



Public Document Pack

Uttlesford District Council

Chief Executive: Dawn French

Cabinet

Date: Tuesday, 26th November, 2019

Time: 7.00 pm

Venue: Foakes Hall, Great Dunmow

Leader and Chair: Councillor J Lodge

Members: Councillors A Armstrong, H Asker, D Eke, J Evans, N Hargreaves, P Lees and L Pepper

Other attendees: Councillors S Barker (Conservative Group Leader), A Dean (Liberal Democrat Group Leader), P Fairhurst (Green Party Group Leader) and R Pavitt (Uttlesford Independent Group Leader); N Gregory (Chair of Scrutiny Committee) and E Oliver (Chair of Governance, Audit and Performance Committee)

Public Speaking

At the start of the meeting there will be an opportunity of up to 15 minutes for members of the public to ask questions and make statements subject to having given notice by 12 noon two working days before the meeting. A time limit of 3 minutes is allowed for each speaker. Please refer to further information overleaf.

AGENDA PART 1

Open to Public and Press

1 Apologies for Absence and Declarations of Interest

To receive any apologies for absence and declarations of interest.

2 Minutes of the Previous Meeting

5 - 10

To consider the minutes of the previous meeting.

- 3 Questions or Statements from Non-Executive Members of the Council (standing item)**
- To receive questions or statements from non-executive members on matters included on the agenda.
- 4 Matters Referred to the Executive by the Scrutiny Committee or by the Council (standing item)**
- To consider matters referred to the Executive for reconsideration in accordance with the provisions of the Overview and Scrutiny Procedure Rules or the Budget and Policy Framework Rules.
- 5 Consideration of reports from overview and scrutiny committees (standing item)**
- To consider any reports from Scrutiny Committee.
- 6 Report of Delegated Decisions taken by Cabinet Members (standing item)**
- To receive for information any delegated decisions taken by Cabinet Members since the previous Cabinet meeting.
- 7 Report on assets of community value determined by the Assets of Community Value and Local Heritage List Committee (standing item)**
- To receive for information any decisions made by the Assets of Community Value and Local Heritage List Committee since the previous Cabinet meeting.
- 8 Budget Outturn 2019/20 - Qtr. 2 Forecast** 11 - 34
- To consider the Budget Outturn 2019/20 - Qtr. 2 Forecast.
- 9 Treasury Management Mid-Year Review** 35 - 50
- To consider the Treasury Management Mid-Year Review.
- 10 Local Council Tax Support Scheme 2020/21 Consultation Responses** 51 - 66
- To consider the report on Local Council Tax Support Scheme 2020/21 Consultation Responses.
- 11 Felsted Neighbourhood Plan** 67 - 216
- To consider the report on the Felsted Neighbourhood Plan.

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| 12 | North Essex Economic Strategy | 217 - 254 |
| | To consider the report on the North Essex Economic Strategy. | |
| 13 | Corporate Plan Delivery Plan 2019/20 Quarter 2 Progress Update | 255 - 274 |
| | To consider the Corporate Plan Delivery Plan 2019/20 Quarter 2 Progress Update. | |
| 14 | Report from Scrutiny Committee regarding AECOM engagement | 275 - 282 |
| | To consider the report from Scrutiny Committee regarding AECOM's engagement. | |
| 15 | Museum Collections Care and Access Policies | 283 - 306 |
| | To consider the report on the Museum Collections Care and Access Policies. | |
| 16 | Proposed Changes to Cabinet Committees and Working Groups and Outside Bodies | 307 - 310 |
| | To consider the proposed changes to the membership of Cabinet Committees and Working Groups and Outside Bodies | |
| 17 | Exclusion of the Public and Press | |
| | Consideration of reports containing exempt information within the meaning of section 100I and paragraph 1 part 1 Schedule 12A Local Government Act 1972. | |

PART 2

Exclusion of Public and Press

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| 18 | Review of the Housing Repairs and Facilities Services | To Follow |
| | To consider the review of the Housing Repairs and Facilities Services. | |

MEETINGS AND THE PUBLIC

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The agenda is split into two parts. Most of the business is dealt with in Part I which is open to the public. Part II includes items which may be discussed in the absence of the press or public, as they deal with information which is personal or sensitive for some other reason. You will be asked to leave the meeting before Part II items are discussed.

