the Blackwater River Valley and Langley Green Farmland Plateau Landscape Character Areas⁽¹⁴⁾ contribute significantly to the character of Parish. Views of Feering Church, particularly from the Cricket Field, and views of and from the Rafted Path, Packhorse Bridge, Domsey Brook and Lady Meadow are important features of the area which should be preserved and enhanced where possible within new development proposals. More information can be found within the FPC NP Village Assessment & Design Guide.

13 Lifetime Homes are design criteria for new development which are intended to make homes more easily adaptable at minimal costs for use at all stages of life.

14 See section 3.6 above, and the Braintree District Landscape Character Assessment, Chris Blandford Associates, 2006

5.2.6 Lady Meadow is identified within the BDLP as a ‘visually important space’ which is considered to make a significant contribution to the visual character of the area. The BDLP does not however outline how the area should be managed or protected in the future. Policy 2 therefore seeks to preserve views of Lady Meadow as an important area of open space in the Parish which contributes positively to the rural character and appearance of the area.

Picture 9 Grade II Listed Property on Feering Hill



5.2.7 New development should seek to incorporate sustainable design features which promote energy efficiency, biodiversity net gains, innovative low carbon technology, water efficiency, energy conservation and efficiency, flood resilience, maximisation of natural light, 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.

5.2.8 To support the delivery of sustainable development in the Parish, all non-residential development should seek to achieve a minimum Building Research Establishment Environmental Assessment Method (BREEAM) rating of ‘very good’. BREEAM is a sustainability assessment method that is used to masterplan projects, infrastructure and buildings. Launched in 1990 by the Building Research Establishment (BRE), BREEAM sets standards for the environmental performance of buildings through the design, specification, construction and operation phases. Independent licenced assessors carry out an assessment of a scheme and each of the criteria is scored and then multiplied by a weighting. Developments are rated and certified on a scale of Unclassified (<30%), Pass (>30%), Good (>45%), Very Good (>55%), Excellent (>70%) and Outstanding (>85%). The BREEAM rating enables the sustainability performance of new non-domestic buildings to be easily assessed and compared against other buildings. www.breeam.com/discover/technical-standards/homes/

5.2.9 To support the delivery of sustainable residential development, new development proposals should demonstrate how they have regard to and incorporate design approaches outlined within the Secured by Design (www.securedbydesign.com), ECC Livewell Developer Accreditation (www.essexdesignguide.co.uk/supplementary-guidance/livewell-development-accreditation)

Policy 2

Design

- A. All development proposals should, as appropriate:
- i. Include a high-quality design which will contribute positively to the character and appearance of the surrounding area taking into account guidance within the FPC NP Village Assessment & Design Guide;
 - ii. Reflect and respond positively to the scale, design, character, density, layout and height of existing development in the surrounding area, and not result in significant harm to neighbouring residential living environment;
 - iii. Incorporate an appropriate use of materials, preferably locally sourced, which enhances the quality of design and preserves and enhances the character of the area;
 - iv. Provide an appropriate provision of off-street parking with regard to the adopted Essex County Council Parking Standards;
 - v. Preserve and where appropriate, enhance views of local landmarks, open space, green and blue infrastructure, and the wider rural landscape, which contribute to the rural character and appearance of the area, as referenced in the FPC NP Village Assessment and Design Guide;
 - vi. Create an accessible and inclusive design for all age groups and abilities;
 - vii. Provide dwelling designs which can easily be adapted to meet the changing requirements of residents;
 - viii. Provide a safe, active, well designed and accessible environment where crime and disorder. and the fear of crime do not undermine the quality of life, health and wellbeing and community cohesion;
 - ix. Incorporate sustainable design features which promote energy efficiency (including heat generation and distribution), biodiversity net gain, innovative low carbon technology, water efficiency, energy conservation and efficiency, flood resilience including natural flood management strategies and multi-functional SUDs measures, sustainable waste and mineral management; and
 - x. Ensure that the new development provides or contribute towards public realm improvements.
- B. Development proposals which demonstrate achievement of the highest possible rating under the Home Quality Mark, 'Livewell' accreditation or BREEAM, as appropriate, will be supported. Development proposals should have regard to the Secured by Design initiative.
- C. Development proposals should make adequate provision for charging electric vehicles. Public charging points should be located in highly visible, accessible locations close to building entrances.

Relevant Evidence Base Documents

- Braintree District Landscape Character Assessment, Chris Blandford Associates, 2006
- Feering Parish Council Neighbourhood Plan Village Assessment & Design Guide, 2020
- Parking Standards, Essex County Council, September 2009

Picture 10 The Sun Inn, Feering Hill



5.3 Housing

Objectives

H1 - Any new development to consist of a mix of high-quality housing and tenures to ensure a socially strong, inclusive and integrated community, achieved through sensitive design (considering existing dwelling heights, housing density and the need for quality accommodation and amenity space).

H2 - Ensure local people can stay living in the village throughout their lifetime and as their needs change.

H3 - Ensure new housing development provides affordable homes which would be available to local people to reflect the local needs of the Parish.

Context and policy justification

5.3.1 The Feering Parish Council Housing Needs Assessment ⁽¹⁵⁾ (HNA) identified that, given the dominance of owner-occupied dwellings and the number of concealed households ⁽¹⁶⁾ within the Parish, there is a need to provide more affordable housing tenures such as intermediate ⁽¹⁷⁾, affordable and social rent. The HNA also identified a significant need for more small and medium sized housing of 2-3 bedrooms within the Parish. These findings are supported by the results of public consultation in support of the production of the FNP ⁽¹⁸⁾, which concluded that the majority of residents believed that smaller 1-3 bedroom houses and affordable houses were most needed in the Parish. Retirement properties in the form of 1 bedroom bungalows would support current and future housing needs from existing residents in the Parish.

5.3.2 Population statistics for the Parish outlined within section 3.8 indicate that there is a need to Plan for an increasing population of older residents in the Parish. This is supported by findings within the HNA which identified that there is a need for additional specialist housing for older people, which could include independent living ⁽¹⁹⁾, extra care ⁽²⁰⁾, and residential care ⁽²¹⁾ units. The HNA estimated that 33 units should be provided during the Plan period to meet local needs within the Parish.

15 Feering Parish Council Housing Needs Assessment, AECOM, July 2018

16 Households containing more than one family.

17 Intermediate housing is the collective terms for various affordable housing tenures targeted at households on middling incomes. These include discounted market sales and intermediate rented housing considered affordable rented and other housing that is provided for sale and rent at a cost above social rent, but below market levels.

18 See section 3.8 and the Neighbourhood Plan Consultation Statement available on the Parish Council website.

19 Independent living facilities are designed to provide housing for people over the age of 55 whose current home no longer meets their needs, for example as a result of social isolation, a need to downsize, or access to care and support.

20 Extra care housing often relates to an extension of the types of housing provided through independent living, although with escalating levels of domestic and personal care to suit the changing needs of the occupants.

21 There are two main categories of residential care facilities. Nursing care will always include one qualified nurse or doctor, and can therefore cater for people with conditions that require nursing attention. Residential homes will call in routine and emergency medical support from other agencies (e.g. GPs or district nurses), as required. Both types of facilities provide accommodation, meals and personal care.

5.3.3 The 2016 Feering Housing Needs Survey ⁽²²⁾ revealed that residents who responded were in favour (59%) of a small development of affordable housing for local people within the Parish, if there were a proven need. Of those respondents, 18% said they would need alternative accommodation within the next 5 years. Forty households expressed a need for local housing in the future, however fourteen were disregarded in the analysis process due to either insufficient financial data available or the need was too premature. Therefore the responses to the survey indicated that in the next 5 years up to 2021, there would be a need for 26 additional dwellings for local people in the Parish, including both open market and affordable. In addition and in accordance with paragraph 65 of the NPPF, BDC has been requested to outline a housing requirement for the Parish which will meet local housing needs. As outlined in Policy LPP21, BDC has identified strategic housing growth numbers for the district and as part of this have allocated a maximum of 750 new dwellings to Feering Parish during the Plan period.

5.3.4 Public consultation to inform the production of the Neighbourhood Plan ⁽²³⁾ identified that local residents would prefer to see new affordable housing being offered in the first instance to local families or those with local connections. BDC allocates social housing through a priority ranking of applicants based on the severity of the housing need and local connections to an area. However, BDC will allocate housing to those in greatest need in advance of considering local connections, which therefore makes it difficult for people with local connections but a less serious housing need, to obtain affordable housing in the area. As per Policy 3, the Neighbourhood Plan seeks to ensure that those identified as having a local need are included in any new housing and the Parish Council will work with BDC to consider if an alternative approach can be taken to seek to offer improved prioritisation for local residents and family members with a strong local connection to the village, to access social housing within the Parish.

5.3.5 The Parish Council will be supportive of development proposals which provide affordable housing to meet local housing needs either through relevant FNP policies (including Policy 3), Rural Exception Sites or other types of Community Led Housing. Schemes on Rural Exception Sites allow small new development in rural areas which normally would not be permitted, providing affordable housing in perpetuity for the housing needs of either current residents or people which have strong existing close family or employment connections with the local area. Community-led projects are run by individual community groups determined to build the types of homes and other community facilities that local people need and want. The Parish Council will be supportive of proposals for Rural Exception Schemes and other forms of Community Led Housing in the Parish, subject to evidence of need and the compliance of development proposals with other relevant policies in the FNP.

5.3.6 Affordable housing is defined, as set out in the NPPF 2019, as housing for sale or rent, for those whose needs are not met by the market. This includes affordable housing for rent, discounted market sales housing and other affordable routes to home ownership, for example shared ownership. A 'strong connection to the village' to include the following connections as per BDC local allocations policies:

- people who live in the village;
- people whose place of work is in the village

22 Housing Needs Survey, Feering, RCCE, April 2016

23 See section 3.8 and the Neighbourhood Plan Consultation Statement available on the Parish Council website.

- people who lived in the village for at least 5 out of the last 10 years; and
- people with close family living in the village who have lived there continuously for at least 2 years. 'Close family' will be as defined by the Braintree District Council's allocations policy which includes parents, children and siblings.

Policy 3

Housing

- A. Proposals for residential development should:
- Be located within defined development boundaries or on sites allocated within this Plan;
 - Include housing types and tenures which meet the current and future housing needs of the Parish. Development proposals should demonstrate how the proposed housing mix will assist in meeting identified local needs, including for affordable homes;
- B. Outside of the defined development boundaries in the Parish and Site F1, land which may not otherwise be considered appropriate for residential development will be supported for release for affordable housing schemes on Rural Exception Sites provided that;
- The proposed development by virtue of its size, scale and type will be consistent with up to date evidence of local need; and
 - The affordable housing is provided for those with a local connection to the parish in perpetuity where possible.
- C. Development proposals for self-build and custom-build homes will be supported where they assist in meeting identified local needs.

Relevant Evidence Base Documents

- Feering Parish Council Housing Needs Assessment, AECOM, July 2018
- Housing Needs Survey, Feering, RCCE, April 2016
- Strategic Housing Market Assessment Update, HDH Planning and Development, December 2015

Picture 11 Properties on Feering Hill



5.4 Heritage

Objective

HE1 – To conserve and enhance the historic environment within the Parish

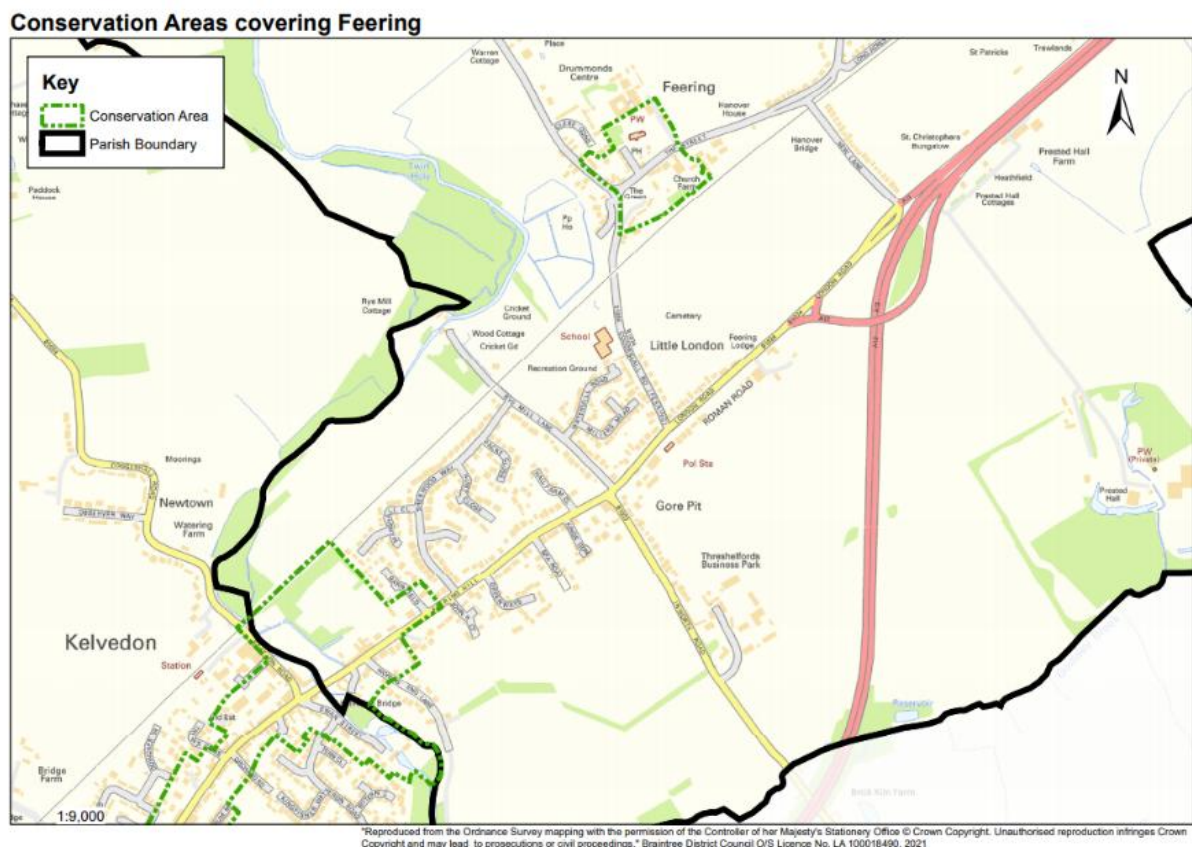
Context and policy justification

5.4.1 Policy 4 refers to designated and non-designated heritage assets, which includes buildings, monuments, archaeological deposits, protected lanes, views, and historic landscapes, sites, places, areas or landscapes which are identified as having a degree of significance meriting consideration in planning decisions because of their heritage interest. This includes heritage assets and non-listed heritage assets which are included within the Braintree District Council local list of non-listed heritage assets.

5.4.2 The Parish has a rural and historic character and appearance which has been identified as an important feature which should be preserved and enhanced. The Parish has a range of heritage assets which should be protected, and where appropriate enhanced, for the enjoyment of current and future generations. The parish is also covered by two conservation areas as referenced in the Feering Parish Council Neighbourhood Plan Village Assessment & Design Guide 2020:

- Feering Conservation Area Character Appraisal and Management Plan, July 2020
- Kelvedon Conservation Area Character Appraisal and Management Plan, July 2020

Figure 8 Conservation Areas covering Feering



Policy 4

Heritage assets and their settings

Development proposals which may have an impact on designated and non-designated heritage assets or their setting will 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 where possible;
- iii. There is no loss of important views 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 result in detriment to its character, appearance, setting, structural stability, and historic features; and
- v. Building materials and finishes are sympathetic to the character, appearance, setting, and historic features of the heritage asset.

First Ordnance Survey map of the Feering area, dated 1805



5.5 Local Green Spaces

Objectives

E1 - Conserve and enhance the rural landscape and character of the Parish. Preserve the existing open views and the natural green buffers, including hedgerows and mature trees

E2 - Protect open spaces and wildlife of local importance and enhance biodiversity

Context and Policy justification

5.5.1 Designated Local Green Spaces (LGS) are afforded permanent protection in national planning policy consistent with that of a Green Belt. Local Green Space designation is defined in Paragraphs 99 & 100 of the National Planning Policy Framework (Feb 2019 revision):

- is in reasonably close proximity to the community it serves
- is demonstrably special to the Local Community and holds a particular local significance, for example, because of its beauty, historic significance, recreational value (including as a playing field), tranquility or richness of its wildlife
- is local in character and is not an extensive tract of land.

5.5.2 Local Green Space (LGS) designation is a way to protect and enhance green areas of particular importance to local communities - to provide opportunities for (enhanced) access by local people of all ages and abilities, including for outdoor sport and recreation; to retain and enhance the landscape & visual amenity including the enhancement and retention of trees and hedges, to enhance biodiversity & water quality and to incorporate proportionate natural flood protection features.

5.5.3 Feering's designated Local Green Spaces are shown in Figure 9. Table 2 gives details of the Local Green Spaces - see also Tables 1, 3 and 4, and the more detailed Local Green Space Identification and Justification table in the Appendix that includes the justifications, and the "Natural Environment" of the Feering Neighbourhood Plan, the Feering Neighbourhood Plan Village Assessment & Design Guide (2020).

Figure 9 Designated Local Green Spaces within Feering Parish

Feering Designated Local Green Spaces

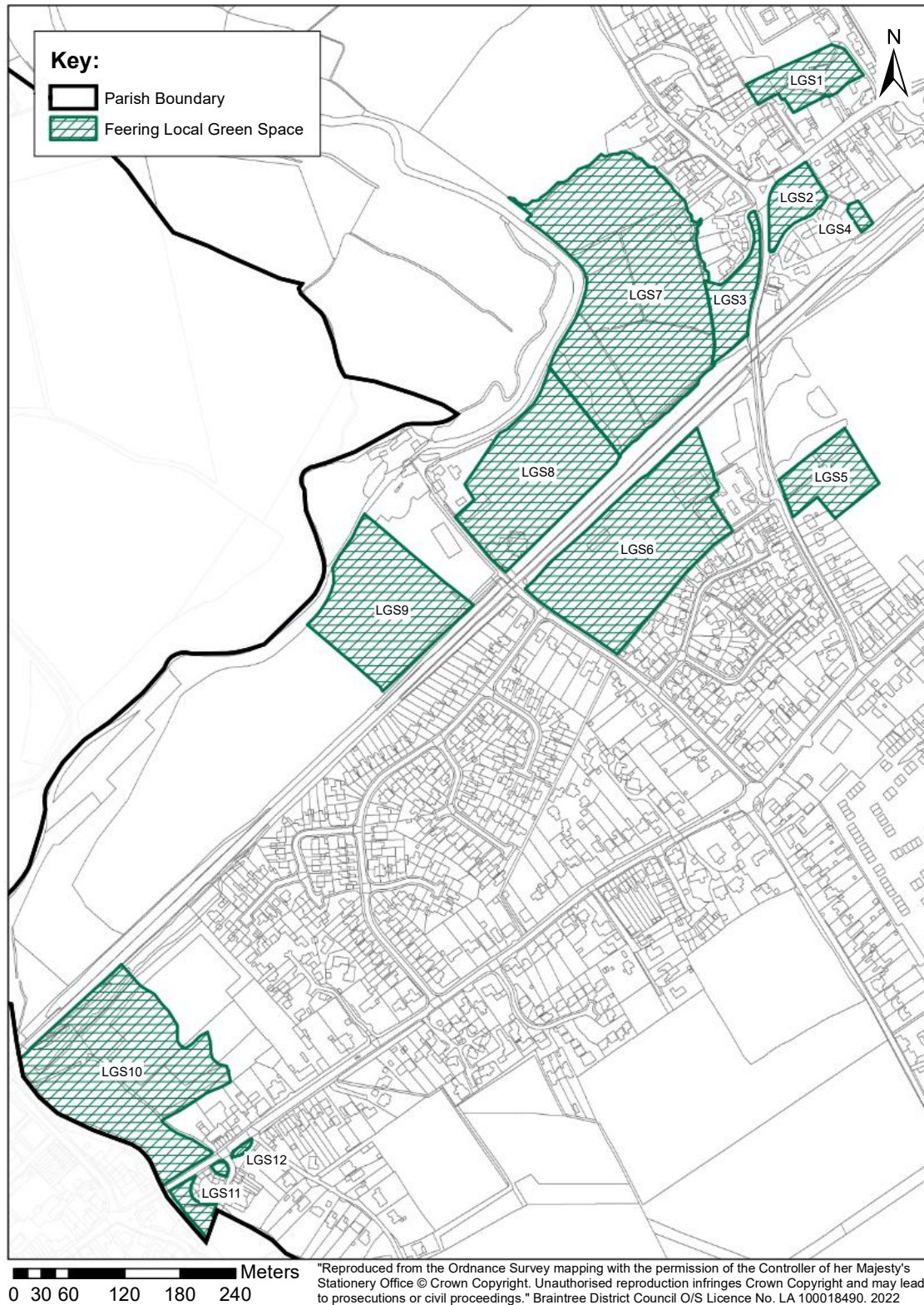


Table 2 Designated Local Green Spaces

| | Local Greenspace - Site Name | Description & Purpose | Statutory designations |
|------|---|---|--------------------------------------|
| LGS1 | Feering Churchyard ref: paragraph 3.2.1, 3.4.3 & 5.3.5 Picture 4 Objective HE1 & E2 | Churchyard now closed surrounding Grade 1 listed All Saints parish church. In the conservation area. Mature trees, wildlife | Yes- Conservation Area |
| LGS2 | Village Green ref: paragraph 3.2.1, 3.4.3 & 5.3.5 Picture 3 Objective HE1 | Historic green with trees, seating, the village sign and a heritage listed red Gilbert Scott design telephone box. in the conservation area of old Feering. Views to the church and across Taylors to the freshwater marsh & the cricket ground | Yes - registered village green |
| LGS3 | Taylors, Coggeshall Road ref: paragraph 5.3.5 Objectives HE1 & E2 | Trees and wildlife area. Seating. Pleasant area to sit and watch wildlife. Views over Feering marsh and the cricket ground. | BDLP Visually Important Space |
| LGS4 | Allotments off the village green ref: paragraph 3.2.5 Objectives MP1 & CL1 | Behind the bungalows off the village green. Good for mental wellbeing, food production & purposeful exercise. | Yes - Conservation Area |
| LGS5 | St Martins Cemetery & cemetery extension, Coggeshall Road ref: paragraph 3.2.1, 5.2.5, 5.6.10, 5.8.3 & Table 3 Objectives MP1, D2, D3, HE1 & E2 | Open cemetery. A place for personal reflection contains the War memorial so has historic significance. Site of the mortuary chapel. Trees & wildlife. Tranquil. Extension requested by the church to cater for future needs. | Yes |

| | Local Greenspace - Site Name | Description & Purpose | Statutory designations |
|-------|---|---|---|
| LGS6 | Playing Field, Rye Mill Lane ref: paragraph 5.6.10 & Table 3. Picture 13 Objectives MP1, D3 & CL1 | Play equipment including a skate park & outdoor gym equipment; seating; a full size football pitch; adjacent land can be marked out as a junior-sized football pitch. Used by all ages for recreation. | Yes - Fields in Trust |
| LGS7 | Feering Marsh ref: paragraph 3.6.6 Objectives E1, E2 & E3 | Rare freshwater marsh by the River Blackwater. Feering public footpath 17 crosses the northern part of the marsh as a raised path forming part of popular circular route. Trees & marsh vegetation & wildlife. Tranquil. | Yes - local wildlife site Bra324 |
| LGS8 | Kelvedon & Feering Cricket Ground, Rye Mill Lane ref: paragraph 3.2.4 & 5.3.5 Objectives CL1 & E2 | Cricket ground, training nets and pavilion / club house. The land owned extends to the River Blackwater (riparian rights). Views including towards Feering All Saints church. | No |
| LGS9 | Cricket Ground extension, Rye Mill Lane. See also LGS 11. ref: paragraph 5.6.10 & Table 3 Objectives MP1, D2, D3, CL1 & E2 | Second cricket ground. Potential to be part of a riverwalk to Kelvedon connecting the two villages without the need to use roads. Permissive path around the edge of the ground. | No |
| LGS10 | Local Green Space along the river Blackwater - (3) Lady Meadow Picture 6. ref: paragraphs 5.3.5 & 5.3.6, 5.6.10 & Table 3. Objectives D2, E1, E2, FM1 & MA1 | Flood plain-natural flood relief. Water meadow. Undeveloped & uncultivated so wildlife friendly. Green buffer between Kelvedon & Feering so it is special to the local community. Community aspiration to own this land. Desired continuation of the riverside walk. | Yes - Conservation Area & BDLP Visually Important Space |

| | Local Greenspace - Site Name | Description & Purpose | Statutory designations |
|-------|---|--|-------------------------|
| LGS11 | Bridge Meadow & "Packhorse" Bridge (aka Roman Arches) ref: paragraphs 3.4.2, 5.3.5 & Table 3 Objectives HE1, E1, E2, E3 & CL1 | Land between the two villages that leads up to the site of the old wooden bridge across the river Blackwater. Views including the listed buildings in Swan Street. Green buffer between Kelvedon & Feering. Good for wildlife. Bat Boxes, hibernaculum /log piles, trees. Natural flood plain. | Yes - Conservation Area |
| LGS12 | Bridge Meadow & Feering Hill Green. ref: paragraphs 3.4.2 & 5.3.5. Pictures 9 & 10. Objectives HE1, E2 & E3 | Visually important space at the western entrance to Feering parish near the river Blackwater. The Sun Inn (Grade II*) and Bridge House (Grade II) are in close proximity. Trees. Biodiversity enhancements planned. | Yes - Conservation Area |

Policy 5

Local Green Spaces

The following areas shown in Figure 10 are designated as Local Green Spaces

LGS1 Feering Churchyard

LGS2 Village Green

LGS3 Taylors, Coggeshall Road

LGS4 Allotments

LGS5 St Martins cemetery

LGS6 Playing Field, Rye Mill Lane

LGS7 Feering Marsh

LGS8 Kelvedon & Feering Cricket Ground

LGS9 Cricket Ground extension

LGS10 Lady Meadow

LGS11 Bridge Meadow and “Packhorse” Bridge

LGS12 Bridge Meadow and Feering Hill Green

Relevant Evidence Base Documents

- Feering Parish Council Neighbourhood Plan Village Assessment and Design Guide, 2020

5.6 Natural Environment and Green and Blue Infrastructure

Objectives

E1 - Conserve and enhance the rural landscape and character of the Parish. Preserve the existing open views and the natural green buffers, including hedgerows and mature trees

E2 - Protect open spaces and wildlife of local importance and enhance biodiversity

E3 – Preserve and, where appropriate, enhance designated nature conservation sites and green and blue infrastructure

E4 – Deliver a biodiversity net gain and reduce the carbon footprint of the Parish

Context and Policy justification

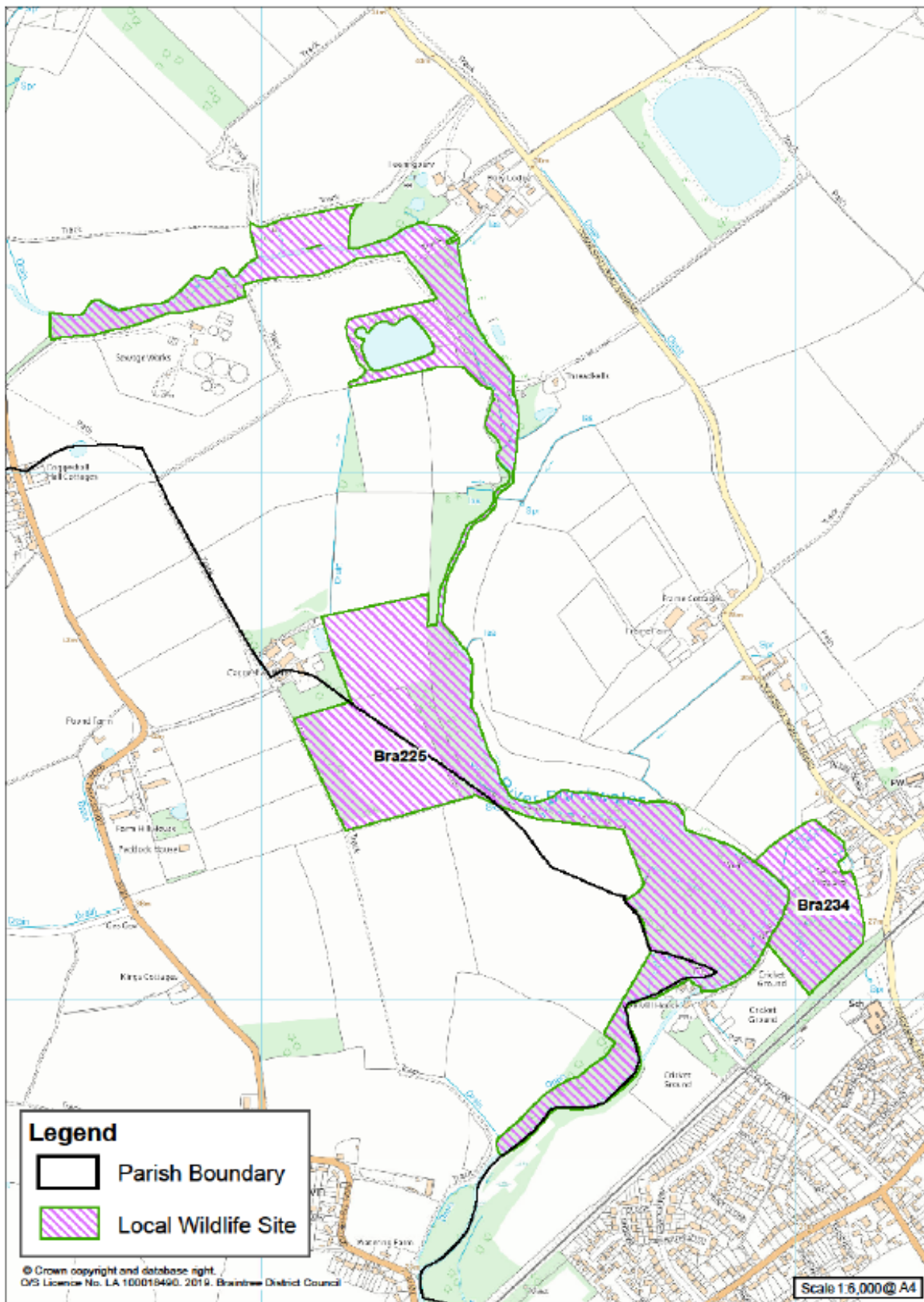
5.6.1 Policy 6 refers to open space, Local Green Space and green & blue infrastructure. This is in response to BDC's declaration on 22 July 2019 of a "Climate Emergency" which is supported by the Parish Council by the creation of the FPC Environmental Working Group. ECC have also recognised the importance of green issues by developing their new ECC Green Infrastructure Strategy which was adopted in March 2020. Open space refers to undeveloped land and water (such as rivers, ponds and lakes) of public value, which offer important opportunities for sport and recreation, and benefit visual amenity. Green infrastructure refers to multi-functional areas of green space such as fields and forests, within the village and in the open countryside, which is capable of delivering a wide range of environmental and quality of life benefits for local residents of the Parish. Blue infrastructure, also referred to as water infrastructure, refers to the network of water assets such as rivers, ponds & watercourses/ ditches, reservoirs and Sustainable Urban Drainage Systems (SUDs).

5.6.2 As a rural area containing varied landscapes, open countryside, agricultural land, trees and dense hedgerows, Feering Parish has an environment which provides important habitats for flora and fauna. There are two Local Wildlife Sites in the Parish - see the Figure 10 map below:

- Feering freshwater marsh (Bra234) located between the River Blackwater and the main London Railway Line.
- Coggeshall Hall Farm (Bra225) which follows the River Blackwater valley across 30.3 hectares of open cricket-bat willow plantations, flower rich grasslands and hedgerows. Bra225 is a key foraging area for the nationally rare bumblebee *Bombus ruderalis*, while also providing a foraging habitat for other scarce invertebrates including bee species *Sphecodes niger* and *Lasioglossum pauxillum*.

5.6.3 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.

Figure 10 Local Wildlife Sites within Feering Parish



5.6.4 The Neighbourhood Plan seeks to protect the natural environment from the impact of human activity, particularly related to new development in the countryside. The 2017 Community Survey showed that 98% agreed or strongly agreed that it is important to preserve existing hedgerow and mature trees. 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 biodiversity net gains, and the achievement of other objectives set out in this Plan.

5.6.5 Biodiversity net gain can be increased by including the following provisions; boxes for bats, swifts and other birds, artificial badger setts, reptile mitigation strategies, hedgehog friendly fencing and bug hotels to be considered as part of any new development along with the planting of native trees, hedgerows and sowing wild meadow mixes native to this part of the country. The impact of artificial lighting on nocturnal wildlife should be addressed by appropriate lighting schemes specifically where they are bats or where lighting could impact routes used for foraging.

5.6.6 The 2017 Community Survey showed that 98% of respondents agreed or strongly agreed that it is important to preserve the habitat for birds or other animals in Feering parish. The Parish Council supports the work of the Essex Field Club ⁽²⁴⁾, which is a society for wildlife enthusiasts and people with an interest in the natural history and geology of Essex. The organisation studies and maintains a record of natural history within Essex. There are also wildlife conservation groups within Kelvedon and Feering, such as the Essex Wildlife Trust ⁽²⁵⁾, which can provide invaluable information on local ecology. The Parish Council expects developers to work with the Essex Field Club and local wildlife conservation groups to consider how the natural history of the area and local ecology can be appropriately considered and incorporated into new development proposals.

5.6.7 The Habitat Regulations Assessments undertaken to support the production of the draft BDLP identified that the combined effects of development proposals in the Plan, and proposals in surrounding areas, are likely to adversely affect the integrity of European designated nature conservation sites (known as Habitats Sites).

5.6.8 To protect European Sites from the impacts of new development the Essex Coast Recreational disturbance Avoidance Mitigation Strategy (RAMS) ⁽²⁶⁾ Supplementary Planning Document has been produced. This Strategy requires all residential developments within the 'zone of influence' of Habitats Sites to make a financial contribution towards mitigation measures to avoid adverse in-combination recreational disturbance effects on European Sites. The Essex Coastal RAMS will outline how developer contributions toward the protection of European Sites will be calculated and collected.

24 www.essexfieldclub.org.uk

25 www.essexwt.org.uk

26 The Essex Coast Recreational disturbance Avoidance & Mitigation Strategy (RAMS) is an initiative to raise awareness of the birds that feed and breed on the Essex coast so that people can enjoy the coast and its wildlife without disturbing the birds. It is a partnership between 12 Essex Local Planning Authorities which includes Braintree District Council.

5.6.9 Prior to the completion of the Essex Coast RAMS, all residential development within the 'zone of influence' will need to deliver measures identified through project level Habitat Regulations Assessments (HRAs) to mitigate any recreational disturbance impacts in compliance with the Habitat Regulations and Habitat Directives.

5.6.10 Public consultation has identified strong support for a new community woodland to provide a wildlife and recreational area which can support populations of dormice and other small mammals in the area. The creation of this additional habitat area could provide a wildlife corridor between dormice populations in Marks Hall and on the Tiptree ridge. There was also support for the creation of more permissive paths in and around the village and linking into existing cycle, footpath, and bridleway networks.

5.6.11 Through the Braintree District Open Spaces Action Plan,⁽²⁷⁾ the Parish Council have identified the following projects that could significantly improve the provision and quality of green and blue infrastructure within walking distance from the main centre of population in the Parish:

- i. The creation of a new nature trail / riverside walk including a cycle track, children's play area, football pitches and bowling green, on land between the cricket club and Lady Meadow / remains of the Crab-and-Winkle railway line (rear of Marshall Close to Station Road). Purchase Lady Meadow. Provide non-motorised access across Station Road.
- ii. The creation of additional woodland, sports & recreational facilities behind the existing cemetery. Extend the cemetery. Proposed new open space to the rear of John Raven Court.
- iii. Rye Mill Lane Playing Field: improve the skate park facilities, improve /remodel the mound area, etc.
- iv. Create a community woodland / orchard - identify land & purchase. Plant more trees.
- v. Identify land to allow extension to permissive path network. Deliver path improvements including the extension /renovation of the rafted path. Provision for a multi user off road route from Feering linking Kelvedon and Coggeshall, generally along the river bank.

5.6.12 The Parish Council should be consulted to determine future management arrangements for areas of open space and green and blue infrastructure which form part of new development proposals. The Council's preference would be the formation of a community owned and managed local organisation / trust which will manage the area of open space and/or green infrastructure in perpetuity. Draft proposals should be set out within a planning application, to be agreed with Feering Parish Council and BDC through the completion of the S106 agreement and associated conditions.

5.6.13 Results of the Community Survey 2017 showed that 86% of respondents strongly agreed that a green buffer should be maintained of open countryside between Feering and other developments to prevent us merging with other settlements.

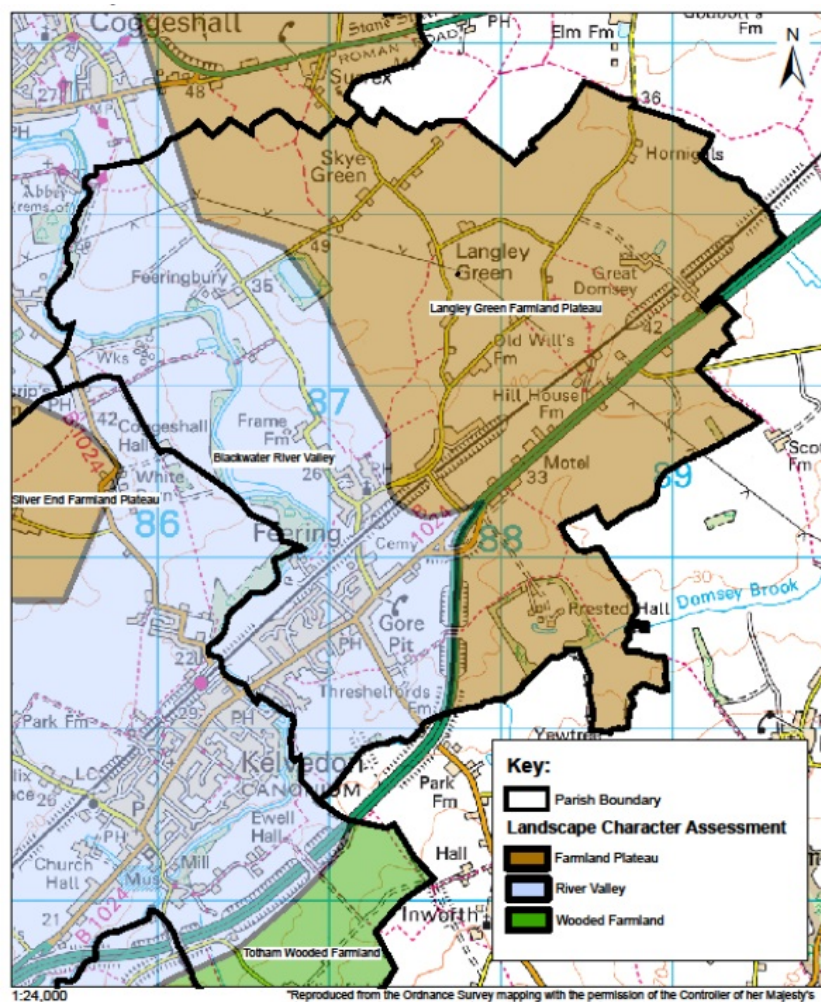
5.6.14 The Braintree District Landscape Character Assessment⁽²⁸⁾ - see map Figure 11 below - provides an assessment of the landscape character of the entire District, and identifies two distinct landscape character areas within Feering Parish, the Blackwater River Valley and the Langley Green Farmland Plateau. The Braintree District Landscape Character Assessment identifies the following features which define the two landscape character areas:

27 BDC Open Spaces Action Plan 2020 is available to be viewed on the Braintree District Council Website.

28 Braintree District Landscape Character Assessment, Chris Blandford Associates, 2006

| Blackwater River Valley | Langley Green Farmland Plateau |
|--|---|
| i. Shallow valley, with gently sloping sides; | i. Flat and gently sloping landform; |
| ii. Predominantly arable farmland with some pastoral on the valley floor; | ii. Large arable fields; |
| iii. Strong sense of place and tranquillity; | iii. Fragmented field boundaries, especially adjacent to roads; |
| iv. Extensive linear poplar and willow plantations along the river banks | iv. Relatively open landscape |
| v. Well vegetated former sand & gravel pits also containing poplar and willow plantations; | v. Small villages and scattered farmsteads; and |
| vi. Good tree cover and enclosure | vi. A strong sense of place and tranquillity |
| vii. Hedgerows delineate field boundaries, with scattered hedgerow trees; and | |
| viii. Settlements are well screened by deciduous trees | |

Figure 11 Landscape Character Assessment



Policy 6

Natural Environment and Green and Blue Infrastructure

- A. Development proposals will be supported that** protect, and where possible, enhance the natural environment. All proposals should seek to deliver biodiversity net gain, in addition to protecting existing habitats & species.
- B. Development proposals will be supported that;**
- i. Protect and where possible enhance public open space, Local Green Spaces, local wildlife sites, important features of the natural environment, and the biodiversity of the site and its surroundings;
 - ii. Ensure improved access to, and / or create new, public open spaces and high-quality green and blue infrastructure where appropriate;
 - iii. Improve connectivity between wildlife areas, Local Green Spaces and public open spaces through green corridors and/or improvements to the walking, cycling & horse-riding networks, including Public Rights of Way (Figure 12);
 - iv. Enhance the visual characteristics and biodiversity of open spaces and green & blue infrastructure in close proximity to the development;
 - v. Ensure that landscape schemes, layouts, access and public open space provision and other amenity requirements contribute to the connectivity, maintenance and improvement of the green & blue infrastructure and walking, cycling & horse-riding networks, including Public Rights of Way within the site and beyond;
 - vi. Incorporate the multi-functional use of open spaces where appropriate as part of the green & blue infrastructure network;
 - vii. Provide appropriate water management measures. Where possible sustainable urban drainage systems should be multi-functional to deliver benefits for the built, natural and historic environment, including natural flood management techniques; and
 - viii. All new residential development will be required to make a financial contribution towards mitigation measures, in accordance with the adopted Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Supplementary Planning Document, to avoid adverse in-combination recreational disturbance effects on European Sites.
- C.** Development proposals which are likely to have a significant individual or cumulative impact on the Blackwater River Valley or the Langley Green Farmland Plateau Landscape Character Areas should demonstrate how the proposal will protect and enhance the special features and overall character of the area.
- D.** The future management and maintenance arrangements for new areas of open space SUDs and green infrastructure provided as part of new development should be agreed at the time of planning consent.

Relevant Evidence Base Documents

- Braintree District Landscape Character Assessment, Chris Blandford Associates, 2006
- Wildlife Habitats Around Feering, Neighbourhood Plan Evidence Base Document, 2018
- Essex County Council Green Infrastructure Strategy, 2020
- Feering Parish Council Neighbourhood Plan Village Assessment and Design Guide, 2020
- Essex Biodiversity Validation checklist - <https://www.placeservices.co.uk/resources/natural-environment/essex-biodiversity-validation-checklist/>
- Essex Coast Recreational disturbance Avoidance & Mitigation Strategy (RAMS), 2020

5.7 Flood Management

Objectives

FM1 – reduce the risk of flooding (fluvial, pluvial and sewer) in Feering and immediate surrounding areas and take measures to ensure proper controls are applied to any development to avoid and manage flood risk.

Context and policy justification

5.7.1 The River Blackwater and its surrounding floodplain runs through the Parish and along the western edge of Feering village. Other areas of the Parish are susceptible to surface water flooding. Policy 7 seeks to ensure that the risk of flooding in the Parish is not increased, and where possible and appropriate reduced, as a result of new development. The 2017 Community Survey showed that 82% of respondents strongly agreed or agreed that flooding was a concern in the parish.

5.7.2 Fluvial flooding relates to flooding from rivers, where periods of excessive rainfall over an extended period of time can cause a river to exceed its capacity. Pluvial flooding, also known as surface water flooding, occurs when excessive rainfall saturates drainage systems to an extent that water can no longer be absorbed. Both forms of flooding are experienced in Feering Parish. Natural flood management techniques such as woodland creation and leaky dams, green roofs and walls, permeable paving, ponds, wetlands and shallow ditches and water gardens, should be used where possible.

Picture 12 Flooding at the bottom of Feering Hill by The Sun Inn 2001



Policy 7

Flood Management

The use of natural flood management techniques is supported wherever possible.

5.8 Community and Leisure Facilities

Objectives

CL1 - Community and leisure facilities to be enhanced, protected and developed to meet the changing needs of a growing Parish

CL2 - Ensure early years and childcare, primary school and secondary school facilities are provided to meet the needs of the growing population.

Context and policy justification

5.8.1 Policy 8 refers to community and leisure facilities, which relates to shops, meeting places, sports venues, youth facilities, children's play areas, open space ⁽²⁹⁾, cultural buildings, public houses, medical facilities, early years and childcare facilities, educational facilities, and places of worship.

5.8.2 The BDLP outlines District-wide standards and guidance for developer contributions, however this does not take into consideration the specific needs and requirements of Feering Parish. The Parish Council will seek opportunities to improve existing community facilities and areas of public open space. New community facilities will be incorporated into the masterplan and subsequent development proposals associated with residential site allocation F1 (see Policy 1).