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Agenda Item 2

CABINET held at COMMITTEE ROOM - COUNCIL OFFICES, LONDON ROAD, SAFFRON WALDEN, ESSEX CB11 4ER, on THURSDAY, 26 SEPTEMBER 2019 at 5.00 pm

Present: Councillor J Lodge (Chair)
Councillors A Armstrong, D Eke, P Fairhurst, N Hargreaves and B Light

Officers in attendance: D French (Chief Executive), R Auty (Assistant Director - Corporate Services), A Bochel (Democratic Services Officer), A Knight (Assistant Director - Resources) and A Webb (Director - Finance and Corporate Services)

Public speaker: R Woodcock

CAB32 PUBLIC SPEAKING

Ray Woodcock spoke on the possibility of an additional NHS licensed prescription dispensing pharmacy in Stansted Mountfitchet. A summary of this statement is appended to these minutes.

CAB33 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies were received from Councillors Asker, Barker, Dean, Gerard, Lees and Pepper.

CAB34 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting on 15 July were approved and signed as a correct record.

CAB35 CONSIDERATION OF REPORTS FROM OVERVIEW AND SCRUTINY COMMITTEES (STANDING ITEM)

The Chair of Scrutiny Committee said the Committee had met the previous week. There had been positive work by the Planning Obligations and Conditions Task and Finish Group.

Scrutiny Committee requested that the Portfolio Holder for Business, Economy, Jobs, Investment and Strategy; Youth Services to discuss how the Scrutiny Committee could be better involved in the investment process.

A matter referred by Cabinet to the Scrutiny Committee would be brought back to Cabinet in October. The matter raised an issue about a degree of mistrust in

the Council as a body corporate. Some of this was a settling-in issue for the new administration.

CAB36 REPORT ON ASSETS OF COMMUNITY VALUE DETERMINED BY THE ASSETS OF COMMUNITY VALUE AND LOCAL HERITAGE LIST COMMITTEE (STANDING ITEM)

The Chair said it had been determined by the Assets of Community Value and Local Heritage List Committee to designate the Felsted Community Hall and the Adult Community Learning Venue and Essex Cares Ltd Day Centre as assets of community value.

CAB37 BUDGET OUTTURN 2019/20 - QTR. 1 FORECAST

The Portfolio Holder for Finance and the Budget gave a summary of the report, which detailed financial performance relating to the General Fund, Housing Revenue Account, Capital Programme and Treasury Management. It was based upon actual expenditure and income from April to June and predicted a forecast for the end of the 2019/20 financial year.

The Portfolio Holder for Finance and the Budget noted everything was as expected.

RESOLVED to approve the General Fund, Housing Revenue Account and Capital Programme outturn forecast position and the updated use of reserves.

CAB38 SAFFRON WALDEN MUSEUM COLLECTIONS DEVELOPMENT POLICY 2020-2025

The Portfolio Holder – Education and Libraries; Culture and Heritage gave a summary of the report, which explained the Accreditation Scheme for Museums and Galleries and the review procedures, and listed policy documents with a timetable for submission via the Museum Management Working Group to Cabinet for approval between September 2019 and April 2020. This began with the Collections Development Policy 2020-25 which accompanied the report.

The Portfolio Holder – Education and Libraries; Culture and Heritage proposed that a letter of thanks be sent to the Museum Society for its work.

Members commended the work of the Museum.

RESOLVED to:

- 1) approve the Collections Development Policy as appended to the report;
- 2) write a letter of thanks to the Museum Society.

CAB39 CORPORATE PLAN DELIVERY PLAN 2019/20 QUARTER 1 PROGRESS UPDATE

The Portfolio Holder for Business, Economy, Jobs, Investment and Strategy; Youth Services gave a summary of the report, which set out progress against the Corporate Plan Delivery Plan between April and June (Q1), and provided more recent update where progress since the end of June has been significant.

The Portfolio Holder for Business, Economy, Jobs, Investment and Strategy; Youth Services said the Council was working on a new corporate plan to reflect the goals of the new administration. Corporate strategy would be fleshed out through a Strategy Board.