5.8.3 Existing Parish Needs - Public consultation and surveys undertaken by the Parish Council have identified a need for the following additional community facilities to meet the existing needs of the Parish:

- i. Provision of medical facilities;
- ii. Shops and a post office;
- iii. Recreational facilities for young people;
- iv. Need for additional formal sports provision;
- v. Expansion of existing cemetery in the Parish; and
- vi. Improved parking facilities at the community centre.

5.8.4 New Development - To support the level of development proposed through Site F1, public consultation and surveys have identified a need, in addition to the above, for the following additional community facilities:

- i. Increased primary school and pre-school provision;
- ii. A new community hall/centre;
- iii. A dentist and pharmacy;
- iv. Additional sporting facilities;
- v. A village shop and banking facilities;
- vi. Coffee shop /cafe
- vii. Community woodland;

29 As defined in section 5.5.1

- viii. Library facilities; and
- ix. Footpaths, cycle tracks, fitness trails.

5.8.5 The ability of Site F1 to provide these facilities should be assessed as part of a comprehensive masterplan for the area (see FNP Policy 1), including the production of a phasing plan which outlines when new and improved community services and facilities will be provided alongside new development.

5.8.6 The nearest library facility is located in Kelvedon, and a mobile library attends Feering primary school once every 3 weeks. In summer 2019 Essex County Council (ECC) adopted a new Future Library Services Strategy (2019-2024) in which it committed to keeping all libraries including Kelvedon library open ⁽³⁰⁾ until 2024.

Picture 13 Award winning Feering Parish Council Rye Mill Lane Playing Fields



30 Future Library Services Strategy 2019-2024, Essex County Council, 2018

Policy 8

Community and Leisure Facilities

- A. Relevant development proposals should identify opportunities to improve and expand existing community and leisure facilities within the Parish to meet the future needs arising from residents of the new development. Any proposals should seek to:
- i. Ensure adequate access to and between facilities would be provided to everyone commensurate to the scale of the development; and
 - ii. There is access to adequate walking, cycling and public transport links; and
 - iii. Be designed to allow for internal spaces to be adapted over time, providing flexibility of use and potential co-location with other complementary community uses and functions; and
 - iv. Avoid unacceptable impact on the character, appearance or local environment: and
 - v. Provide vehicle access and on-site vehicle parking to an appropriate standard commensurate to the scale of the development.
- B. Development proposals resulting in the loss of a locally valued community or leisure facility should be supported by evidence that:
- The use is not economically viable; or
 - The facility is no longer required to meet the needs of the local community; or
 - An equivalent alternative facility will be provided in an appropriate location.

Relevant evidence base documents

- Future Library Services Strategy 2019-2024, Essex County Council, 2018

5.9 Moving Around

Objectives

MA1 – To provide safe, new and improved walking, cycling, bridleways and public transport routes, both within Feering and to surrounding parishes.

D6- Parking provision to be well thought out with sufficient car parking spaces associated with each dwelling and to be located inside the development perimeter. The use of frontage parking must be limited and commensurate with pedestrian, cyclist and vehicle safety.

Context and policy justification

5.9.1 Key statistics on Feering Parish (see section 3.8) identified that the majority of local residents travel to work by car or van. Due to the close proximity of Kelvedon train station, a large number of local residents also commute to work by rail. Improvements are required to sustainable modes of transport in order to stimulate a modal shift and reduce congestion on local roads at peak times. Policy 9 therefore seeks to encourage the use of sustainable modes of transport by seeking contributions from new developments towards improved public transport provision, and footpath, cycle, and bridleway networks.

5.9.2 Public consultation and surveys undertaken by the Parish Council identified a range of concerns regarding the existing local transport network. The most important future infrastructure projects in and around the Parish identified by local residents were all transport related projects, and included the following:

- i. Improving access to Tiptree to and from the A12 by passing Feering;
- ii. Reducing heavy goods traffic and congestion within Feering village;
- iii. Improving A12 Junction 24 to be all ways;
- iv. Improving A12 Junction 23 to be all ways; and
- v. Improvements to the Blue Anchor / Gore Pit / Inworth Road junction.

5.9.3 Public consultation also identified that the quality of pavements within the Parish has a significant impact on accessibility for disabled residents. Policy 9 seeks to improve accessibility in the Parish for all existing and future residents.

5.9.4 While Threshelfords Business Park is considered to be a good example of how a business park should be developed in a rural area, the limited car parking in the area regularly creates difficulties for businesses and visitors. New employment generating development in the Parish should recognise the rural location of the area, and the needs of users from surrounding rural areas where cars are an essential mode of transport to access jobs, services and facilities. Careful consideration should therefore be given to the supply of parking spaces within new employment generating developments,

taking account of the guidance in Essex County Council's Parking Standards (2009). Where possible, the Parish Council would also support the expansion of parking facilities for Threshelfords Business Park.

Picture 14 Gore Pit junction



Policy 9

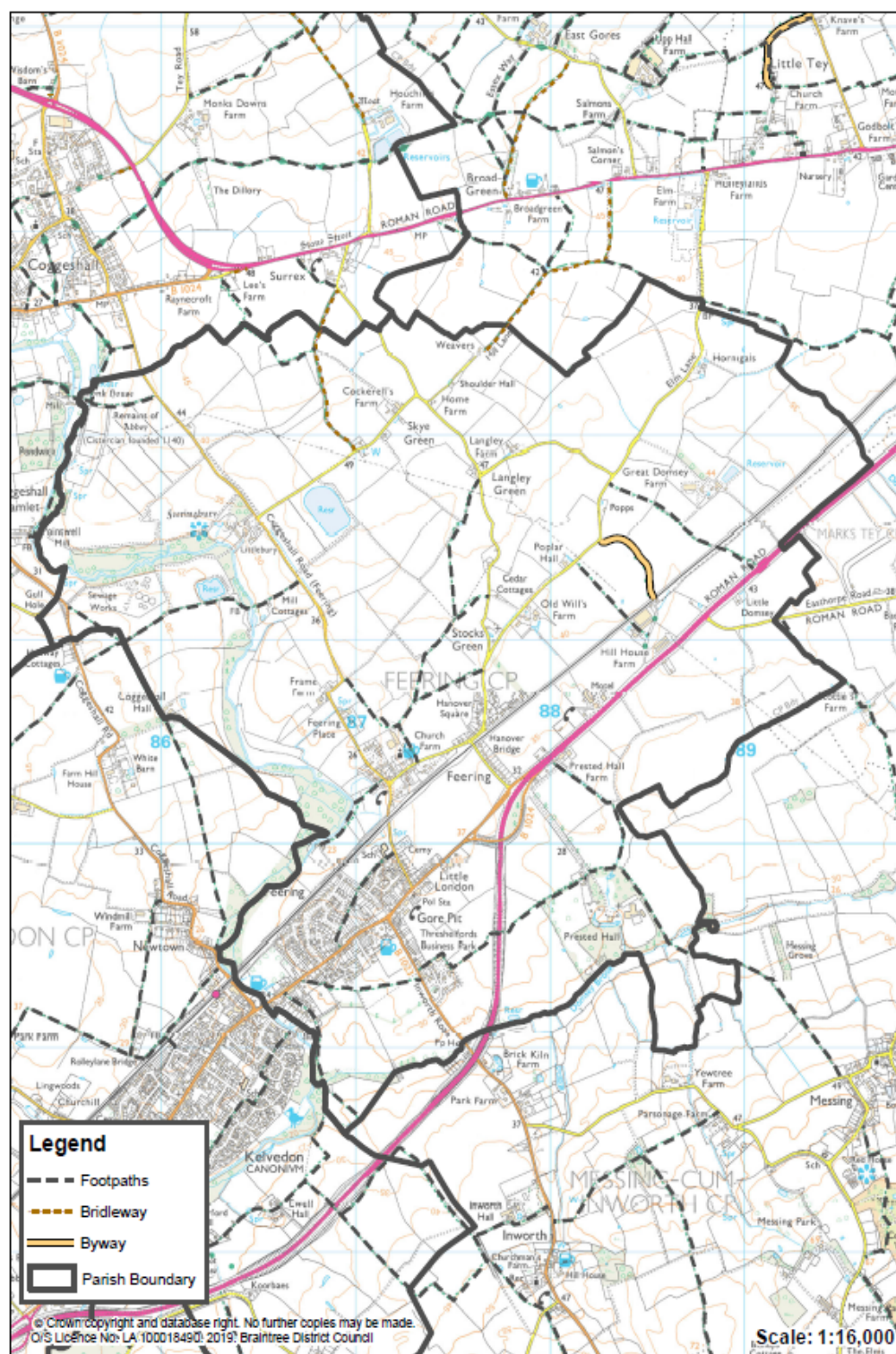
Moving Around

- A. Proposals for new development should as appropriate:
 - i. Protect the highway network for the safe and efficient movement of people and goods by all modes of travel;
 - ii. Provide and enhance walking, cycling & horse-riding networks, including Public Rights of Way, (Figure 12) and passenger transport connections within the site and the wider parish, including local services and facilities and Kelvedon Station;
 - iii. Demonstrate that there is no severe cumulative detrimental impacts on the existing or proposed highway in congestion terms or provide appropriate mitigation measures;
 - iv. Not have a severe detrimental impact on air quality and public health as a result of increased traffic flows and congestion;
 - v. Create safe and accessible environments for those with mobility impairment;
 - vi. Make provisions for parking which have regard to the Essex Parking Standards (2009) or subsequent amendments: and
 - vii. Include evidence of engagement with rail and bus providers to ensure adequate provision of services to meet the needs of new development.
- B. Proposals for employment generating development should also as appropriate;
 - i. Ensure good access to the A12;
 - ii. Ensure good access to the new and improved A120 when delivered;
 - iii. Ensure good quality pedestrian and cycle access to Kelvedon Station;
 - iv. Avoid significantly increasing traffic flows through the village;
- C. Where new and improved infrastructure is provided it should make adequate provision for safe crossing points and corridors for wildlife and equestrian use.

Relevant evidence base documents

- Parking Standards, Essex County Council, 2009

Figure 12 Walking, cycling and horse-riding routes, including Public Rights of Way



5.10 Business and Economy

Objectives

BE1 - Develop and protect sustainable community employment in the Parish, including the facilitation of flexible working.

Context and policy justification

5.10.1 The key statistics for the Parish (see section 3.8) identified that the area has a slightly higher proportion of self-employed workers than the District and County averages. The largest employment sectors in the area are as follows (as per 2011 Census – OCSI Rural Community Profile 2013);

| | | |
|--|--|--|
| Largest employment sector | Second largest employment sector | Third largest employment sector |
| Financial & insurance | Retail | Professional |
| 135 employees (13% of 1,030 of people in employment) | 115 employees (11% of 1,030 of people in employment) | 105 employees (10% of 1,030 of people in employment) |

| | | | | |
|---|---|---|---|--|
| Managerial occupations | Professional (or associate) occupations | Administrative or secretarial occupations | Skilled trades occupations | Elementary occupations |
| 150 | 380 | 145 | 110 | 55 |
| 14.4% of 1,030 people in employment (England = 12.0%) | 37.0% of 1,030 people in employment (England = 30.3%) | 14.2% of 1,030 people in employment (England = 11.5%) | 10.7% of 1,030 people in employment (England = 11.4%) | 5.4% of 1,030 people in employment (England = 11.1%) |

5.10.2 Ensuring a good supply of local employment opportunities is a key feature of a sustainable community, providing local residents with opportunities to be able to walk or cycle to work. Policy 10 therefore seeks to support existing businesses in the Parish while also providing the necessary infrastructure and premises to encourage new businesses which can provide employment for residents.

5.10.3 Home working could also be used as a method to increase economic activity in the area. The Parish Council will therefore be supportive of proposals which increase opportunities for home working in the Parish, in accordance with other policies in the FNP. The provisions of Policy 10 Section A relates to the development of infrastructure that allows effective home working.

5.10.4 The largest employment area in the Parish is Threshelfords Business Park, which contains a range of businesses and organisations and has no vacant units. As outlined in Policy 1, the extension of the village through residential allocation F1 will increase demand in the local area for employment opportunities. The expansion of the village therefore provides the opportunity to allocate additional employment land to enable an expansion of Theshelfords Business Park. Through the allocation in Policy 1 and the requirements of Policy 10, the Neighbourhood Plan is seeking to provide the opportunity to develop new employment space while also protecting existing employment land.

5.10.5 To ensure that there are sufficient opportunities for businesses to locate in the Parish and provide a good supply of local employment, the Neighbourhood Plan will seek to protect and enhance existing employment sites within the Parish. Proposals which would result in the loss of existing employment uses (Class B) and employment land will be required to demonstrate that the continuous use of the site for employment purposes is no longer viable, taking into account the site's existing and future potential, and long-term market demand for employment uses. Evidence will be required to show reasonable and appropriate marketing of the site over a sustained period (a minimum of 12 months), and evidence of the level of interest in the site during the marketing period.

5.10.6 The aim is to realise the tourism potential of the Parish and foster employment opportunities.

Picture 15 Threshelfords Business Park



Policy 10

Business and Economy

- A. Employment generating development proposals will be supported that:
 - i. Provide suitably sized and supported premises that will enable new Small and Medium Enterprise (SME) businesses to locate within the Parish;
 - ii. Protect and support existing businesses within the Parish;
 - iii. Provide benefits to the local economy and community;
 - iv. Be located in areas which are accessible to the surrounding transport network without having a severe cumulative detrimental impact on levels of traffic or congestion in the Parish; and
 - v. contribute to and enhance the natural and local environment and support the transition to a low carbon future.
- B. The conversion, change of use or redevelopment of existing employment sites to non-employment uses should meet one of the following criteria:
 - i. It is demonstrated that the site is inappropriate for any employment use to continue having regard to market demand. Applications will need to demonstrate that the site is not suitable or capable of being made suitable for continued employment use. Evidence would be required that the property has been adequately marketed for a period of not less than twelve months on terms that reflect the lawful use and condition of the premises.
 - ii. Equivalent, alternative and additional provision is available elsewhere locally in an appropriate location.
 - iii. The overall benefit to the community of the proposal outweighs any adverse effect on employment opportunities and the range of available employment land and premises.
 - iv. The existing use is generating environmental problems such as noise, pollution, or unacceptable levels of traffic and any alternative employment use would continue to generate similar environmental problems.

5.11 Developer Contributions to Community Infrastructure

Objectives

CIP1 - Ensure appropriate collection and allocation of developer contributions

Context and policy justification

5.11.1 Developers will be expected to contribute towards new and existing infrastructure in the area to mitigate the impacts of new developments. Developer contributions will be provided through Section 106 agreements with Braintree District Council and Essex County Council, where applicable. A Community Infrastructure Levy ⁽³¹⁾ (CIL) Charging Schedule has not yet been introduced in Braintree District. Once adopted, this will provide an additional mechanism for developers to contribute towards local infrastructure projects in the area.

5.11.2 New development proposals will be expected to demonstrate the impact of the proposals on infrastructure in the local area, including impact on traffic volumes, noise pollution and air quality. They will be required to outline how appropriate infrastructure improvements can be implemented to mitigate the identified impacts.

5.11.3 Contributions secured as a result of new development shall be prioritised towards the delivery of targeted community objectives wherever possible. It is acknowledged that not all new developments will be able to contribute towards infrastructure needs in the Parish due to the financial viability considerations, the particular infrastructure needs of the proposal, and the restrictions of the CIL Regulations. Developer contributions towards Parish based infrastructure requirements must be provided in accordance with the Neighbourhood Plan. Developers should consult with Feering Parish Council and Braintree District Council at an early stage in preparing development proposals, to ensure that proposed developer contributions satisfactorily meet the requirements of the Neighbourhood Plan and the needs of the Parish.

5.11.4 The appropriate contributions to be provided by a developer will vary depending on the type, location, and financial viability of the development. To assist developers and decision-makers in considering infrastructure needs in the Parish, Table 3 below outlines desired local infrastructure projects within the Parish which support existing residents, any future new development in the Parish, and future large-scale new development in the Parish. Contributions towards infrastructure which solely meets the needs of existing residents could not be provided through S106 contributions ⁽³²⁾, but could be provided through other mechanisms such as the CIL. Development proposals which do not provide contributions as set out within Table 3 will be required to demonstrate, through an open book (transparent and open) viability assessment, that the provision of the contribution will render the site financially unviable or that the infrastructure will be funded and delivered through other means.

31 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.

32 See CIL Regulation 122 which limits the use of planning obligations.

Policy 11

Developer Contributions to Community Infrastructure

- A. Where appropriate, development proposals will be required to contribute towards the provision of new and improved infrastructure in the Parish to mitigate the impacts of the development.
- B. Planning applications should, where appropriate, clearly demonstrate the impact of the proposed development on local infrastructure in the area, and demonstrate how developer contributions towards local infrastructure will satisfactorily mitigate the identified impacts.

Table 3 Desired Local Infrastructure Projects

| Infrastructure Item | Infrastructure Desired | | |
|---|------------------------|------------------------|---------------------|
| | Existing residents | Development of Site F1 | All new development |
| Additional education provision | | ✓ | ✓ |
| New or improved health facilities within the surrounding area | | ✓ | ✓ |
| Additional sporting facilities, such as a swimming pool and gym | ✓ | ✓ | |
| Creation of a community woodland / orchard with public access | ✓ | ✓ | |
| Woodland as a wildlife protected area | | ✓ | |
| Improve and develop pavements | | ✓ | ✓ |
| Additional library facilities | | ✓ | ✓ |
| New footpaths, cycle tracks, fitness trails | ✓ | ✓ | ✓ |
| A Feering/Kelvedon to Coggeshall off road multiuser route (2017 Community Survey) | ✓ | | |
| Off road multiuser route from Feering to Tiptree (2017 Community Survey) | ✓ | | |
| A new community centre with sufficient parking | | ✓ | |
| New public open spaces and children's play areas | | ✓ | ✓ |
| Improvements to water supply and wastewater networks | | ✓ | ✓ |

| Infrastructure Item | Infrastructure Desired | | |
|--|------------------------|------------------------|---------------------|
| | Existing residents | Development of Site F1 | All new development |
| Recreational facilities for young people | ✓ | ✓ | |
| Expansion of the existing cemetery in Feering village (2017 Community Survey) | ✓ | ✓ | |
| Purchase Lady Meadow for public use | ✓ | | |
| The creation of a new nature trail / riverside walk, children's play area, football pitches, bowling green, and cycle track on land between the cricket club and Lady Meadow, Marshall Close and Station Road. | ✓ | | |
| The creation of additional woodland, sports and recreational facilities behind the existing cemetery. | | ✓ | |
| Improve skate park facilities and fencing at Rye Mill Lane Playing Field | ✓ | | |
| Extend rafting of the rafted path walk alongside River Blackwater | ✓ | | |
| Improved parking facilities at the community centre | ✓ | | |
| Extended, additional, and improved public transport services | | ✓ | |
| Improving access to Tiptree to and from the A12 by- passing Feering | | ✓ | |
| Improving access to Coggeshall to and from the A12 by- passing Feering | | ✓ | |

| Infrastructure Item | Infrastructure Desired | | |
|--|------------------------|------------------------|---------------------|
| | Existing residents | Development of Site F1 | All new development |
| Signage and highways works to reduce heavy goods traffic and congestion within Feering village | ✓ | ✓ | |
| Improving A12 Junction 24 to be all ways | | ✓ | |
| Improving A12 Junction 23 to be all ways | | ✓ | |
| Improvements to the Blue Anchor / Gore Pit / Inworth Road junction to improve the flow of traffic and reduce congestion (33) | | ✓ | |
| Improve London Road / Coggeshall Road junction | | ✓ | |
| Privacy screening / buffers between existing houses and new developments (2017 Community Survey) | | ✓ | ✓ |

33 It may not be required following the production of a comprehensive transport assessment in support of the masterplan and future planning application.

5.12 Climate Change and Sustainability

Objectives

CE - Improve the Local environment of the Parish for future generations by reducing its carbon footprint and developing sustainable ways of living.

Context and Policy justification

5.12.1 With global temperatures currently moving towards an increase of more than 2 degrees centigrade, it will mean that the UK will have hotter, drier summers and milder, wetter winters with an increase in the frequency and intensity of extreme weather events. Sea level rise, biodiversity impacts and loss of agricultural productivity are also expected. The consequences of these changes are already being felt. Over recent years, severe floods have caused major damage to property and businesses across the country. Extreme summers like 2018 are now a 10-25% probability - and could become a 50% likelihood by mid-century - having impacts on resource availability, workplace productivity, health and wellbeing, and learning in schools.

5.12.2 On 1st May 2019 the UK government declared a "Climate Emergency". On 22nd July 2019 Braintree District Council (BDC) followed suit. BDC's Local Plan Policies LPP 71, LPP 72 and LPP 73 seek to address climate change, energy efficiency and renewable energy schemes.

5.12.3 On 18th August 2020 Feering Parish Council declared a climate emergency and it was agreed that the Council's standing orders would be amended to take environmental and sustainability issues into account with any future decisions. The Parish Council have an Environmental Working Group that was set up on 13th January 2020 to look at the following objectives:

- i. Look at ways to improve Feering Parish's local environment for future generations.
- ii. Reducing the Parish's carbon footprint.
- iii. Develop sustainable ways of living.
- iv. Increase biodiversity and give nature a home.

5.12.4 This policy seeks to address climate change and what can be done to safeguard the local environment and ensure that residents live happier and healthier lives by reducing the Parishes carbon footprint and living more sustainably. It seeks to address the following;

- i. Renewable energy.
- ii. Energy sustainability of existing and new development.
- iii. Air, water & noise pollution.

5.12.5 It is recognised that as a semi-rural community there is a greater potential for renewable energy, but there is a high dependency on the car due to infrequent bus services and lack of suitable public transport connections, especially with the increase of businesses moving out of main settlements and into more rural areas. Junctions 23 (Kelvedon South) & 24 (Feering North) of the A12 not only facilitate Feering and Kelvedon, but also Tiptree (the largest village in the UK) and Coggeshall Parish, thus resulting in high levels of traffic flow at peak times and heavy goods vehicles.

Policy 12

Climate Change and Sustainability

- A. Proposals for community owned or led renewable energy schemes (including micro- hydro, photovoltaic or bio-mass projects) will be supported subject to the following criteria for the proposed development:
 - i. The siting and scale are appropriate to its setting and position in the wider landscape;
 - ii. It does not give rise to unacceptable landscape or visual impact, either in isolation or cumulatively with other development;
 - iii. It does not create an unacceptable impact on the amenities of local residents;
 - iv. It does not have an unacceptable impact on a feature of natural or biodiversity importance.
- B. Development proposals are supported that clearly demonstrate the potential risks to the human and natural environment, and how those risks will be adequately addressed by appropriate avoidance, alleviation and mitigation measures. For example, the plan supports development proposals that seek to undertake the following as part of their planning application:
 - i. An environment statement;
 - ii. Air quality assessments and detail any mitigation measures required;
 - iii. Drainage and flood mitigation assessment and strategy;
 - iv. Sustainable drainage systems which manage the risk of flooding;
 - v. Landscape management plan which details deciduous and evergreen planting in public spaces, private and shared gardens and on streets to improve air quality and reduce water run-off;
 - vi. Noise pollution assessment and mitigation strategy;
 - vii. Water pollution assessment and mitigation strategy.
- C. Development proposals are supported that use renewable energy sources and sustainable transport links.
- D. Development proposals are supported that reduces the impact of light pollution in the Parish.
- E. Development proposals are supported that incorporate grey water recycling measures.

NEIGHBOURHOOD PLAN ACTION PLAN

6 NEIGHBOURHOOD PLAN ACTION PLAN

Table 4 Neighbourhood Plan Action Plan

| Ref | Action / Project | Relevant FNP Policy / Objective | How will it be delivered | Who is responsible | Outcome (Indicators of achievement) | Monitoring |
|-----|---|---------------------------------|--|--------------------|---|------------|
| 1 | Community woodland / orchard | E1, E2, Policy 6 | S106 contributions Community fund raising Grant funding CIL contributions | FPC | Identification of appropriate location and land. Obtain required funding and support. Create a plan for the woodland. Creation of a new community woodland in the Parish. | FPC |
| 2 | New nature trail / riverside walk, children's play area, football pitches, bowling green and cycle track on land between the Cricket Club and Lady Meadow, Marshall Close and Station Road. | E1, E2, Policy 6 | Community fund raising Grant funding CIL contributions | FPC | Obtain landowner support. Obtain required funding and support. Create a plan for the area. Creation of a new nature trail / riverside walk, children's play area, football pitches, bowling green and cycle track. | FPC |
| 3 | Purchase Lady Meadow for public use, including a nature trail and continuous walking route to land south of the cricket club | E1, E2, Policy 6 | Community fund raising Grant funding CIL contributions | FPC | Obtain landowner support. Obtain required funding and support. Create a plan for the area. Creation of nature trail and walking route. | FPC |

| Ref | Action / Project | Relevant FNP Policy / Objective | How will it be delivered | Who is responsible | Outcome (Indicators of achievement) | Monitoring |
|-----|--|---------------------------------|--|--------------------|--|------------|
| 4 | Improve the recreational facilities for residents of a variety of ages & abilities (e.g. improve the skate park, remodel the play area and mound area) | E1, E2, Policy 6 | Community fund raising Grant funding CIL contributions | FPC | Clarify required improvements and costs. Obtain required funding and support. Improve recreational facilities. | FPC |
| 5 | The creation of additional woodland, sports and recreational facilities behind the existing cemetery. | Policy 6 | S106 contributions Community fund raising Grant funding CIL contributions | FPC | Creation of additional woodland, sports and recreational facilities behind the existing cemetery. | FPC |
| 6 | Expansion of existing cemetery in the Parish; | CL1, Policy 8 | S106 contributions Community fund raising Grant funding CIL contributions | BDC FPC | Landowner support. Provision of land. Development of extended cemetery area. | FPC BDC |
| 7 | Provision of medical facilities | CL1, Policy 8 | S106 contributions CIL contributions | NHS | Obtain funding. Identification of what facilities are required. | NHS |

| Ref | Action / Project | Relevant FNP Policy / Objective | How will it be delivered | Who is responsible | Outcome (Indicators of achievement) | Monitoring |
|-----|--|---------------------------------|--|--------------------|---|------------|
| | | | | | Identification of location. Provision of improved medical facilities in the area. | |
| 8 | Provision of additional recreational facilities for young people | CL1, Policy 8 | S106 contributions Community fund raising Grant funding CIL contributions | FPC BDC | Obtain funding. Identification of what facilities are required. Identification of location. Provision of additional recreational facilities for young people | FPC |
| 9 | Provision of improved formal sports provision | CL1, Policy 8 | S106 contributions Community fund raising Grant funding CIL contributions | FPC BDC | Obtain funding. Identification of what facilities are required. Identification of location. Provision of improved formal sports provision | FPC |
| 10 | Improved parking facilities at the community centre | CL1, Policy 8 | Community fund raising Grant funding | FPC | Obtain funding. Create project plan. Implementation of project. | FPC |

| Ref | Action / Project | Relevant FNP Policy / Objective | How will it be delivered | Who is responsible | Outcome (Indicators of achievement) | Monitoring |
|-----|--|---------------------------------|--|--------------------|--|------------|
| | | | CIL contributions | | | |
| 11 | A new community hall with bespoke youth space | CL1, Policy 8 | S106 contributions CIL contributions | FPC ECC BDC | Obtain funding. Identification of what facilities are required. Identification of location. Provision of new community hall with bespoke youth space | FPC |
| 12 | Library facilities (where funding for the existing facility is reduced or withdrawn as proposed by ECC) | CL1, Policy 8 | S106 contributions Community fund raising Grant funding CIL contributions | FPC ECC BDC | Obtain funding. Provision of improved library facilities. | FPC ECC |
| 13 | New footpaths, cycle tracks, fitness trails, additional and improved footways (pavements) e.g. Inworth Road, Coggeshall Road, Hannover Square, The Street. | CL1, Policy 8, Policy 9 | S106 contributions Community fund raising Grant funding CIL contributions | FPC ECC BDC | Obtain funding. Identification of what facilities are required. Identification of location. Provision of new footpaths, cycle tracks, fitness trails. | FPC ECC |

| Ref | Action / Project | Relevant FNP Policy / Objective | How will it be delivered | Who is responsible | Outcome (Indicators of achievement) | Monitoring |
|-----|--|---------------------------------|--|--------------------|---|------------|
| | | | | | Provision of additional/improved footways (pavements) | |
| 14 | Expansion of parking facilities for Threshelfords Business Park. | Policy 9 | Consultation with Granville Developments | FPC | Creation of project. Agreement of project plan. Implementation of project. | FPC |
| 15 | New cycle path to be created between Feering, Kelvedon, and Coggeshall along the River Blackwater. | Policy 9 | S106 contributions Community fund raising Grant funding CIL contributions | FPC ECC BDC | Obtain funding. Identification of what facilities are required. Identification of location. Provision of new cycle tracks. | FPC ECC |
| 16 | Reducing heavy goods traffic and congestion within Feering village | Policy 9 | ECC funding S106 contributions CIL contributions | ECC FPC | Creation of project. Agreement of project plan. Implementation of project. | FPC ECC |

| Ref | Action / Project | Relevant FNP Policy / Objective | How will it be delivered | Who is responsible | Outcome (Indicators of achievement) | Monitoring |
|-----|--|--|---|--------------------|--|------------|
| 17 | Aspirational Site – Gore Pit Corner / London Road – see evidence from Community Consultation 2016. | Vision Statement / H2 / Policy 8 / CL1 | S106 contributions CIL contributions Agreements with local landowners | FPC | Creation of project. Agreement of project plan. Implementation of project. | FPC |

Added into this Action Plan will be the most up to date Parish Council Open Spaces Action Plan which is regularly reviewed and updated.

EVIDENCE BASE

7 EVIDENCE BASE

The Feering Neighbourhood Plan Supporting and Evidence Base documents are available on the Feering Parish Council webpage:

<https://feeringparishcouncil.gov.uk/neighbourhood-plan-information/>

and include the following documents:

Supporting Documents:

- Feering Parish Council Village Assessment & Design Guide
- Habitat Regulation Assessment (HRA)
- Strategic Environmental Assessment (SEA)
- Basic Conditions Statement
- Consultation Statement

Evidence Base Documents:

Braintree District Landscape Character Assessment, Chris Blandford Associates, 2006

Braintree District Local Plan 2013-2033

Braintree District Strategic Housing Land Availability Assessment, BDC, 2016

Braintree District Ward Profiles, Kelvedon and Feering Ward, Braintree District Council, May 2015

CIEEM Chartered Institute of Ecology and Environmental Management

Essex Biodiversity Validation checklist

- <https://cieem.net/wp-content/uploads/2019/04/Advice-Note.pdf>

Essex Coast Recreational disturbance Avoidance & Mitigation Strategy (RAMS) SPD: formally adopted by Braintree District Council on 16 July 2020. Branded as "Bird Aware Essex Coast"

- <https://essexcoast.birdaware.org/>

Essex County Council Green Infrastructure Strategy, 2020

Feering Parish Community Survey, FNP, FPC, 2017

Feering Parish Council Housing Needs Assessment, AECOM, July 2018

Feering Conservation Area Character Appraisal and Management Plan, July 2020

7.0.1 Feering Neighbourhood Plan Area Map - A3

Future Library Services Strategy 2019-2024, Essex County Council, 2018

Green Essex Strategy, ECC

Housing Needs Survey, Feering, RCCE, April 2016

Kelvedon Conservation Area Character Appraisal and Management Plan, July 2020

Key Housing Needs Statistics, Feering, Housing SatNav, July 2016

National Planning Policy Framework, March 2012 (Updated July 2018 & February 2019)

Open Spaces Action Plan, BDC, 2020

OCSI Rural Community Profile of Feering, 2013

Parking Standards, Essex County Council, September 2009

Planning Act 2008

Planning Practice Guidance (PPG), various revision dates dependent on the category.

Strategic Housing Market Assessment Update, HDH Planning and Development, December 2015

Wildlife Habitats around Feering, Neighbourhood Plan Evidence Base Document, 2018

LIST OF ACRONYMS

8 LIST OF ACRONYMS

| | |
|----------|---|
| ADSL | Asymmetric Digital Subscriber Line |
| BDC | Braintree District Council |
| BDLP | Braintree District Local Plan |
| BRE | Building Research Establishment |
| BREEAM | Building Research Establishment Environmental Assessment |
| CIL | Community Infrastructure Levy |
| CIEEM | Chartered Institute of Ecology and Environmental Management |
| DAC | DAC Planning |
| ECC | Essex County Council |
| EMLP | Essex Minerals Local Plan |
| FNP (NP) | Feering Neighbourhood Plan |
| FPC | Feering Parish Council |
| HNA | Housing Needs Assessment |
| HTA | HTA Design Ltd |
| HRA | Habitat Regulations Assessment |
| LPA | Local Planning Authority |
| LPP | Local Plan Policy |
| NPC | Neighbourhood Plan Committee |
| NPPF | National Planning Policy Framework |
| PPG | Planning Practice Guidance |
| RAMS | Recreational disturbance Avoidance & Mitigation Strategy |
| SEA | Strategic Environmental Assessment |
| SME | Small Medium Enterprises |
| SPD | Supplementary Planning Document |
| SUDs | Sustainable Urban Drainage Systems |
| SWOT | Strengths, weaknesses, opportunities and threats |
| WLP | Waste Local Plan |
| WPA | Waste Planning Authority |

LOCAL GREENSPACE IDENTIFICATION & JUSTIFICATION

9 LOCAL GREENSPACE IDENTIFICATION & JUSTIFICATION

Local Green Space identification and justification - see also Tables 1, 2 & 3, and FNPFeering Neighbourhood Plan Village Assessment & Design Guide "Natural Environment"

Local Green Space designation is defined in Paragraphs 99 & 100 of the National Planning Policy Framework (Feb 2019 revision)

1. Is in reasonably close proximity to the community it serves
2. Is demonstrably special to the Local Community and holds a particular local significance, for example, because of its beauty, historic significance, recreational value (including as a playing field), tranquility or richness of its wildlife
3. Is local in character and is not an extensive tract of land

Local Green Space identification & Justification

| | Site Name | Description & Purpose | Statutory designations | Close Proximity | Special to the Community with regard to: | | | | | Comments |
|-------|---|--|---|-----------------|--|---------|------------|-------------|----------|--|
| | | | | | Beauty | History | Recreation | Tranquility | Wildlife | |
| LGS 1 | Feering churchyard ref: paragraph 3.2.1, 3.4.3 & 5.2.5. Picture 4 Objective HE1 & E2 | Churchyard now closed surrounding Grade I listed All Saints parish church. In the conservation area. Mature trees, wildlife. | Yes - Conservation Area | Yes | Yes | Yes | No | Yes | Yes | Church ownership. Publicly accessible. Connection with the painter, John Constable. |
| LGS 2 | Village Green ref: paragraph 3.2.1, 3.4.3 & 5.2.5 Picture 3 Objective HE1 | Historic green with trees, seating, the village sign and a heritage listed red Gilbert Scott design telephone box. In the conservation area of old Feering. Views to the church and across Taylors to the freshwater marsh & the cricket ground. | Yes - registered village Green (TVG no.155, designated on 1 Aug 1972) | Yes | Yes | Yes | Yes | No | Yes | Registered Village Green - publicly accessible. Designated as a "visually important space" in the BDC Local Plan. Braintree District Council transferred ownership to Greenfields Housing Association, now |

| | Site Name | Description & Purpose | Statutory designations | Close Proximity | Special to the Community with regard to: | | | | | Comments |
|-------|--|---|-------------------------|-----------------|--|---------|------------|-------------|----------|---|
| | | | | | Beauty | History | Recreation | Tranquility | Wildlife | |
| LGS 3 | Taylor's, Coggeshall Road ref: paragraph 5.2.5 Objectives HE1 & E2 | Trees and wildlife area. Seating. pleasant area to sit and watch wildlife. Views over Feering marsh and the cricket ground. | No | Yes | Yes | No | Yes | Yes | Yes | Land owned by Feering Parish Council. Designated as a "visually important space" in the BDC Local Plan. |
| LGS 4 | Allotments off the village green ref: paragraph 3.2.5 Objectives MP1 & CL1 | Behind the bungalows off the village green. Good for mental wellbeing, food production & purposeful exercise. | Yes - Conservation Area | Yes | No | No | Yes | No | Yes | Land owned by Feering Parish Council. Adjacent to the railway line. No water on site. |
| LGS 5 | St Martins Cemetery & cemetery extension, Coggeshall Road ref: paragraph 3.2.1, 5.1.15, 5.5.13, 5.7.3 & Table 2 Objectives MP1, D2, D3, HE1 & E2 | Open cemetery. A place for personal reflection contains the War memorial so has historic significance. Trees & wildlife. | Yes | Yes | Yes | Yes | No | Yes | Yes | Church ownership. Publicly accessible. Feering Neighbourhood Plan Policy 2 includes an extension to the cemetery to cater for future needs of the joint benefice of Feering & Kelvedon. |

| | Site Name | Description & Purpose | Statutory designations | Close Proximity | Special to the Community with regard to: | | | | | Comments |
|-------|---|--|----------------------------------|-----------------|--|---------|------------|-------------|----------|---|
| | | | | | Beauty | History | Recreation | Tranquility | Wildlife | |
| LGS 6 | Playing Field, Rye Mill Lane ref: paragraph 5.5.13 & Table 2. Picture 13 Objectives MP1, D3 & CL1 | Play equipment including a skate park & outdoor gym equipment; seating; a full size football pitch; adjacent land can be marked out as a junior-sized football pitch. Used by all ages for recreation. | Yes - Fields in Trust | Yes | Yes | No | Yes | No | Yes | Publicly accessible. Owned by Feering Parish Council with a dedication. Feering public footpath 16 runs along one edge. Designated as "formal recreation" land in the BDC Local Plan. |
| LGS 7 | Feering Marshref: paragraph 3.6.6Objectives E1, E2 & E3 | Rare freshwater marsh by the River Blackwater. Feering public footpath 17 crosses the northern part of the marsh as a raised path forming part of popular circular route. Trees & marsh vegetation & wildlife. Tranquil. | Yes - local wildlife site Bra324 | Yes | Yes | Yes | No | Yes | Yes | Privately owned. Scope for sensitive surface improvement to Feering Footpath 17 to provide a more accessible path as part of a circular route. |
| LGS 8 | Kelvedon & Feering Cricket Ground, Rye Mill Lane ref: paragraph 3.2.4 & 5.2.5 Objectives CL1 & E2 | Cricket ground, training nets and pavilion / club house. Extends to the River Blackwater. Views towards Feering All Saints church. | No | Yes | Yes | No | Yes | Yes | Yes | Owned by the cricket club. Feering public footpath 17 crosses the riverside edge of the site. Designated as "formal recreation" land in the BDC Local Plan. |

| | Site Name | Description & Purpose | Statutory designations | Close Proximity | Special to the Community with regard to: | | | | | Comments |
|-------|---|---|------------------------|------------------|--|---------|------------|-------------|----------|--|
| | | | | | Beauty | History | Recreation | Tranquility | Wildlife | |
| LGS 9 | Crickets Ground extension, Rye Mill Lane. See also LGS 11. ref: paragraph 5.5.13 & Table 2 Objectives MP1, D2, D3, CL1 & E2 | Second cricket ground. Potential to be part of a riverwalk to Kelvedon connecting the two villages without the need to use roads. Permissive path around the edge of the ground. | No | Reasonably close | Yes | No | Yes | Yes | Yes | Privately owned; leased by Kelvedon & Feering Cricket Club. The Kelvedon & ...Local Angling Club own a strip along the River Blackwater. Designated as "formal recreation" land in the BDC Local Plan. |
| | RIVER BLACKWATER & the Blackwater Valley - south of Coggeshall & east of Kelvedon | <p>i. Forms part of the Essex Wildlife Trust Living Landscapes no.56 Blackwater Valley</p> <p>ii. Forms part of area A9 Blackwater River Valley in The Braintree, Brentwood, Chelmsford, Maldon and Uttlesford Landscape Character Assessment (2006) by Chris Blandford Associates</p> <p>iii. Section 3.1 of the July 2020, Kelvedon Conservation Area Character Appraisal and Management Plan includes the statement that "The river Blackwater is visually very important both within the settlement, forming a physical separation between Kelvedon and Feering, and as a settlement boundary around the modern extent of Kelvedon and the open agricultural land beyond. The trees and bridges over the river emphasise the boundaries and significantly delimit views throughout the Conservation Area"</p> <p>iv. The Blandford Settlement Fringe Capacity analysis (2007, page 14) of the northern area K1, which includes the NW part of Kelvedon and the NE part of Feering, assesses the Blackwater valley area as:</p> <ul style="list-style-type: none"> • "Area has a medium to high sensitivity overall, as area provides strong contribution to the setting of the settlement, has a strong rural character and a generally robust structure of semi-natural vegetation lining the river; • Sensitivity increased within eastern parts by river corridor between Kelvedon and Feering, which forms a continuum of landscape structure and provides a strongly recognisable and historic setting to Kelvedon and Feering; • Sensitivity increased in eastern parts by contribution to visual and physical separation between Kelvedon and Feering and by concentration of pre-18th to 18th -19th century field enclosures defined by intact hedgerows, which add a sense of time depth to the landscape;" | | | | | | | | |

| | Site Name | Description & Purpose | Statutory designations | Close Proximity | Special to the Community with regard to: | | | | | Comments |
|--------|---|--|-------------------------|-----------------|--|---------|------------|-------------|----------|--|
| | | | | | Beauty | History | Recreation | Tranquility | Wildlife | |
| LGS 10 | Lady Meadow - Local Green Space along the river Blackwater - (3) ref: paragraphs 5.5.5 & 5.2.6, 5.5.13 & Table 2. Picture 6. Objectives D2, E1, E2, FM1 & MA1 | Flood plain-natural flood relief. Water meadow. Undeveloped & uncultivated so wildlife friendly. Green buffer between Kelvedon & Feering so it is special to the local community. Desired final continuation of the riverside walk. Historically | Yes - Conservation Area | Yes | Yes | No | Yes | Yes | Yes | The Kelvedon & District Angling Club (KDAC) own a riverside strip and have a right of access on foot between the strip and the public highway (Feering Hill). The majority of the site is privately owned. Designated as a "visually important space" in the BDC Local Plan. Section 3.3 of the July 2020, Kelvedon Conservation Area Character Appraisal & Management Plan states that "The 'Lady Meadow' is visually very important and forms a natural divide between the two areas". |
| LGS 11 | Bridge Meadow & "Packhorse" Bridge (aka Roman Arches)ref: paragraphs 3.4.2, 5.2.5 & Table 2 Objectives HE1, E1, E2, E3 & CL1 | Land between the two villages that leads up to the site of the old wooden bridge across the river Blackwater. Views including the listed buildings in Swan Street. Green buffer between Kelvedon & Feering. Good for wildlife. Bat | Yes - Conservation Area | Yes | Yes | Yes | Yes | Yes | Yes | Publicly accessible. Triangle adjacent to the current road bridge is owned by Feering Parish Council. The land on both sides of the restored brick arches and the brick arches is now owned by the Packhorse Bridge Society. Section 3.3 of the July 2020, |

| | Site Name | Description & Purpose | Statutory designations | Close Proximity | Special to the Community with regard to: | | | | | Comments |
|--------|--|---|-------------------------|-----------------|--|---------|------------|-------------|----------|--|
| | | | | | Beauty | History | Recreation | Tranquility | Wildlife | |
| | | Boxes, hibernaculum /log piles, trees. Natural flood plain. | | | | | | | | Kelvedon Conservation Area Character Appraisal & Management Plan states that "The original course of the river and Packhorse Bridge, the earlier crossing-point of the River Blackwater is still visible.... This is an important historic route and the preservation of the view through this area adds to the significance of the Character Area". |
| LGS 12 | Bridge Meadow & Feering Hill Green. ref: paragraphs 3.4.2 & 5.2.5. Pictures 9 & 10. Objectives HE1, E2 & E3 | Visually important space at the western entrance to Feering parish near the river Blackwater. The Sun Inn (Grade II*) and Bridge House (Grade II) are in close proximity. Trees. Biodiversity enhancements planned. | Yes - Conservation Area | Yes | Yes | No | No | Yes | No ? | Publicly accessible. Bridge Meadow green space is owned by Feering Parish Council. The green is owned by Essex County Council (?). It is described as "a small historic green ... formerly the location of the town's water pump" in section 3.3 of the July 2020, Kelvedon Conservation Area Character Appraisal & Management Plan |

Relevant Evidence Base Documents

- BDC Braintree District Settlement Fringe Landscape Capacity Analysis (2007) by Chris Blandford Ass - fringe areas K1, K3 & K4 include Feering
- The Braintree, Brentwood, Chelmsford, Maldon and Uttlesford Landscape Character Assessment (2006) by Chris Blandford Ass - (Appendix H) - area A9 Blackwater River Valley
- 2017 Feering Community Survey; 2012 Parish Plan
- Kelvedon Conservation Area Character Appraisal and Management Plan (2020)
- Feering Conservation Area Character Appraisal and Management Plan (2020)



| | |
|--|--|
| Report Title: Treasury Management Mid-Year Report for 2022/23 | |
| Report to: Council | |
| Date: 3rd January 2023 | For: Decision |
| Key Decision: No | Decision Planner Ref No: DP/2022/38 |
| Report Presented by: Councillor John McKee, Cabinet Member for Finance and Corporate Transformation | |
| Enquiries to: Mark Jarvis, Financial Services Manager mark.jarvis@braintree.gov.uk | |

1. Purpose of the Report

- 1.1 The Council has adopted the Code of Practice for Treasury Management in Public Services published by the Chartered Institute of Public Finance and Accountancy (CIPFA), which requires the Council to receive at least one mid-year report on its treasury management activities.
- 1.2 The mid-year report was considered by the Governance and Audit Scrutiny Committee on 3rd November 2022, which recommended its submission to Full Council.

2. Recommendations

- 2.1 To receive and note the Treasury Management Mid-Year Report for 2022/23.

3. Summary of Issues

- 3.1 The Treasury Management Strategy for 2022/23 was approved by Full Council at its meeting held on 21st February 2022. The mid-year report for 2022/23 is attached to this report as an **Appendix**.
- 3.2 The recommendation set out in this report will help the Council to demonstrate that it is achieving its corporate objectives of being a high performing organisation that delivers excellent and value for money services; and is delivering better outcomes for residents and businesses and reducing costs to taxpayers. Details of how the Council's treasury management activities contribute towards these objectives are set out in the mid-year report.

4. Options

- 4.1 To receive and note the mid-year report.

5. Financial Implications

- 5.1 There are no new financial implications arising from this report. The financial impact from the Council's treasury management activities is reported in the Council's Quarterly Performance Report.

6. Legal Implications

- 6.1 The Council's treasury management activities are subject to regulation by the CIPFA Code. This report fulfils the Authority's legal obligation under the Local Government Act 2003 to have regard to the CIPFA Code.

7. Other Implications

- 7.1 There are no other implications arising from this report.

8. Equality and Diversity Implications

- 8.1 Section 149 of the Equality Act 2010 creates the public sector equality duty which requires that when the Council makes decisions it must have regard to the need to:
- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act
 - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not
 - (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 8.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).
- 8.3 This report will not have a disproportionately adverse impact on any people with a particular characteristic.

9. List of Appendices

- 9.1 Appendix - Treasury Management Mid-Year Report 2022/23

10. Background Papers

- 10.1 *None*

Appendix - Treasury Management Mid-Year Report 2022/22

1. Introduction

- 1.1 The Authority's treasury management strategy for 2022/23 was approved by Full Council as part of the overall budget at the meeting on 21st February 2022. The Authority has invested substantial sums of money and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of risk remains central to the Authority's treasury management strategy.

2. External Context

Economic Background

- 2.1 The ongoing conflict in Ukraine has continued to put pressure on global inflation and the economic outlook for UK and world growth remains weak. The UK political situation towards the end of the period following the 'fiscal event' increased uncertainty further.
- 2.2 UK inflation remained extremely high. Annual headline CPI hit 10.1% in July, the highest rate for 40 years, before falling modestly to 9.9% in August. RPI registered 12.3% in both July and August. The energy regulator, Ofgem, increased the energy price cap by 54% in April, while a further increase in the cap from October, which would have seen households with average energy consumption pay over £3,500 per annum, was dampened by the UK government stepping in to provide around £150 billion of support to limit bills to £2,500 annually until 2024.
- 2.3 The Bank of England increased the official Bank Rate to 2.25% over the period. From 0.75% in March, the Monetary Policy Committee (MPC) pushed through rises of 0.25% in each of the following two MPC meetings, before hiking by 0.50% in August and again in September. August's rise was voted by a majority of 8-1, with one MPC member preferring a more modest rise of 0.25%. the September vote was 5-4, with five votes for an 0.5% increase, three for an 0.75% increase and one for an 0.25% increase. The MPC noted that domestic inflationary pressures are expected to remain strong and so given ongoing strong rhetoric around tackling inflation further Bank Rate rises should be expected.
- 2.4 On 23rd September the UK government, following a change of leadership, announced a raft of measures in a 'mini budget', loosening fiscal policy with a view to boosting the UK's trend growth rate to 2.5%. With little detail on how government borrowing would be returned to a sustainable path, financial markets reacted negatively. Gilt yields rose dramatically by between 0.7% - 1%

for all maturities with the rise most pronounced for shorter dated gilts. The swift rise in gilt yields left pension funds vulnerable, as it led to margin calls on their interest rate swaps and risked triggering large scale redemptions of assets across their portfolios to meet these demands. It became necessary for the Bank of England to intervene to preserve market stability through the purchase of long-dated gilts, albeit as a temporary measure, which has had the desired effect with 50-year gilt yields falling over 100bps in a single day.

Financial Markets

- 2.5 Uncertainty remained in control of financial market sentiment and bond yields remained volatile, continuing their general upward trend as concern over higher inflation and higher interest rates continued to dominate. Towards the end of September, volatility in financial markets was significantly exacerbated by the UK government's fiscal plans, leading to an acceleration in the rate of the rise in gilt yields and decline in the value of sterling.
- 2.6 Due to pressure on pension funds, the Bank of England announced a direct intervention in the gilt market to increase liquidity and reduce yields.
- 2.7 Over the period the 5-year UK benchmark gilt yield rose from 1.41% to 4.40%, the 10-year gilt yield rose from 1.61% to 4.15%, the 20-year yield from 1.82% to 4.13% and the 50-year yield from 1.56% to 3.25%.
- 2.8 The Sterling Overnight Rate (SONIA) averaged 1.22% over the quarter.

Credit Review

- 2.9 Having completed its full review of its credit advice on unsecured deposits with UK and non-UK banks in May, Arlingclose extended the maximum duration limit for five UK banks, four Canadian banks and four German banks to six months. The maximum duration for unsecured deposits with other UK and non-UK banks on Arlingclose's recommended list is 100 days. These recommendations were unchanged at the end of the period.
- 2.10 Arlingclose continued to monitor and assess credit default swap levels for signs of credit stress but made no changes to the counterparty list or recommended durations. Nevertheless, increased market volatility is expected to remain a feature, at least in the near term and, as ever, the institutions and durations on the Authority's counterparty list recommended by Arlingclose remains under constant review.

3. Local Context

- 3.1 On 31st March 2022, the Authority had cash and investments totalling over £56m and borrowing of £6m.

- 3.2 With low official interest rates for the first half of the financial year, the strategy adopted was to keep borrowing and investments below their underlying levels in order to reduce risk, resulting in a Capital Financing Requirement (CFR) of £26m with £6m in long term borrowing.
- 3.3 The treasury management position on 30th September 2022 and the change over the six months is summarised below:

| | 31.3.22 £m | Movement £m | 30.09.22 £m |
|-------------------------------------|---------------|----------------|----------------|
| Borrowing | 6.00 | - | 6.00 |
| | | | |
| Pooled Funds ¹ | 19.00 | - | 19.00 |
| Short-term investments ¹ | 37.00 | 9.00 | 46.00 |
| Cash | 0.04 | 1.13 | 1.17 |
| Cash and Investments | 56.04 | 10.13 | 66.17 |
| Net Cash and Investments | 50.04 | 10.13 | 60.17 |

¹ Excludes unrealised change in market values

4. **Borrowing**

4.1 **Revised Public Works Loan Board (PWLB) Guidance**

- 4.1.1 CIPFA's 2021 Prudential Code is clear that local authorities must not borrow to invest primarily for financial return and that it is not prudent for local authorities to make any investment or spending decision that will increase the capital financing requirement, and so may lead to new borrowing, unless directly and primarily related to the functions of the Authority.

4.2 **Existing Borrowing**

- 4.2.1 At the start of the year, the Council held two LOBOs (Lender's Option Borrower's Option) loans with Commerzbank amounting to £6m. These carried an average interest rate of 4.7%. In conjunction with the Council's treasury advisors Arlingclose, the Council undertook due diligence over the possibility of refinancing these loans.
- 4.2.2 LOBOs give the lender the option to propose an increase in the interest rate at set dates, following which the Authority would either have to accept the new rate or repay the loan at short notice. It would be unlikely that favourable terms on replacement borrowing would be achieved by the Authority in the event the lender exercised their option.
- 4.2.3 In May 2022, the decision was undertaken to prematurely repay the LOBOs and replace the borrowing with PWLB debt. The outcome was a replacement loan of £6m from the PWLB at 2.59% and a £1.4m premium paid to the bank funded by existing cash resources. Given the high interest rate on the LOBOs compared to rates at that time, cumulative savings of £890k are expected to be achieved over the next 20 years. This saving will be included as part of next year's budget proposals.

5. Treasury Investment Activity

- 5.1 The Authority holds significant invested funds, representing income received in advance of expenditure plus balances and reserves held. For the period April to September, the Authority's investment balances averaged £55.8m with the highest amount held being £72.1m. The change in investment position over the period is shown in the table below:

| | 31 Mar 22 £m | Movement Apr-Sept £m | 30 Sept 22 £m |
|-------------------------------------|-----------------|----------------------------|------------------|
| Pooled Funds | | | |
| Equity funds | 13.00 | - | 13.00 |
| Diversified funds | 3.00 | - | 3.00 |
| Property fund | 3.00 | - | 3.00 |
| Sub-total | 19.00 | - | 19.00 |
| Short-term investments | | | |
| Debt Management Office | 13.00 | 3.00 | 16.00 |
| Short Term Investments | - | 6.00 | 6.00 |
| Money Market Funds (low volatility) | 20.00 | - | 20.00 |
| Money Market Fund (variable) | 4.00 | - | 4.00 |
| Sub-total | 37.00 | 9.00 | 46.00 |
| Lloyds Bank | 0.04 | 1.13 | 1.17 |
| Total | 56.04 | 10.13 | 66.17 |

- 5.2 Investment balances typically peak around September before reducing over the remaining six-months. Balances have been elevated again during the first half-year from government funding for grants and reliefs to council tax and business ratepayers. The post-payment reconciliation of these funds, along with the current expected spend on the capital programme of circa £12m in the year, means that cash balances are expected to reduce significantly towards the end of the current financial year. This may result in the requirement for short-term debt financing of existing internal borrowing.
- 5.3 Both the CIPFA Code and government guidance require the Authority to invest its funds prudently, and to have regard to the security and liquidity of its treasury investments before seeking the optimum rate of return, or yield. The objective when investing money is to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving unsuitably low investment income.
- 5.4 The increases in Bank Rate over the period under review, and with the prospect of more increases to come, short-dated cash rates, which had ranged between 0.7% - 1.5% at the end of March, rose by around 1.5% for overnight/7-day maturities and by nearly 3.5% for 9-12 month maturities.
- 5.5 The amount of interest earned on short-term investments in the period April to September is £275k, which is an annualised return of 1.14%.

- 5.6 The Authority has £19m invested in externally managed strategic pooled funds comprising equity funds, multi-asset funds, and a property fund. Investments in these funds are made where short-term security and liquidity are lesser considerations, and the objectives instead are regular revenue income and long-term price stability. The full-year budget for income from pooled funds is £786k. At the end of September, the funds had generated income of £430k, which represented an annualised return of 4.51%. This figure is based on the actual dividends received or declared in the year; however, two funds were yet to confirm their September quarterly dividend.
- 5.7 The April-September period was a difficult environment for bonds engendered by global central banks' determination to bring high and persistent inflation under control through increases in policy rates and strong rhetoric. The sell-off in gilts, other sovereign bonds, and corporate bonds with a rise in gilt/bond yields (i.e., a fall in price) was reflected in the Authority's bond and multi-asset income funds.
- 5.8 Significant financial market volatility and uncertainty remain due to stagflation fears, little sight of the war in Ukraine ending soon and ongoing supply chain issues, a lingering problem over the past 30 months, yet to be fully resolved.
- 5.9 The Authority's medium to long-term investment objectives are regularly reviewed. Strategic fund investments are made in the knowledge that capital values will move both up and down on months, quarters and even years; but with the confidence that over a three- to five-year period total returns will exceed cash interest rates.
- 5.10 Given current market sentiment, the total valuation of these funds at the end of September was £19.8m representing an unrealised gain of £0.8m, and a reduction on the value at the start of the year of £2.2m.
- 5.11 Pooled funds have no defined maturity date, but are available for withdrawal after a notice period, therefore, their performance and continued suitability in meeting the Authority's investment objectives are regularly reviewed.
- 5.12 The progression of risk and return metrics for the Authority's investments are shown in the following extracts from quarterly investment benchmarking:

| Period end | Credit Rating ¹ | Bail-in exposure ¹ | WAM ¹ (days) | Pooled funds volatility | Income return % | Total return ² % |
|-------------|----------------------------|-------------------------------|-------------------------|-------------------------|-----------------|-----------------------------|
| 31.03.22 | AA- | 62% | 9 | 8.21% | 1.83% | 4.94% |
| 30.06.22 | AA- | 53% | 16 | 8.88% | 2.03% | 2.04% |
| Similar LAs | AA- | 64% | 45 | 3.76% | 1.63% | 1.38% |
| All clients | AA- | 64% | 16 | 5.10% | 1.38% | 1.76% |

Source: Arlingclose quarterly benchmarking

¹ Relates to internally managed investments

² Income plus change in market value of pooled funds

6. Compliance

6.1 All treasury management activities undertaken during the first half year complied fully with the CIPFA Code of Practice and the Authority's approved Treasury Management Strategy, and specifically:

- Borrowing remained within the Operational and Authorised Boundary approved by Full Council of £30m and £50m, respectively;
- Investments were made primarily in compliance of aggregate and counterparty limits. Investments were made with approved banks, Money Market Funds (MMFs), and the Debt Management Office.
- Day-to-day banking activities was via Lloyds Bank as the Council's banking services provider.

7. Other Developments

7.1 The Department for Levelling Up Housing and Communities issued a consultation paper on the future of statutory overrides in relation to market movements on pooled funds. This override was introduced temporarily in 2018 to mitigate the effects of changes in local authority accounting requirements and removed the need to consider market fluctuations when setting budgets and council tax.

7.2 The sharp fall in values experienced at the outbreak of Covid as well as recent market volatility demonstrates that markets can be unpredictable, but also can prove to be resilient as values tend to recover.

7.3 As part of this consultation, the Government are considering three options as the current legislation expires at the end of March 2023:

- Allow the statutory override to elapse.
- Extend the statutory override on a time-limited basis
- Make the statutory override permanent

7.4 Responses to this latest consultation were requested to be submitted by no later than 7th of October. The Cabinet Member for Finance and Corporate Transformation agreed a response submitted on behalf of the Council which supported the statutory override being made permanent.

8. Outlook for the remainder of 2022/23

8.1 Arlingclose expects Bank Rate to rise further during 2022/23 to reach 5% by the end of the year. The MPC is particularly concerned about the demand implications of fiscal loosening, the tight labour market, sterling weakness and the willingness of firms to raise prices and wages.

8.2 The MPC may therefore raise Bank Rate more quickly and to a higher level to dampen aggregate demand and reduce the risk of sustained higher inflation. Arlingclose now expects Bank Rate to peak at 5.0%, with 200bps of increases this calendar year.

- 8.3 This action by the MPC will slow the economy, necessitating cuts in Bank Rate later in 2024. Gilt yields will face further upward pressure in the short term due to lower confidence in UK fiscal policy, higher inflation expectations and asset sales by the BoE. Given the recent sharp rises in gilt yields, the risks are now broadly balanced to either side. Over the longer term, gilt yields are forecast to fall slightly over the forecast period.
- 8.4 Monetary policymakers have been accused of being behind the curve having only raised rates by 50bps in September. This was before the “Mini-Budget”, poorly received by the markets, triggered a rout in gilts with a huge spike in yields and a further fall in sterling. In a shift from recent trends, the focus now is perceived to be on supporting sterling whilst also focusing on subduing high inflation.
- 8.5 Uncertainty on the path of interest rates has increased dramatically due to the possible risk from unknowns politically and economically.
- 8.6 The government's approach to energy price caps, combined with international energy markets priced in dollars, presents a fiscal mismatch that has contributed to significant decline in sterling and sharp rises in gilt yields which will feed through to consumers' loans and mortgages and business funding costs.
- 8.7 UK government policy has mitigated some of the expected rise in energy inflation for households and businesses flattening the peak for CPI, whilst extending the duration of elevated CPI. Continued currency weakness could add inflationary pressure.
- 8.8 The UK economy already appears to be in recession, with business activity and household spending falling.
- 8.9 Global bond yields have jumped as investors focus on higher and stickier US policy rates. The rise in UK government bond yields has been sharper, due to both an apparent decline in investor confidence and a rise in interest rate expectations, following the UK government's shift to borrow to loosen fiscal policy. Gilt yields will remain higher unless the government's plans are perceived to be fiscally responsible.

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|---|--|
| Report Title: Towerlands Park Development Update | |
| Report to: Council | |
| Date: 3rd January 2023 | For: Decision |
| Key Decision: No | Decision Planner Ref No: DP/2022/57 |
| Report Presented by: Councillor Mrs G Spray, Cabinet Member Planning and Infrastructure | |
| Enquiries to: Tim Havers, Lead Principal Planner timothy.havers@braintree.gov.uk | |

1. Purpose of the Report

- 1.1 This report provides an update as to the development on the Towerlands Park Estate, Panfield Road, Braintree, Essex (the Site) as set out in Appendix 1, and sets out the future considerations needed by the Council in seeking to identify the owners of the freehold land within the Site and potential next steps should it not be possible to establish who owns that land.

2. Recommendations

- 2.1 To delegate authority to the Corporate Director (Growth) to issue a requisition for information under S.5A of the Acquisition of Land Act 1981 in respect of the Site, and that the Councils Constitution is updated accordingly.
- 2.2 The Council agrees, as a matter of principle, to use its compulsory purchase powers pursuant to section 226(1)(a) of the Town and Country Planning Act 1990 to make a Compulsory Purchase Order ("the Potential CPO) in respect of the land shown on the plan attached as Appendix 2 ("the Potential CPO Land"), following consideration of a further full and detailed report at a future meeting of full Council, if the freehold owners cannot be identified and all other avenues have been exhausted.

3. Summary of Issues

- 3.1 The Site was until 2021 used as a golf course, and equestrian and conference centre. Although the Site has laid vacant since 2012. In April 2021 the Council's Planning Committee granted outline planning permission (19/00786/OUT) to Unex Group for:
- Up to 575 homes together with a 0.13ha site for early years and childcare nursery,
 - Up to 250sqm of local retail and up to 250sqm of community facilities

- Green infrastructure including formal/informal open space and amenity space,
 - Provision of ecological mitigation area to north-west of developable area.
 - Landscaping including woodland and hedgerow planting,
 - Closure of existing access from Deanery Hill (south),
 - Footway and cycleway network
 - Supporting infrastructure (utilities including gas, electricity, water, sewerage, telecommunications (and diversions as necessary),
 - Diversion of public right of way,
 - Sustainable drainage systems,
 - Any necessary demolition and ground remodelling.
- 3.2 The Planning Permission was granted subject to the obligations in a S.106 Agreement, dated 9 April 2021. The Council has subsequently granted several Reserved Matters Approvals pursuant to the Planning Permission and the first phase of the wider Site development is under construction by Dandara Eastern Limited.
- 3.3 At the time the Planning Permission was submitted to the Council, the application acknowledged that not all the owners of the land within the Site had been identified. In particular it had not been possible to identify the freehold owner of the Potential CPO Land. The freehold legal interest in the Potential CPO Land has not been registered at HM Land Registry and the freehold owner is currently unknown.
- 3.4 The Planning Permission in respect of the current Site has authorised the construction of approximately 66 dwellings on the Potential CPO Land, which is referred to as parcel R12 for the purposes of the Planning Permission and Section 106 Agreement. Following any future grant of reserved matters planning consent relating to this land construction of these potential dwellings cannot be commenced because the developer (Repairbrook Limited) does not own the freehold legal interest in the Potential CPO Land (they only own the circa 33 year remainder of the 1555 Lease). This is an insufficient interest in the Potential CPO Land to provide the necessary marketable title to the land to enable the development of the Potential CPO Land to proceed. Consequently, unless Repairbrook Limited can establish who owns the freehold legal interest in the Potential CPO Land and agree the voluntary purchase of that interest, the proposed development of approximately 66 homes on the Potential CPO Land will not proceed, leaving an important and centrally located part of the Site undeveloped.
- 3.5 The development of approximately 66 homes on the Potential CPO Land would be a valuable contribution to meeting the Council's 5 year housing land supply target (including the provision of affordable/social homes), and to delivering important social, economic and environmental well-being benefits for the area in accordance with the allocation for the Potential CPO Land in Council's adopted Local Plan. Furthermore, the Site is an important strategic growth location, allocated pursuant to the Local Plan Policy LPP 19 site which plays a key role in the Council's new Local Plan housing allocations. If the owners of the Freehold cannot be located, or the Potential CPO Land

cannot be purchased then it will remain undeveloped land at the centre of a strategic residential site. This would have a detrimental effect on the overall quality of the Towerlands Park Development and the amenity of the new residents and would impact on the ability to meet Braintree's objectively assessed need for 716 new homes per year across the Local Plan period 2013-2033.

- 3.6 In July 2021 Repairbrook Limited instructed their solicitors to try and ascertain who the current freehold owner of the site is. Investigations went back as far as 1555. Initial investigations identified that the original freehold owner was Roger Wentworth, in 1555, who issued a 500-year lease to Thomas Cutter, before the lease was transferred to Repairbrook Limited in 2004. The leasehold interest in the Potential CPO Land has been registered at HM Land Registry under title number EX605084 to Repairbrook Limited who continue to hold the remainder of a lease granted in 1555 until 2055.
- 3.7 Further investigations revealed that the freehold owner may be Coopers and Cobourne School, a registered charity. Initial email enquiries took place with Worshipful Company of Coopers (on behalf of the Coopers and Cobourne School), whereby it was indicated that the Site was owned by an individual and that upon their death, provisions were made in that persons Will for the Site. No further information was provided and despite a promise to provide Repairbrook Limited with a copy of the Will, this was not forthcoming. There has been no further correspondence with Worshipful Company of Coopers or Coopers and Cobourne School. Details of the enquiries is set out in Appendix 3.
- 3.8 As a result, it has become necessary for Repairbrook Limited to look to the Council to assist them in identifying the freehold owners. It is acknowledged that the Council could, in its own right, write to Coopers and Cobourne School to ask for additional information from them that might assist in providing clarification. However, there is no obligation on them to respond, in much the same way as any correspondence with Repairbrook Limited. Accordingly, it is considered appropriate in the circumstances for the Council to exercise its powers under the Acquisition of Land Act 1981 to issue a requisition for Information. This is a written notice requiring an individual or company to provide the Council with the name and address of any person they believe to be the owner. Lessee, tenant or occupier of the Potential CPO Land. A failure to respond to a notice requiring information gives rise to an offence and a risk of being fined.
- 3.9 The power to exercise this function is not currently contained within the Council's Constitution, and therefore there is no identifiable person under which the requisition for information may be served. Accordingly, the Council is asked to delegate this authority to the Corporate Director (Growth) and that the Councils Constitution is updated accordingly. Repairbrook Limited have agreed to meet the Council's reasonable costs of issuing the required requisitions.

3.10 If having served the requisition for information, the freehold owners of the Potential CPO Land remain unidentifiable, the Council may consider using its powers for the compulsory acquisition of the land. S.226 of the Town and Country Planning Act 1990 provides the Council with the ability to exercise its powers for the compulsory acquisition of land for development and other planning purposes within specific criteria. It is considered that the Proposed CPO will facilitate the carrying out of the development, re-development or improvement on or in relation to the Proposed CPO Land, and is likely to contribute to the achievement of:

- (a) the promotion or improvement of the economic well-being of their area, and/or
- (b) the promotion or improvement of the social well-being of their area, and/or
- (c) the promotion or improvement of the environmental well-being of their area

Through facilitating the delivery of new homes, including affordable housing, which will contribute to the Council's housing supply and the delivery of the Local Plan strategic objectives.

3.11 The Government's Guidance on Compulsory Purchase Process and the Crichel Down Rules (last updated July 2019) ("the Guidance") sets out guidance for local authorities regarding the making of CPOs. The Guidance includes key policy tests which need to be satisfied before a CPO can be confirmed. Crucially, before progressing a CPO, the Council must be satisfied that there is a compelling case in the public interest for making and promoting a CPO, that the use of the powers is necessary and proportionate, and that the public benefits associated with the proposed regeneration will clearly outweigh the interference with the rights of those affected.

3.12 Accordingly, whilst the detailed case for making the Proposed Towerlands Park CPO will (if necessary) be considered in a future report, there is initial evidence to show that it would be in the public interest for the Council to make and promote a CPO (if necessary). The CPO powers could be seen as both necessary and proportionate and that the public benefits associated with the proposed development of the Proposed CPO Land are likely to outweigh the interference with the rights of those affected, and which accordingly justifies the serving of a request for information under S.5A of the Acquisition of Land Act 1981 in an attempt to establish who is the current freehold owner of the Proposed CPO Land.

3.13 The recommendations set out in this report will help the Council to deliver the following Corporate Objectives:

- 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;

- Residents live well in healthy and resilient communities where residents feel supported.

4. Options

Do nothing

- 4.1 The Council could determine not to amend its Constitution in accordance with the recommendations set out in this report. In doing so, should it be required to serve a requisition for information under S.5A in the future, it will need to bring the matter to Council for consideration. This could result in delay to the project. Therefore this is not the recommended approach.

Delegate Authority

- 4.2 Regardless of whether the Council choice to exercise its power under s.5A for the purposes of the Site or as part of a future project, it would be imminently sensible that the Constitution contains the provision to allow its officers to make those initial enquiries and request information as that the Council is able to exhaust all avenues ahead of the matter coming before the Council for consideration. Bringing the matter to Council to consider the delegation at a future date would only add delays. Therefore, it is recommended that the delegation is given at this time.

5. Next Steps

- 5.1 The Council will seek to issue the requisition for information, to see if this provides additional information through which the freehold owners of the Potential CPO Land can be identified.
- 5.2 If this fails to result in the identification of the freehold owners, then the Council will further consider whether it wishes to exercise its powers to bring forward a compulsory acquisition of the Potential CPO Land. In doing so the Council will consider any legal implications in depth arising from this course of action, and the necessary indemnity provisions it requires from Repairbrook Limited.
- 5.3 In deciding whether to proceed, the Council will need to identify all parties who may have a legal interest in respect of the Proposed CPO Land. All parties will need to be served with a copy of the proposed CPO together with the Council's Statement of Reasons which set out the justification for any CPO. Anyone served will have a minimum period of 21 days within which to make representations to the Council.
- 5.4 If there are no objections the Council will need to consider whether to formally make the CPO and may be authorised by the Secretary of State for Levelling Up, Housing and Communities to confirm the CPO itself. The Council will need to consider whether an application to the Secretary of State for Levelling Up, Housing and Communities is necessary at that time for this matter.

- 5.5 However, if objections have been made within the statutory time limit to the making of the CPO, and such objections are not withdrawn, a public inquiry into the making of the proposed CPO will need to be arranged by the Secretary of State. An Inspector will then conduct a public inquiry into whether or not to recommend to the Secretary of State that the proposed CPO should be confirmed, modified or refused. The objectors to the proposed CPO can attend the public inquiry and cross – examine the Council's witnesses when they give evidence to the Inspector about why it is considered necessary by the Council for the CPO to be confirmed. Any objectors who give oral evidence to the public inquiry could be subject to cross – examination by the Council's legal representatives. Should the matter proceed to this point, the Council will need to give careful consideration as part of the future report to resources required to support the Council through the process and future budget implications.

6. Financial Implications

- 6.1 The recommendations set out in this report do not create any additional financial implications at this time. Should the Council consider it necessary to exercise its compulsory purchase order powers a further report will be made to full Council which will set out the additional financial implications of doing so.

7. Legal Implications

- 7.1 The recommendations set out in this report provide for an officer of the Council to exercise the powers to serve a requisition for information under S.5A of the Acquisition of Land Act 1990. If approved, the Monitoring Officer will arrange for the Council's Constitution to be updated to reflect this new delegation.
- 7.2 The making of a compulsory purchase is not a simple process and there are significant matters that must be carefully considered. If the freehold owner of the Potential CPO Land remains unidentifiable, the Council will receive a further report which will set out in detail the full considerations necessary for a decision to be made at that time on whether the Council wishes to proceed.

8. Other Implications

- 8.1 There are no other implications arising out of the recommendations in this report.

9. Equality and Diversity Implications

- 9.1 Section 149 of the Equality Act 2010 creates the public sector equality duty which requires that when the Council makes decisions it must have regard to the need to:

- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act
- (b) Advance equality of opportunity between people who share a protected characteristic and those who do not
- (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

9.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

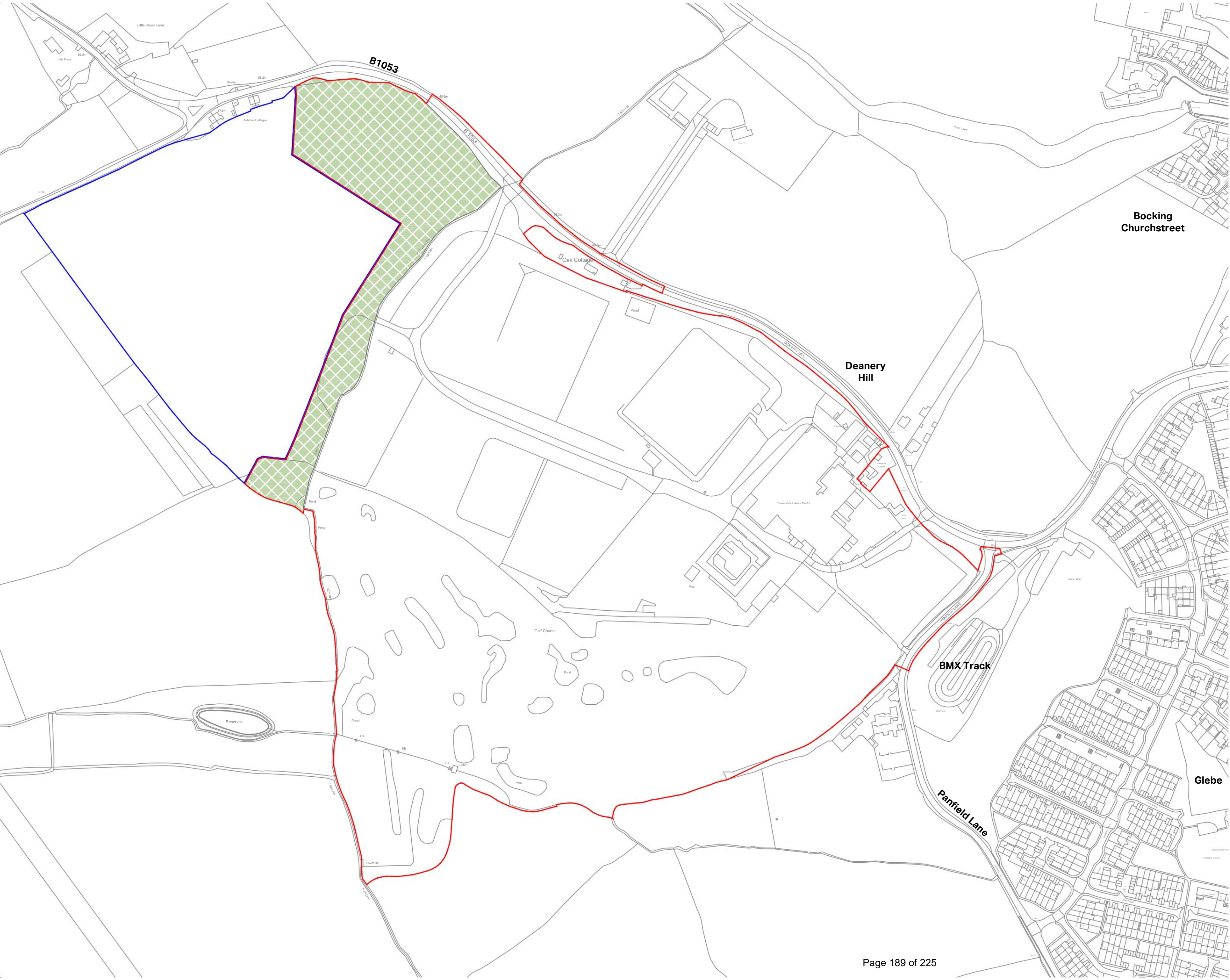
9.3 Paragraph 2 of the Guidance confirms that the Council should be sure that the purposes for which it is making a CPO sufficiently justify interfering with the human rights of those with an interest in the land affected. Before deciding whether to authorise the actual making of the Towerlands Park (Housing) CPO, the Council will need to consider the balance and compatibility between the use of the compulsory purchase power being sought and the human rights of affected parties, and whether there is a compelling case for the Towerlands Park (Housing) CPO in the public interest. This will include consideration of whether the compulsory acquisition of the Towerlands Park Land to enable the proposed development to proceed would bring substantial benefits to the Council's area, which could not be achieved without the use of the Council's compulsory purchase powers. This consideration will be fully set out within the Equality Impact Assessment and will be reported as part of the future CPO report before Council.

10. List of Appendices

- 10.1 Appendix 1 – Towerlands Park Development Plan
- 10.2 Appendix 2 - Plan of the Proposed CPO Land
- 10.3 Appendix 3 – Freehold Owner enquiries

11. Background Papers

- 11.1 None



Site Boundary - 35.20ha

Other Land under the Applicant's Control

Ecological Mitigation Area

Rev

Description

Date

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Client:

UNEX

GROUP

Towerlands, Braintree

Parameter Plan: Site Plan

Scale@ A2 :

Drawn:

Designed:

Approved:

1:2,500

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100m

Drawing Number:

Revision:

Date:

UNX003/PP/006 A

19.03.20

50 North Thirteenth Street, Central Milton Keynes, MK9 3BP

01908 666276

mail@davidlock.com

davidlock.com

DAVID LOCK ASSOCIATES

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H.M. LAND REGISTRY

TITLE NUMBER

EX605084

ORDNANCE SURVEY
PLAN REFERENCE

TL7424 TL7425 TL7524 TL7525

Scale
1/2500

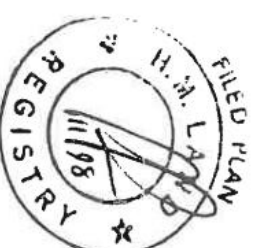
ADMINISTRATIVE AREA ESSEX : BRAINTREE

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TL7425
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This title plan shows the general position of the boundaries; it does not show the exact line of the boundaries. Measurements scaled from this plan may not match measurements between the same points on the ground. For more information see Land Registry Public Guide 7 - *Title Plans*.

This official copy shows the state of the title plan on 28 May 2004 at 15:55:27. It may be subject to distortions in scale. Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.

Issued on 28 May 2004.

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| Freehold history | | | | | |
|---|--|--|--|--|---|
| 1555 / The freeholder was Roger Wentworth | 1648 - 1719 / Sir William Barker owned the Bocking Estate (including Bocking Hall). It is possible that at this time (100 – 150 years after the lease was granted) field R12 remained part of the Bocking Estate. | ????? / Sir William Barker mortgaged Bocking Hall to Prisca Cobourne. It is possible that the Bocking Estate (which may or may not have included field R12) was included in the same mortgage. | ?????? / Prisca Cobourne took possession of the Estate (which may or may not have included field R12) when she took possession of Bocking Hall ???? | 1701 / Upon the death of Prisca Cobourne, part of her estate (which may or may not have included field R12) was left for the benefit of a school – the successor to which is the Coopers and Cobourne School. | 1799 / Bocking Hall and the Bocking Estate (which may or may not have included field R12) were the subject of an auction sale. |
| Leasehold history | | | | | |
| 1555 | <p>A lease of the field now registered at HMR under title number EX605084 was granted by Roger Wentworth to a Thomas Cutter for a term of 500 years.</p> <p>The term of the lease will therefore expire in 2055.</p> | | | | |
| 2004 | The remainder of the term of the lease was assigned to Repairbrook Limited (which company is currently the registered proprietor of title No. EX605084). | | | | |

| | |
|--|-------------------------------------|
| Report Title: To receive a response to the recommendations from the Cost-of-Living Joint Scrutiny report | |
| Report to: Council | |
| Date: 3rd January 2023 | For: Recommendation |
| Key Decision: No | Decision Planner Ref No: N/A |
| Report Presented by: Councillor Frankie Ricci, Cabinet Member for Communities | |
| Enquiries to: Caroline Elias-Stephenson – Head of Housing & Community caroline.elias-stephenson@braintree.gov.uk | |

1. Purpose of the Report

- 1.1 The Combined Scrutiny Committee (comprising of all Members of the Community Development and Partnership Development Scrutiny Committees) undertook a review into Braintree District Council's (the Council) response to the Cost of Living and presented to full Council on 10 October 2022. In line with the Council's constitution the Cabinet are required to report their response to the recommendations set out in the Scrutiny Review.

This report provides Cabinets response to the twenty-two recommendations from the Combined Scrutiny Committee report.

2. Recommendations

- 2.1 The Council is asked to note the responses against each of the recommendations as set out in the Combined Scrutiny Committee review into the Cost of Living.

3. Summary of Issues

- 3.1 A Combined Scrutiny Committee was tasked with conducting a scrutiny review into the cost of living following a Motion being considered at the Council meeting on 20 June 2022. The Combined Scrutiny Committee undertook two evidence gathering sessions on 8 August and 5 September 2022. The Cabinet wishes to thank the Combined Scrutiny Committee for its comprehensive report and notes the recommendations.
- 3.2 Cabinet also wishes to thank the Council Officers who attended the two evidence gathering sessions to provide evidence to the Scrutiny Committee acknowledging that this review was undertaken in a short time.
- 3.3 Cabinet wishes to thank Essex County Council and Braintree, Halstead & Witham Citizens Advice who also contributed to the review by attending one of the evidence gathering sessions.

3.4 The Terms of Reference for the Combined Scrutiny Committee are as follows:-

- Review the measures that the Council and its partners in Essex are already offering the residents of the Braintree District in terms of support during the current crisis.
- Recommend any further assistance that the Council could deliver during the current financial year in order to support the district's residents further

Responses to the recommendations.

Recommendation 1

3.5 *The Cost-of-Living crisis has crept up on us more quickly than people expected and the sudden rise in costs of food, fuel and energy is of enormous concern. Being unable to pay a bill and not knowing where to turn, causes extreme anxiety. The district's residents should be advised on how to respond to a situation where they are unable to pay their energy bills. For example, through discussion of a payment plan with their energy supplier at the earliest opportunity, and/or asking for a 'holiday' from payments.*

Cabinet Response

3.6 The Sustainability Team manage an energy advice line energy.advice@braintree.gov.uk where residents/businesses can call via the switchboard. Residents/businesses are provided with advice on every aspect of energy efficiency and utilities including billing, guidance on payment plans and if the resident is vulnerable will liaise with utilities on their behalf. This work is undertaken along with partner organisation such as Citizens Advice and Community 360 who also refer residents to this service line.

3.7 There have been weekly messages going out addressing topics including food costs, fuel, and energy as part of the Cost of Living and Don't Wait for Winter campaigns. These direct residents to the webpages which provide a thorough list of helplines and support for debt management.

3.8 A new campaign entitled 'Ease the squeeze' directs residents to the webpages which provide a thorough list of helplines and support. In addition, an 'Ease the squeeze' booklet has been produced and distributed via C360 winter resilience bags and is available in Causeway House reception.

Recommendation 2

3.9 *It is recommended that the Council discuss the issue of pre-payment meters with the LGA with a view to lobbying the Government to end this injustice by bringing prepayment prices in line with direct debit prices.*

Cabinet Response

- 3.10 A letter of concern regarding repayment meter was sent by the Leader to the Secretary of State for Business Energy and Industrial Strategy (Rt Hon Grant Shapps), The Chair of the LGA (Cllr James Jamieson) and the Chair of the DCN (Cllr Sam Chapman-All) on the 24th November 2022.

Recommendation 3

- 3.11 *That an alternative form of communication to digital communications be offered to residents, such as a poster or leaflet, containing a variety of information such as that which is contained within the 'Live Well for Less' booklet.*

Cabinet Response

- 3.12 A range of leaflets, poster and booklets have been produced including Don't Wait for Winter, Winter Warmth and Cost of Living, Home Energy Advice, Handyman, Green Doctor Service and Sustainable Warmth. Face to face promotion has been undertaken at several community events or at various community group meetings. Electronic copies have also been sent to partners to distribute as they deem appropriate.
- 3.13 Information has been included in the Winter Warmth bags currently being distributed to vulnerable residents across the district by Community360 and partners.
- 3.14 The Contact Magazine which has just been distributed included information around energy efficiency schemes.
- 3.15 Energy advice and information has been, and will continue to be, included in the Council page in the local newspapers that is distributed every two weeks. Parish councils are including energy information provided by the Council for inclusion in Parish Magazines.
- 3.16 Marketing have put together a printed public facing booklet called 'Ease the Squeeze' which is being distributed in 700 winter resilience bags with Community360 and is also available in the reception leaflet area.

Recommendation 4

- 3.17 *Community 360 has a Winter Resilience programme. Winter packs include a guide to local support services ranging from heating schemes, clothing, basic refreshments, and practical items, such as a torch, blanket, and first aid guides. These are distributed to those identified as being in need. With regards to the Winter packs, it is recommended that the Council explore ways to include items such as bed socks, which would be useful in the event of a power cut, and potentially hot water bottles or wheat bags (including directions on appropriate usage).*

Cabinet Response

- 3.18 Community 360 have advised that the contents of the Witham Warmth bags will include a blanket, hat, scarf, glove sets, flask, torch, socks, powdered drinks. A hot water bottle will not be included as there are concerns about the potential for people to burn/scold themselves with hot water. Community360 are looking to distribute 700 bags and partners have identified individuals that may benefit from receiving a bag.

Recommendation 5

- 3.19 *For reasons mentioned in Recommendation 4, the Council should explore ways in which to work with partners for free PAT testing on electric blankets. The Committee is pleased that the Braintree District Cost of Living Partnership Group have this subject on their agenda for further discussion.*

Cabinet Response

- 3.20 The Council is undertaking an exploration exercise with partners into the ability to offer PAT testing.

Recommendation 6

- 3.21 *The Committee is pleased to see that officers have responded to a request to promote Credit Union, Holdfast, in the new booklet 'Live Well for Less' and would request that this also be included, where appropriate, in other communications and on the Council's website, specifically the landing page entitled 'Debt Management and Cost of Living.' Furthermore, it is recommended that the Council's customers are alerted to be aware of illegal money lenders (loan sharks) and the potential tactics that illegal lenders use to lure, capture and extort their vulnerable victims for further repayment; these "tactics" range from coercive and manipulative behaviour to intimidation and threats of violence.*

Cabinet Response

- 3.22 Information regarding Credit Unions is promoted on the debt management page of the Council's website <https://www.braintree.gov.uk/community/debt-management-cost-living/3> and in the Ease the Squeeze booklet. Information about loan sharks by the England Illegal Money Lending Team and Essex Police has been added to the website and included in comms.
- 3.23 The Community Safety Partnership have promoted Illegal Money Lenders training to partners.

Recommendation 7

- 3.24 *The Government's position on support is evolving, with some measures already announced. However, the reality is that for most families, this support barely covers the energy increases which have already occurred. It is recommended that the Council explore ways to work with partners, village halls and/or organisations to provide 'warm spaces' for people to come*

together, preferably with activities and the supply of food and drink. The Council could explore the possibility of an allocation from the Shared Prosperity Fund (SPF) during Year One and consider providing a contribution to some community assets, such as the Braintree Museum, Town Hall, and leisure facilities, thereby helping them with their energy costs. It is also recommended a directory of all the places available to our residents across the public, private, health and voluntary sectors is created, so that anyone who is cold knows where they can go to get warm, stay warm and enjoy a little company and some hot refreshments.

Cabinet Response

- 3.25 Contact has been made with community & voluntary groups, town & parish councils, faith groups, community centres & village halls to establish whether they have plans in place to support their local community with a 'warm space' or already have something in place. This information has been collated in a database and an interactive map is available on the council's website showing where all warm spaces are being offered. Over 70 warm space activities are available across the district. Promotion is ongoing of the 'warm spaces' throughout the district.

<https://www.braintree.gov.uk/community/debt-management-cost-living/8>

- 3.26 Funding information to support warm spaces has been sent to all existing warm spaces and those that are looking to establish a warm space.

Recommendation 8

- 3.27 *It is recommended that during this episode of volatility, the costs and performance of the district's leisure centres are monitored more closely and regularly to avoid any potential unmanageable financial difficulties.*

Cabinet Response

- 3.28 The contract extension period with Fusion (Sept 22-Aug 27) is undergoing a monitoring review of KPI's against revised participation targets and outcomes to ensure we are best measuring both the use of the centre in general but also through the hardest to reach groups with specific health or low income needs during the increased period of cost of living. We monitor the financial performance on the contract monthly and on a national level with Fusion Lifestyle at quarterly meetings. Fusion has a fixed rate on their utilities nationally until November 2024.

Recommendation 9

- 3.29 *In consideration of the 'Food, Child and Poverty' report and areas of poverty within the district, it is recommended that the programme 'Essex ActivAte' be distributed to some of the larger villages, such as Sible Hedingham, where the catchment could, potentially, reach smaller villages up to the most northern parts of the Braintree District.*

Cabinet Response

- 3.30 Essex County Council previously undertook an exercise during the summer holidays to offer transport to children and young people in larger villages to enable them to access the Essex ActivAte programme. Feedback received indicated very low uptake for this service. The Council will approach Essex County Council to consider viability of expanding this offer over the coming months.

Recommendation 10

- 3.31 *It is recommended that the Council add to the Discretionary Housing Payment (DHP) to assist those who are most vulnerable and to avoid homelessness.*

Cabinet Response

- 3.32 Cabinet agreed at its meeting held on 28 November 2022, to increase the DHP fund for 22/23 by £77k to provide the same level of funding that was available in 21/22.

Recommendation 11

- 3.33 *It is recommended that Council Tax for 2023/24 be kept to an absolute minimum, preferably no higher than 1%.*

Cabinet Response

- 3.34 Consideration of the Council Tax rate for 23/24 will be made at the meeting of Full Council to be held on 20 February 2023, alongside the proposed Budget for 23/24 and updated Medium-Term Financial Strategy.

Recommendation 12

- 3.35 *It is recommended that a further handyman is employed by the Council with a view to undertaking works which give priority to saving energy, such as draught insulation, foil backing, hot water tank jackets and facilitation of loft insulation. The Council should also consider including single parents who are on benefits within the Handyman Scheme entitlement.*

Cabinet Response

- 3.36 The Handyman service is demand led and some elements are chargeable. Rather than employ an additional Handyman which has a revenue budget implication an additional Handyman resource has been sourced that can be introduced at times of increased demand but can withdraw when demand decreases. In this way BDC can improve and increase the level of service the Council can offer but this does not increase the revenue cost to the Council.

Recommendation 13

- 3.37 *It is recommended that the Council works with partners to promote advice for those who are struggling to keep their pets, therapy and/or working animals. For example, the RSPCA has introduced new guidance for worried pet owners to help them through the ongoing Cost of Living crisis. Furthermore, it is noted that most foodbanks now offer food for pet owners and that there are several charities prepared to assist with this.*

Cabinet Response

- 3.38 Advice has been shared within the Ease for Squeeze campaign. Foodbanks are hesitant for the Council to promote donating pet food as they fear this will become the focus rather than donations of food in general.

Recommendation 14

- 3.39 *It is recognised that the Council is a Category One Responder under the Civil Contingencies Act. The Council should be prepared for possible power cuts and ensure that back-up systems are checked. It should also check that its Emergency Plan is up to date for the forthcoming winter months, and that it is ready to act promptly in order to provide extra communications and advice to Parish Councils and residents, should weather forecasts indicate a cold snap. There is a temptation for candles to be used during power cuts, which can be dangerous in times of unpreparedness. It is therefore also recommended that the Council considers how best to advise residents on the safe use of candles in this respect, and alternatives.*

Cabinet Response

- 3.40 The Communications team have been sharing safety advice from Essex County Fire & Rescue Service as well as the Council's own advice regarding candles, electric blankets, heaters and hot water bottles.

Recommendation 15

- 3.41 *The Council works with several excellent partners, including charities. However, it is recommended that the Council's reliance on partners, charities and other organisations be cautious in these volatile times and that the financial accounts of these organisations be appropriately scrutinised.*

Cabinet Response

- 3.42 The Council will continue to work with stakeholders to explore on-going sustainable funding for partners, charities and other organisations in these volatile times.

Recommendation 16

- 3.43 *It is recommended that the Council reviews further opportunities to reduce energy consumption through savings measures for its buildings and land, and that the Council issues advice to residents and businesses on energy*

saving. This could include advice such as switching off appliances and equipment when not being used (i.e. not left on standby), reducing heat losses through doors and windows and switching off exterior lighting that does not need to be on (e.g. lights left on during the day and lights at night not required for access or safety reasons).

Cabinet Response

- 3.44 Vacant areas of Causeway House have had the heating turned down to save energy but not completely turned off to avoid damp. Causeway House Lights are already on motion sensors. Switching off appliances at Causeway House when not in use will be investigated
- 3.45 Green advice and guidance for businesses has been included in the business e-bulletin distributed to over 4.5k businesses within the district. Promotion of the LOCASE business support grant scheme, to support businesses in match funding low carbon changes and investments to businesses. Data is available to share on this regarding interventions, grants obtained, and CO2 levels mitigated.
- 3.46 Energy saving advice has been shared within comms messages.

Recommendation 17

- 3.47 *As the Council approach Winter and subsequently have a better understanding of the true effect of the Cost of Living Crisis, especially in respect of fuel costs, the Council should continue to monitor the means that have been put in place to date and assess whether further measures could be undertaken by the Authority and/or its partners to ease the pressures on our residents. A follow-up report should be provided at a later stage in the year, when fuel poverty may be better assessed and issues around Christmas concerns could also be addressed. The report should be presented at Full Council to update all Members on the situation.*

Cabinet Response

- 3.48 The Sustainability Team manages an energy advice line energy.advice@braintree.gov.uk where all resident/businesses making contact are provided with advice on every aspect of energy efficiency or green travel. This often includes supporting business in LOCASE and SALIX funding for energy efficiency installations.
- 3.49 In relation to council buildings this team also provides advice and arranges for renewable energy installations.
- 3.50 The Sustainability Team had a stall at this year's Braintree Xmas market.

Recommendation 18

- 3.51 *That the Council seeks a means by which it can promote and communicate the sharing of transport to common locations (such as supermarket visits) and 'friendship groups' where people can gather in homes via invitation with a view to sharing the costs associated with energy and heating and addressing social isolation.*

Cabinet Response

- 3.52 Car sharing has been promoted within internal and external comms.
- 3.53 The Council will continue to work with partners to understand the need for this type of service.

Recommendation 19

- 3.54 *That the Council communicate with the local Food Banks to explore ways in which assistance with pet food could be offered and raise awareness to foodbank donors.*

Cabinet Response

- 3.55 This was discussed in a Cost-of-Living meeting with partners. Local food banks do provide pet food but are wary of promoting it specifically as it is a cause close to people's hearts and they worry they will become inundated, and people will forget about the people who need food or those types of donations. There are collections for pets at some supermarkets and pet shops.

Recommendation 20

- 3.56 *Whilst the Committee is aware that the Council is promoting climate change objectives, as a priority, it should explore ways in which it can help businesses within the Braintree District with advice and support relating to the energy crisis, including ways in which they can invest in equipment to reduce their energy bills going forward.*

Cabinet Response

- 3.57 The Council have an energy advice line energy.advice@braintree.gov.uk available to all resident/businesses and provide advice on every aspect of energy efficiency or green travel. This often includes supporting business in LOCASE and SALIX funding for energy efficiency installations.
- 3.58 The Council promote the LOCASE business support grant scheme, to support businesses in match funding low carbon changes and investments to businesses. Data is available to share on this regarding interventions, grants obtained, and CO2 levels mitigated.

Recommendation 21

- 3.59 *That communications be produced and distributed regarding the effects of financial crisis on mental health, with particular consideration given to business owners. The communications should also provide information on where they can go to for help.*

Cabinet Response

- 3.60 Information is disseminated to businesses through social media and the business e-bulletin to 4.5k businesses within the district.
- 3.61 Mental health support and resources have been promoted within the Ease the Squeeze booklet and on the webpages as well as within comms.

Recommendation 22

- 3.62 *The Committee has identified the below findings and recommendations in relation to the Council's website. It is recommended that the website search engine is made more user friendly, accurate and accessible for residents.*

Cabinet Response

- 3.63 The Council are looking into how the website search engine can be made more user friendly, accurate and accessible for residents.
- 3.64 The recommendations set out in this report will help the Council to deliver the following Corporate Objectives:
- Residents live well in healthy and resilient communities where residents feel supported

4. Financial Implications

- 4.1 There are no new financial implications arising from the recommendation set out in Section 2 of this report.

5. Legal Implications

- 5.1 There are no legal implications arising from the recommendations set out in this report.

6. Equality and Diversity Implications

- 6.1 Section 149 of the Equality Act 2010 creates the public sector equality duty which requires that when the Council makes decisions it must have regard to the need to:
- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act

- (b) Advance equality of opportunity between people who share a protected characteristic and those who do not
- (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

6.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a). The impact against the protected characteristics has will be considered where projects are brought forward and implemented as necessary.

| | |
|--|--|
| Report Title: Members Allowances 2022/23 | |
| Report to: Council | |
| Date: 3rd January 2023 | For: Decision |
| Key Decision: No | Decision Planner Ref No: DP/2022/54 |
| Report Presented by: Councillor G Butland, Leader of the Council | |
| Enquiries to: Kim Mayo, Head of Governance and Monitoring Officer kim.mayo@braintree.gov.uk | |

1. Purpose of the Report

- 1.1 To consider Braintree District Council's (the Council) Member Allowance Scheme following the Local Government Services Pay award being agreed for the financial year 2022/23.

2. Recommendations

- 2.1 That the Council agrees to amend the Councils Member Allowance Scheme as set out in paragraph 3.8; and
- 2.2 That the Council agrees that the Member Allowance for 2022/23 will not be increased in line with the Local Government Staff Annual Pay Award and will remain at the rates agreed by Council on 19 April 2021.

3. Summary of Issues

- 3.1 In March 2019 the Council received a report from the Councils appointed Independent Remuneration Panel. In, consideration of that report, the Council approved the Members Allowance Scheme which is set out within the Councils Constitution.
- 3.2 Currently Members are entitled to receive a Basic Allowance of £5,154 per annum. Further a Special Responsibility Allowance is paid to those Members who hold positions with additional special responsibilities as identified within the Member Allowance Scheme. This Special Responsibility Allowance is paid in recognition of the extra duties which the Member is expected to perform. Members are not able to claim more than one Special Responsibility Allowance.
- 3.3 On 1 November 2022, the National Joint Council for Local Government Service confirmed that the Local Government Services Pay Agreement for 2022/23 had been agreed. This award means that the basic salary of all officers within the Council shall be increased by £1,925 per annum with

effect from 1 April 2022. This is a different approach to that seen in previous years, whereby an identified percentage increase was agreed. In 2021/22 the pay award was 1.75%.

- 3.4 The award of a fixed sum means that officers at different levels have received a varying percentage increase. For the Council this has resulted in increases of between 10.4% at the lowest scale point and 1.3% at the highest scale point. The Average percentage increase for the Council is approximately 6% based on the profile of staff.
- 3.5 Currently the Member Allowance Scheme provides that the Basic Allowance and Special Responsibility Allowance shall be increased in line with the Local Government Staff Annual Pay Award, and in line with its provisions as to payment. Having regard to the 2022/23 pay award it is not possible to provide a fixed percentage increase as seen in previous years.
- 3.6 If the Council was to apply the pay award as a value of £1,925, this would result in the Members Basic Allowance increasing from £5,154 to £7,079 pa and would represent a 37.35% increase. This would be a significant increase compared to those seen across the officer structure. Such an increase would be disproportionate to the pay award and would have significant impact on the Councils budget as set out in paragraph 5 below.
- 3.7 If the Council looked to apply the average percentage increase evidenced across officer pay grades at 6%, this would result in Members Allowance increasing from £5,154 pa to £5,463 pa.
- 3.8 In light of the difficulties with this year's pay award the Council consider that it would be appropriate to build in some flexibility within the current Member Scheme of Allowance to allow for a decision to be taken on how the Local Government Staff Annual pay award will be applied to Member Allowances going forward. Accordingly, it is proposed that the Member Allowance Scheme is amended as follows:

20.8 The Basic and the Special Responsibility Allowances ~~shall~~ may be increased in line with the Local Government Staff Annual Pay Award, and in line with its provisions as to payment.

- 3.9 It is, then proposed that Members choose to exercise this discretion for 2022/23 and agree not to increase the Members Basic or Special Allowance for this period.
- 3.10 The recommendations set out in this report will help the Council to deliver the following Corporate Objectives:
 - Delivering better outcomes for residents and businesses and reducing costs to taxpayers.

5. Options

Apply the Local Government Pay Award

- 5.1 As set out above, this would have a significant impact on the Council's budget and would result in a 37.35% increase being applied. This would result in the Basic Members Allowance increasing from £5,154 to £7,079 pa. This would be significantly higher than those applied to the Council's officers. In line with the information contained within section 6 below, this is 35% above that allocated within the 22/23 budget and would represent an additional budget pressure of £175,000 this year.

Apply the Council's average pay increase

- 5.2 The Council could determine to apply the average staff pay award to the Member Allowance. However, this would still be above the financial provision already set aside within the budget, and therefore would require additional funding to be allocated to satisfy the deficit this would generate. This would result in the Basic Members Allowance increasing from £5,154 to £5,463 pa. In line with the information contained within section 6 below, this is 4% above that allocated within the 22/23 budget and would represent an additional budget pressure of £20,000 this year.

No increase

- 5.3 In agreeing not to apply an increase to 22/23 Member Allowances Scheme, the Member allowances will remain at the level set by the Council in April 2021. In line with the information contained within section 6 below, this would result in a saving of £10,000 in 22/23.

6. Financial Implications

- 6.1 The 22/23 Budget provided for a 2% (or approximately £10,000) increase in Member Allowances, which was consistent with the assumption used for staff pay. If the recommendation to freeze Members Allowances for 22/23 is accepted this would result in a budget saving of this amount. Increases in Members Allowances above 2% would result in additional costs from that allowed in the budget of approximately £5,000 per every additional 1% increase.

7. Legal Implications

- 7.1 In setting the Members Allowance Scheme the Council has to have regard to the views of the Independent Panel, which must meet at least once every 4 years. The Council Independent Remuneration Panel last met in March 2019. The Monitoring Officer has delegated authority to recruit the new Independent Remuneration Panel, who will be reviewing the Member Allowance Scheme, with a view to bringing forward proposals for the next four-year period in due course. This will take place following the May 2023 elections and will provide

a further opportunity for the Council to consider the Member Allowance Scheme as a whole.

8. Other Implications

- 8.1 There are no other implications arising out of the recommendations set out in this report.

9. Equality and Diversity Implications

- 9.1 Section 149 of the Equality Act 2010 creates the public sector equality duty which requires that when the Council makes decisions it must have regard to the need to:
- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act
 - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not
 - (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 9.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).
- 9.3 The Equality Impact Assessment indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.

10. List of Appendices

- 10.1 None

11. Background Papers

- 11.1 The Councils Constitution
- 11.2 Minutes of the Council meeting 19 March 2019

| | |
|---|-------------------------------------|
| Report Title: Council Committee and Constitution Update | |
| Report to: Council | |
| Date: 3rd January 2023 | For: Decision |
| Key Decision: No | Decision Planner Ref No: N/A |
| Report Presented by: Councillor Graham Butland, Leader of the Council | |
| Enquiries to: Kim Mayo, Head of Governance kim.mayo@braintree.gov.uk | |

1. Purpose of the Report

- 1.1 Braintree District Council (the Council) has a number of Committees and Sub-Committees whose membership is determined by the Council. This report sets out changes to the political membership following the result of the by-elections held in November 2022, sets out the change in membership to the Governance and Audit Scrutiny Committee and brings forward an update to the Councils Constitution.

2. Recommendations

- 2.1 To note the Political membership of the Council.
- 2.2 To agree to delegate authority to the S.151 Officer to approve a capital virement up to the value of £150,000.
- 2.3 To agree to delegate authority to the Council's S.106 Monitoring Officer to approve the allocation of identified s.106 monies held by the Council to specific projects up to the value of £25,000.
- 2.4 To agree to delegate authority to the S. 151 Officer to approve the allocation of identified s. 106 monies held by the Council to specific projects that exceed £25,000.

3. Summary of Issues

- 3.1 In accordance with the Local Government and Housing Act 1989, the Council is required to allocate seats on Council Committees and Sub-Committees to Political Groups on a politically proportionate basis.
- 3.2 In November 2022 the Council held two by elections for Coggeshall and Braintree South. The membership of the Council as a result is 49 seats and for the purpose of the allocation of seats, this is broken down as follows:
- 33 - Conservative Group
 - 9 - Green and Independent Group (G&I Group)

- 4 - Halstead Residents Association
- 3 - Labour Group

Political balance requirements

- 3.3 The allocation of seats on its Council Committees must be in the same proportion as the number of Members of the Group bears to the membership of the Council as a whole. Accordingly, the Council is required to consider whether, as the result of the change in political membership, there is a material change to its committee membership.
- 3.4 The Council has a duty when allocating or reviewing the allocation of seats on Committees to give effect so far as is reasonably practicable to the following four principles:-
- (a) all the seats are not allocated to the same political group;
 - (b) the majority of the seats go to the political group in the majority on the full Council;
 - (c) subject to the above two principles, the total number of seats on the ordinary Committees of the Authority are allocated to each Political Group in the same proportion as the Group's representation on the full Council; and
 - (d) subject to the above three principles, the number of seats on each Committee are allocated to each political group in the same proportion as the Group's representation on the Council.
- 3.5 A review of the political proportions has been carried out to reflect the changes arising out of the results of the By Election. The in political balance is set out below:
- Conservative Group – 33 Seats (67.3%)
 - Green and Independent Group – 9 Seats (18.4%)
 - Halstead Residents Association – 4 Seats (8.2%)
 - Labour Group – 3 Seats (6.1%)

- 3.6 The recalculation of the political proportions following the by-election does not change the number of committee seas allocated to each of the Political Groups.

Committee Membership Changes

Governance and Audit Scrutiny Committee

- 3.7 The Governance and Audit Scrutiny Committee membership will be subject to the following change:

| Stepping Down | Proposed Member |
|-------------------------|------------------------|
| Cllr Vanessa Santomauro | Cllr Mary Cunningham |

Officer Delegations

Capital Virements

- 3.8 The Council's Constitution provides a framework within which it is possible to undertake capital virements where they are in line with the overall Policy Framework and across agreed budgets. These are set out within key thresholds as follows:

| Current Limits | Corporate Director (Support Service) | Cabinet Member (in consultation with S.151 Officer) | Cabinet | Council |
|-----------------------|---|--|----------------|----------------|
| Up to £50k | Y | Y | Y | Y |
| £50,001 to £100k | | Y | Y | Y |
| £100,001 to £250,000 | | | Y | Y |
| Over £250k | | | | Y |

- 3.9 Since the revised constitution was approved in April 2021, there has been instances where these thresholds have resulted in routine virements being brought before Cabinet for consideration. This has implications arising from the administrative obligations on the Council in the lead up to Cabinet, with the publication of the Council's Decision Planner and internal governance arrangements. As a result, this has resulted in matters not being considered in a timely manner and caused delay on projects.
- 3.10 In order to streamline the process, whilst ensuring that there is the right level of due diligence undertaken by the Council when a capital virement is required, it is proposed that the above thresholds are amended as follows:

| Current Limits | S.151 Officer | Cabinet | Council |
|-----------------------|----------------------|----------------|----------------|
| Up to £149,999k | Y | Y | Y |
| £150k to 249,999 | | Y | Y |
| Over £250k | | | Y |

S.106 Approvals

- 3.11 The Council has been reviewing its s.106 arrangements. The approval of spend against s.106 monies held by the Council is governed by two routes. Firstly, if the s.106 is clear on the basis upon which the money is being held and for whose benefit ('identified s.106 monies'), then that money can be transferred to the relevant body when called upon to do so. Secondly, if the s.106 monies is held for the purposes of a theme or project which is widely

defined, and to which there is no identified body within the s.106 Agreement, then in allocating any s.106 held in this way, the Council is exercising a discretion for which a formal decision is required. The approval for spend in these latter circumstances is governed by the thresholds set out in the Council's Constitution, namely:

| Current Limit | Head of Service | Corporate Director | Cabinet Member | Cabinet |
|----------------------|------------------------|---------------------------|-----------------------|----------------|
| Up to £50k | Y | Y | Y | Y |
| £50k to £100k | | Y | Y | Y |
| £100k - £150k | | | Y | Y |
| Above £150k | | | | Y |

- 3.12 As part of the review, the Council has identified that there are a number of routine low value s.106 allocations that currently require approval by the relevant Head of Service. However, the work in identifying the project and s.106 allocation is undertaken directly with the Council's s.106 Monitoring Officer, and therefore the relevant Head of Service would not necessarily be involved with the project or allocation considerations. The thresholds set out above mean that the current practice requires the Head of Service to be briefed and for them to take a decision to authorise the allocation and spend. This is resulting in significant time being taken up in ensuring that Heads of Service have sufficient information to make an informed decision. The time in carrying out this internal briefing results in a delay in the actual spend being approved and is seen to be having a detrimental impact on the projects looking to receive these low value s.106 money.
- 3.13 In order to streamline the process, whilst ensuring that there is the right level of due diligence undertaken by the Council when a low value allocation is required, it is proposed that the Council agree a delegation to the Council's S.106 Monitoring Officer to approve the spend of s.106 monies up to the value of £25,000.
- 3.14 For 'identified s.106 monies' that exceed £25,000, it is proposed that Council agree a delegation to the S 151 Officer to approve the spend.

4. Financial Implications

- 4.1 There are no financial implications arising from the decisions within this report.

5. Legal Implications

- 5.1 The changes are in accordance with the requirements set out within the Local Government and Housing Act 1989.
- 5.2 If the officer delegations are approved, the Monitoring Officer will update the Councils Constitution accordingly.

6. List of Appendices

6.1 None

7. Background Papers

7.1 Council's Constitution

| | |
|--|-------------------------------------|
| Report Title: Cabinet's Report to Full Council | |
| Report to: Council | |
| Date: 3rd January 2023 | For: Noting |
| Key Decision: No | Decision Planner Ref No: N/A |
| Report Presented by: Councillor Graham Butland, Leader of the Council | |
| Enquiries to: N/A | |

1. Introduction

- 1.1 This report covers the main activities of all Cabinet Members since the last ordinary meeting of full Council.

OVERALL STRATEGY

2. Councillor Graham Butland - Leader of the Council

North Essex Local Authorities

- 2.1 Since the last meeting of Full Council the Leaders of the nine local authorities covering north Essex (Tendring, Colchester, Maldon, Chelmsford, Uttlesford, Harlow, Epping Forest, Essex CC and Braintree) met to discuss ways in which we might working closer together in the future. Following the meeting a draft Memorandum of Understanding (MOU) has been drawn up and will be considered at a further meeting to be held on 8th December. I have shared the draft MOU with Group Leaders.

Meeting with Witham Town Council

- 2.2 On 3rd November, together with members of the Cabinet, I met with representatives of Witham Town Council. We discussed matters of joint interest including budgetary matters and the future governance of some public assets in the town. This meeting was one of a series of meetings between the two authorities which have been held and which both sides have found to be extremely constructive.

Polly's Field Opening Event

- 2.3 On the 8th November Cllr Tattersley and I attended the formal opening, by the Lord Lieutenant, of the Polly's Field Village in Church Lane, Bocking. The village provides 99 apartments (39 one bedroom and 60 two bedroom) providing friendly community living for over 55s.
- 2.4 Included in the village are social and leisure facilities which are designed to help residents make more of their independence and include a gym, a village hall, an activities room, a hairdressing and beauty salon, a restaurant, a

greenhouse and a guest room. This is a very impressive addition to facilities for the over 55s in the District.

Devolution

- 2.5 Work is continuing on developing the devolution proposal that Greater Essex would wish to put to the Government. On 8th November the Leaders of the three Upper Tier Authorities and the twelve Second Tier Authorities will consider the recommendations coming from the three working groups that were established. I will give an oral report at Full Council.

SUPPORTING OUR COMMUNITIES

3. Councillor Frankie Ricci – Cabinet Member for Communities

Cost of Living

- 3.1 In response to the increasing financial challenges, rising energy prices and the impending winter months Braintree District Council Communities team have contacted Voluntary Community Sector organisations, faith groups and partners across the district to establish who is providing warm spaces, activities, or services to support residents over the next few months. To date 70 plus responses have been received and those that are willing to have been plotted on a map and placed on the cost-of-living section of the council's website.
- 3.2 Multiple partners forming the Braintree District Cost of Living Partnership Group meet on a regular basis to support residents in the following areas:-
- Fuel and energy poverty
 - General financial advice
 - Food and essentials
 - Housing
 - Health & Wellbeing
 - Winter Resilience
 - Horizon Scanning
 - Crime & Impact
- 3.3 Braintree Area foodbanks and The First Stop Centre have seen a steady rise in demand during August – September. The Council has recently become a collection point for the Braintree Area Foodbanks to support efforts to increase supply to meet the increasing demand.
- 3.4 Community360 (C360) are providing Winter packs which will include a scarf, blanket and gloves amongst other items. 500 packs are being provided for C360 to distribute and 100 packs are provided for First Stop.

Braintree District Council & Eastlight Community Fund

- 3.5 This joint fund benefits a wide range of community groups across the Braintree District who are facing social issues including cost of living, loneliness, and social isolation and emotional and wellbeing concerns. In the latest round, 5 small projects were approved, and 5 large projects are being considered at the next board meeting in December.

Braintree District Cultural Education Partnership

- 3.6 The partnership has secured funding to deliver an art project between primary schools and care homes across the district, to date 9 primary schools have agreed to take part.

Safer Streets

- 3.7 Braintree District Council in partnership with Essex Police Fire and Crime Commissioner was successful in a bid to the Home Office for Safer Streets Round 4 funding which has a focus on anti-social behaviour, neighbourhood crime and violence against women and girls in a designated area of Witham. Interventions will include working with Witham Town Council to expand the CCTV network and employ street wardens and working with Fusion Lifestyle to deliver an outreach sports programme, providing training and awareness to local businesses around women's safety and to provide physical activity for young people.

CAPVA (Child & Adolescence to Parent Violence & Abuse)

- 3.8 Members of the Braintree District Community Safety Partnership (CSP) have identified a rise in the increase in violence from children and young people towards their parents/carers across the district in previous months. The CSP have commissioned Next Chapter to deliver a 10-week pilot course in the district and to date three families have engaged with the course.

4. Councillor Peter Tattersley – Cabinet Member for Health & Wellbeing

Fusion Lifestyle Investment in Leisure Centres

- 4.1 Following the five-year contract extension with Fusion Lifestyle, our leisure partner is investing £1m in redevelopment works at Braintree Sport & Health Club, Braintree Swimming & Fitness, Halstead Leisure Centre and Witham Leisure Centre.
- 4.2 The extensive works will see upgrades at all four centres, including brand new gyms installed at each site. The new gym and studios at Braintree Sport & Health Club opened on 14th November, and work is now underway at Halstead Leisure Centre (starting late November) followed by Witham Leisure Centre and Braintree Swimming and Fitness (due for completion in December). The gyms at each centre are being completely transformed with new, energy efficient equipment installed, a new layout, new lighting, décor and flooring.

- 4.3 A further £260k investment from Braintree District Council and Tabor Academy has resulted in the 3G artificial pitch at Braintree Sport & Health Club being re-carpeted, making it fit for purpose for many years to come.

Growth in Women & Girls' Football and Sport

- 4.4 The District has seen significant growth in its women's and girls' football participation since the end of last football season and following the Lionesses' success in the Euros. Youth Football clubs in the District including Hatfield Peverel, Braintree Town, Sporting 77 (Braintree), Great Bradfords (Braintree), Halstead Town and Valley Green (Witham) have seen increases of up to 50% compared to the 2021/22 season. Hedingham and Coggeshall Football Clubs have introduced new recreational football sessions for girls. A scheme devised by the Football Association for girls aged 5-11 years to play recreational football without being associated to an affiliated club has also been introduced by partners with over 65 girls attending. Braintree Rugby Club has also reported an increase in their women's and girls' development teams, this season.
- 4.5 As well as football, women's participation in other activities has also increased. The most populated activity by women and girls at the Leisure Centres is the Group Exercise classes; there are in excess of 250 classes available per week, early morning, mid-morning, evenings and weekends with 95% occupation by women and girls. For example, in September there were 27,000 visits across all the leisure sites.

Dementia Activities

- 4.6 The Council supports a range of dementia friendly activities across the District which include:-
- **Together in Sound** a free music therapy group for those living with dementia and their companions.
 - **Dementia Friendly Cinema** - Halstead Empire continue to host free monthly screenings including refreshments.
 - **Dementia choir** - Halstead Community Choir and Colne View, Care UK relaunched in September at the Halstead Empire Theatre
 - **Dementia walks** are held by Essex Fire Service monthly in Braintree, Halstead & Witham.
 - **Christmas Get Together** with music, dancing and refreshments organised by BDC and held at Braintree Town Hall will take place on 8th December and is already fully booked.

- 4.7 In addition, the Alzheimer's Society offer a range of activities across the

Braintree District which can be found on their <https://www.alzheimers.org.uk/>. Essex Dementia sessions which can be found on their website <https://www.essexdementiacare.org.uk/>.

5. Councillor John McKee – Cabinet Member for Finance and Corporate Transformation**Finance Service**

- 5.1 Council Tax collection – achieved 66.5% at end of October which was very slightly down on collection last year (66.6%). Amount collected £72.5m.
- 5.2 Business Rates collection – achieved 65.9% at end of October, which is significant improvement over performance last year (61.6%). Amount collected £28.4m.
- 5.3 COVID 19 Additional Relief Fund for Businesses (CARF) - 190 businesses were supported through this relief scheme which has now closed. The final amount of relief provided to eligible businesses was 31.25% of their 2021/22 rate liability which in total was £1.26million of support to businesses across the District.
- 5.4 Energy Rebate Scheme – The Main Scheme for properties in Band A to D closed at the end of September, at which point 512,06 energy rebates had been issued totalling almost £7.7million. The Discretionary Scheme was launched in August to provide relief to either properties in Bands E to H, or extra relief to households in Bands A to D. The Council received £229k of government funding for this Scheme. At the end of October 378 payments had been made totalling £56,700, and at the time of writing, a targeted top-up payment was being implemented ahead of the scheme closing at the end of November.

Customer Services

- 5.5 The average call answering time for October was 43 seconds. The call answer time remains above the target of 30 seconds but is slowly reducing although the team is still impacted by the increase in demand on services. The information on our website in respect of the Gateway to Homechoice service has been updated to notify service users of average processing times and when the service is closed to calls to enable them to focus their attention on applications.
- 5.6 The new waste management system went live on 3rd October and the top three online processes will now automatically upload into the system negating the need for any input from the CSC. This will have a positive impact on the efficiencies of the team as well as providing a better service for the customer. Additional online processes will be integrated into the system over the coming months.
- 5.7 In the month of October, the Customer Service Centre dealt with 7,882 calls, 841 emails, 749 online enquiries and 1,331 face to face enquiries.

Performance and Improvement Team

- 5.8 In October, the team received 46 FOI/EIR requests and responded to 84.09% of requests within the 20-working day timescale. Seven requests were responded to over timescales albeit three responses were one or two days late. There have been a higher number than usual requests relating to planning and four requests are still requiring a response.

Human Resources and OD&L

- 5.9 Agreement was reached on 1st November on pay awards for local government services employees with salary scale points being increased by £1,925 with effect from 1st April 2022. The pay award including back dated pay was included in November pay.
- 5.10 October was Menopause Awareness month and a number of awareness sessions were organised, including a Webinar with Dr Marfleet who provided a Q&A session for staff. A Managers' Digital Handbook providing a guide to menopause awareness has also been launched.

Procurement

- 5.11 Work is progressing with the development of the Shared Procurement Service. Presentations have been given at the Essex Finance Officers Group and the Essex Chief Executives Forum, with support for this work and sponsorship from the Chief Executive. Whilst the formal governance process is being finalised, work has begun in identifying common procurement opportunities. Spend and contracts analysis has identified 162 common suppliers, indicating a strong opportunity for joint procurement. The packages of support that will be offered by the shared service are being developed and shared documentation and working practices are being agreed. Approaches to areas such as social value and climate are also being developed.
- 5.12 Procurement training has been rolled out across the organisation with in-person and virtual sessions. Members of the procurement team have received praise for their support of the successful multi authority Epayroll system re-procurement and contract management support.

Digital Strategy 2022 - 2026

- 5.13 The refreshed Digital Strategy 2022/2026 coming before Cabinet on 28th November for consideration. The new strategy builds on the previous Digital Strategy 2017-2021, much of which was delivered during the pandemic response. The New strategy continues with themes that reflect the different areas in which our strategy will focus:
- Digital Council - The way we work as a Council is constantly evolving to continue to meet the demands, challenges and expectations of our workforce and our customers.
 - Digital Customer - We look to provide excellent services to our customers and value for money to the taxpayer. We need to be responsive to changes

in customer demands whilst ensuring that services are delivered in a cost-effective way by seeking to use technology to improve access to our services.

- Digital Place - We must continue to support the development of digital capability, to help our businesses make the best use of technology to improve prosperity and our communities to feel more connected and digitally aware.

Health & Safety

- 5.14 An overarching corporate stress risk assessment has been written as per the most recent HSE guidance and is currently with HR for comment.
- 5.15 The first health and safety inspection of the Plaza has taken place now the site is operational.
- 5.16 Internal Risk Assessment training took place in October and the course was well attended, manual handling training the trainer is being arranged for the next quarter.

6. Councillor Mrs Wendy Schmitt – Cabinet Member for Environment

OPERATIONS

Parks & Open Spaces

- 6.1 **Witham Cemetery:** The Council has recently increased provision for cremated remains in an existing part of the cemetery to provide a further 320 burial plots. The work included the provision of concrete slabs that will act as a foundation for memorial stones, which is in line with the other cremated remains sections in all the Council's cemeteries.
- 6.2 **Public Health Funerals:** The Cemeteries Team is working with 2 genealogy companies to assist with family searches where a Public Health funeral may be required. The genealogy companies provide an in-depth search to identify next of kin who may be willing to pay for the funeral thus avoiding the need for the taxpayer to fund this service.
- 6.3 Since the cost-of-living crisis hit, the Cemeteries Service has received many enquiries about any financial support available to help pay for a funeral.
- 6.4 **Partnerships:** The Council was delighted to receive and support a request from Halstead Rotary Club to plant crocus bulbs in Halstead Public Gardens in conjunction with the Halstead 2nd Brownies in aid of polio research to support young people at work. The planting of some 500 bulbs in front of the bandstand took place in October.
- 6.5 **Essex Playing Field Association:** I am delighted to tell you that the Chairman and Cllr. Mrs. Sue Wilson attended the recent Awards evening and

received a total of 48 awards on the Council's behalf including 13 gold, 21 silver and 14 certificates of merit.

- 6.6 This reflects the high standard to which the Council maintains its parks and open spaces.

Fly tipping

- 6.7 On 14th July 2022 approximately 25 black sacks of waste were found fly- tipped in Pattiswick. Evidence within the waste showed that it had originated from a property in Islington, London. On 22nd July 2022 a further 25-30 black sacks of waste were found in Bovingdon Road, Braintree. These sacks also contained evidence that the waste had originated from the same address in Islington.
- 6.8 With the assistance of the London Borough of Islington, it was established that a house clearance had taken place and the waste had been disposed of illegally in the Braintree District. Fixed Penalty Notices totalling £1,100 were issued and paid in full. This serves as a warning to anyone thinking of committing an environmental crime in the Braintree District to think twice before doing so.
- 6.9 A resident was recently prosecuted for failure to comply with a notice served under the Microchipping Regulations to update the microchip in their dog. The defendant was convicted at Colchester Magistrates Court and fined £500 with costs of £726 and a victim surcharge of £50. Again, this serves as a reminder that the Council will not hesitate to pursue those intent on breaking the law.

A120 Clear-Up

- 6.10 The Council completed an autumn spring clean of the A120 Braintree bypass over 2 weekends (15-16 Oct & 22-23 Oct). Some 93 sacks of litter and 30 tonnes of street arisings (grit/dirt) were collected, along with other debris including:-
1. Loft/wall insulation panels and fibre, and foam pipe insulation
 2. Lengths of guttering, wooden planks, pot plant holders
 3. Various vehicle parts
 4. Animal carcasses (deer, badger, birds)
 5. Vacuum cleaner

ENVIRONMENT

Disabled Facility Grant

- 6.11 The Council's Disabled Facility Grant (DFG) Team has been shortlisted for the "Healthy Housing Awards 2022" DFG adaptations 'Service of the Year'. Being shortlisted is a fantastic achievement, for which the Team should be congratulated, and we wish them good luck for when the awards are

announced later this month. In the first six months of this financial year, over £0.5M of DFGs were approved.

Emergency Planning

- 6.12 The Emergency Planning Team is working with local parishes to review and update Parish Emergency Plans with the intention that these are finalised by February 2023.

Climate Change

- 6.13 The Council has received a Green Accreditation Award from Essex County Council for work undertaken on the green travel actions. Work is progressing to produce the new Green Travel Plan which should be completed this month.

Energy Efficiency

- 6.14 Energy Company Obligation (ECO) 4 Scheme has now commenced for those eligible on benefits, the Local Authority ECO FLEX element (for those with incomes under £31,000) has been finalised and went live on 14th November. These grants are available to residents on low income and vulnerable households to enable them to install energy efficient heating systems.
- 6.15 The Council successfully bid for and was awarded £1.65M of funding for the Local Authority Delivery Phase 3 “Sustainable Warmth” Grant scheme. This is geared more towards installing energy efficient improvements such as insulation, solar thermals, lighting, etc. All of those on the waiting lists have now been contacted with a view to processing their applications and award grants. In addition, significant promotion of the scheme has commenced to attract new applicants.
- 6.16 The Council has also submitted a joint bid with other Essex Local Authorities for the Home Upgrade Grant phase 2 which is for insulation and boiler upgrades for residents who live in off-grid gas areas.
- 6.17 The Social Housing Decarbonisation Fund is aimed at registered social landlords to assist them in improving the energy efficiency of their housing stock. Eastlight has completed 300 installations and is working with the Council and other partners to submit a further bid for grant funding for 150 properties for Round 2 of this grant.

Avian Flu

- 6.18 In September the Council was notified of a confirmed case of Avian Flu near Tolleshunt Major (Maldon District Council area), which saw the south of the district fall into a 10km Avian Flu Surveillance zone for the first time. Within the Braintree District, Trading Standards have confirmed a number of cases affecting the commercial sector (farms/poultry breeders).

6.19 On 27th September an Avian Influenza Prevention Zone (AIPZ) was announced by DEFRA covering Norfolk, Suffolk and parts of Essex including Braintree District. On 7 November, this zone was extended to include the whole of Great Britain. There are now areas of Braintree District that are covered by both the national AIPZ and also subject to further restrictions as they sit in Avian Flu Protection or Avian Flu Surveillance Zones.

6.20 It is very important that all keepers of poultry and captive birds follow the national rules and regulations and those in the heightened zones follow the additional restrictions and rules that apply for that zone.

6.21 More information can be found using the central government website which includes a map of all the zones and via the Council's website. The Avian Flu emergency response is being led by Government's Animal and Plant Health Agency with support from Essex County Council's Trading Standards and Essex Local Authorities including Braintree District Council.

7. Councillor Richard van Dulken – Cabinet Member for Operations and Commercialisation

Commercialisation

7.1 By way of a summary:

- All areas of traded activity (roundabouts, conference bookings etc.) are on target for 2022/23.
- Bookings at The Enterprise Centre and The Plaza are exceeding expectations.
- Staff will be vacating Operations' office at Unit 4 in March/April 2023, with most relocating to Causeway House, and some front-line management staff moving to the Lakes Innovation Centre.
- The shared procurement project with Essex is moving forward supported by authorities across Essex.

7.2 CommercialGov has provided an initial review of the existing commercial activity across the Council and identified some potential new opportunities. These will be explored in more detail and some may be fed into the Investment and Development programme.

Licensing

7.3 The Council's connection to the National Register of Taxi & Private Hire Licence Revocations and Refusals (NR3) is now operational and Braintree applicants are being checked against the register as part of the fit and proper status checks. The Licensing team continues to process a large volume of applications.

Waste & Recycling

- 7.4 The new waste management system successfully went live in October. Known as “Collective Performance” it includes new in-cab technology in the Waste and Street Cleansing vehicles, providing real time information that tracks the progress of collections and other work as it is undertaken.
- 7.5 Freegle membership in the Braintree District was 3,182 at the end of September. In August and September almost 6 tonnes of reusable items avoided going to waste.
- 7.6 In September residents recycled 54.5% of household waste (highest in 2022/23), with domestic waste dropping to 34 kgs per household, the lowest figure this year to date.

Parking

- 7.7 The parking machines installed at the Council's new car park at The Plaza were operational from October, with customers being able to use the cashless Pay & Display facility as well as MiPermit. This will provide additional parking revenue for the Council.
- 7.8 At the most recent North Essex Parking Partnership (NEPP) meeting in Harlow which Cllr. van Dulken attended, 7 new Traffic Regulation Orders in the Braintree District were approved by the Committee, with a further one to be approved at the NEPP's meeting in December.

Stansted Airport

- 7.9 As the Council's representative on the Stansted Airport Consultative Committee (STACC), I attended a meeting at the airport on 3 November. The Committee was informed that passenger numbers are up to 90% of the pre-Covid figure, and that from 2023 the new generation of scanners and X-ray machines will make passenger security procedures quicker and more effective.

CONNECTING PEOPLE, PLACES AND PROSPERITY

8. Councillor Tom Cunningham – Cabinet Member for Economic Growth

- 8.1 The Braintree Community Christmas event took place on 19th November 2022 across Braintree Town Centre. As well as hosting over 80 market stalls selling a variety of crafts, foods and drinks, we had charities and community groups in attendance and stage entertainment throughout the day from a range of local performers and groups. I would like to thank the team for organising the event and the businesses and stakeholders in the town centre that made the day so successful.
- 8.2 Over 400 businesses in the District have responded to the Council's latest business survey to gain intelligence as to the issues facing our local business community and how we might help to address them. The majority of businesses are focussed on increasing sales and reducing the costs, but the

ability to recruit staff is also being highlighted as an issue. 91.9% of businesses surveyed said they felt proud to trade in Braintree District.

- 8.3 Following the successful launch event, officers are designing an exciting programme of business support events and training to take place in the Plaza. Events will be open to all businesses across the District and will be focussed on the areas highlighted in our recent business survey as areas of development.
- 8.4 Tender packages for civils and landscaping work for both Witham and Halstead Town Centres have been released and responses will be considered in December. Once the tenders have been awarded, the Council will be able to release the detailed build phase for both towns. Ward members from the towns have been invited to attend an update session with officers.
- 8.5 I have been continuing to visit district businesses who are seeking business support. Legends Sports and Pool Bar, Braintree Museum/Warner Archive, and Quest Motors are businesses most recently visited. I learned the challenges these businesses are currently facing and have been working, with the support of the economic development team, to mitigate these issues and to support business growth. Businesses took the opportunity to share how the Council have supported them throughout the Covid-19 pandemic, including how the business grants that the Council distributed on behalf of the government have been a life-line to allow the businesses to continue to trade. Support delivered as a result of these visits have included establishing marketing and promotion opportunities, introducing businesses to peer networks, signing staff up for skill development schemes, and exploring corporate procurement opportunities. All district businesses have been invited to register an expression of interest for a visit and I look forward to a new round of visits recommencing in January

9. **Councillor Kevin Bowers – Cabinet Member for Housing, Assets and Skills**

Assets

- 9.1 Having commissioned a review of the Council's assets and asset management arrangements earlier this year, I am pleased to say that Lambert Smith Hampton have completed their work and offered Officers their final report. I am now working with Officers to consider the recommendations and will be bringing forward proposals as appropriate in the New Year to ensure that we actively manage our multiple assets in support of the Councils corporate objectives.

Sible Hedingham Medical Centre

- 9.2 Despite considerable efforts, there has been little progress with regard to the NHS approval of the One Medical Group business case. This continues to be monitored and officers are engaging regularly with One Medical Group and the NHS in order to reach the final approval stage for the project.

Maltings Lane Community Centre

- 9.3 Pre-application meetings have been held with the Council's planning team and its architects are ready to prepare a detailed planning application for submission once the tenant for the building is secured, subsequent to our recent expression of interest exercise.

Housing

- 9.4 The Council had its first successful rematch under Homes for Ukraine for a single person; they will remain in district. The Council are successfully exploring another family to enter the Private Rented Sector.
- 9.5 Essex Housing Awards took place on 3rd November; the Rough Sleeping Partnership won the prestigious "Working in Partnership" Award which is a great achievement.
- 9.6 The Rough Sleeping Partnership had also been nominated for the "Covid-19 Recovery" Award; the partnership came second and were commended for the work in supporting rough sleepers through the pandemic, lockdown, everyone in, move on and vaccination roll out.
- 9.7 The Council continue to work incredibly hard in partnership with our rough sleepers. In September 2022, four rough sleepers were seen, three were accommodated.
- 9.8 So far this year, 160 affordable properties completed which means that we are on target to complete 250 new affordable homes in 2022-2023.
- 9.9 The Housing Strategy is on target to go to Cabinet on 28th November and for public consultation to start in December 2022.

10. Councillor Mrs Gabrielle Spray – Cabinet Member for Planning and Infrastructure

- 10.1 The Council has applied to be a rule 6 party in the appeal lodged by Indaver against Essex County Councils' part refusal of the Action Plan submitted to discharge condition 66. This means that the Council will be able to give evidence to the Inspector on why we believe the developer should be required to build the whole Integrated Waste Management Facility.
- 10.2 The second quarter performance returns have recently been submitted to government and I can confirm that the performance figures for the determination of planning applications remain excellent. For major applications the achieved figure was 100%, for minor applications we achieved 95.5% and for other applications we stood at 94.4%. I would like to thank all members of the planning team for their continued hard work in achieving these excellent results.

- 10.3 Place Services are making good progress with the Conservation Area Appraisal and review of the Article 4 Direction in Silver End. A draft of the Conservation Area Appraisal is expected to be received by officers in November for review and will also be subject to consultation. Once the consultation is complete and any issues identified are dealt with, the Conservation Area Appraisal will be reported to Planning Committee. This is expected in early 2023. Work will then commence on the Conservation Area Guide and further engagement will take place. A more detailed timescale for the completion of the guide will be provided in early 2023.