CAB40 ESTABLISHMENT OF AN ENERGY AND CLIMATE CHANGE WORKING GROUP

The Chair said that the Portfolio Holder for Environment and Green Issues; Equalities could not attend to present the report. A motion had been passed at Council requesting that Cabinet establish an Energy and Climate Change Working Group as part of a commitment to achieving net-zero carbon status by 2020 and enhancing biodiversity.

RESOLVED to establish an Energy and Climate Change Working Group.

CAB41 COMMERCIAL STRATEGY

The Portfolio Holder for Business, Economy, Investment, Jobs and Strategy; Youth Services gave a summary of the report, which presented the revised Commercial Strategy, and recommended the change of name of the associated Working Group.

The Portfolio Holder for Business, Economy, Investment, Jobs and Strategy; Youth Services said the governance procedure of the strategy was key. The Council was not an investment machine and the Council had to be exemplary in its processes. The strategy defined how and why the Council began an investment.

The Leader said Members were aware that it was necessary for the Council to invest in good opportunities in order to continue to maintain an excellent quality of service.

In response to a Member question, the Director – Finance and Corporate Services said a line in the strategy should read ‘the Investment Portfolio may include a mix of’ instead of ‘the Investment Portfolio will include a mix of’. He would ensure this change was made. The terms of reference for the Investment Strategy Board would come back to Cabinet for approval.

In response to a Member question, the Portfolio Holder for Business, Economy, Investment, Jobs and Strategy; Youth Services said the Commercial Strategy was a living document and would evolve based on the guidance of the Board.

RESOLVED to:

- 1) approve the Commercial Strategy and recommend it to Council for adoption;
- 2) approve the renaming of the Investment Steering Group to the Investment Board;
- 3) authorise the recruitment of two independent members of the Investment Board with the associated remuneration of £520.25.

CAB42 APPOINTMENT TO WORKING GROUPS

The agenda pack included a list of proposed members for the Energy and Climate Change Working Group and for the Investment Strategy Board.

Councillor Sell asked how the membership of the groups was decided. There was only one Liberal Democrat on the Investment Strategy Board, as opposed to two on the Energy and Climate Change Working Group.

The Portfolio Holder for Business, Economy, Jobs, Investment and Strategy; Youth Services said he wanted to build a group with a deep level of skill on the Investment Board. He invited Councillor Sell to join the Board.

RESOLVED to

- 1) appoint members to the Energy and Climate Change Working Group and the Investment Strategy Board as detailed in the report;
- 2) appoint Councillor Sell to the Investment Strategy Board.

CAB43 ASPIRE (MRH) LTD

The Director – Finance and Corporate Services gave a summary of the report which sought Cabinet approval to establish Aspire (MRH) Ltd as the vehicle to deliver the market rent housing units.

Members discussed the possibility of a Councillor acting as one of the directors of this company. It was agreed to discuss this at a later date.

RESOLVED to:

- 1) approve the establishment of Aspire (MRH) Ltd;
- 2) agree the Articles of Association for Aspire (MRH) Ltd as set out at Appendix One;
- 3) appoint the following directors to Aspire (MRH) Ltd;
 - a) Nicola Wittman (UDC Assistant Director of ICT and Facilities)

- b) Adrian Webb (UDC Director of Finance and Corporate Services)
- 4) authorise the recruitment of the two independent members of Aspire (MRH) Ltd with the associated remuneration of £520.25 each per annum
- 5) discuss the possibility of appointing one or more district councillors as a company director at a later date

CAB44 **LOAN TO ASPIRE (MRH) LTD**

The Portfolio Holder – Business, Economy, Investment, Jobs, Strategy; Youth Services gave a summary of the report which presented an opportunity to acquire 10 student accommodation apartments in Cambridge through the Council's wholly owned subsidiary Aspire (MRH) Ltd.

Members discussed whether Cabinet should consult the Investment Strategy Board before approving the recommendations. The Director – Finance and Corporate Services said while the Board had not met as an official working group, each member of the Board had been kept informed of the investment, and no objection had been raised. There was a need to make a decision tonight because there would not be another opportunity before Council.

In response to a Member question, the Director – Finance and Corporate Services said Pubeck House would be available for other types of market rent rather than solely as student accommodation.

In response to a Member question, the Director – Finance and Corporate Services said maintenance was organised by a management company for Purbeck House. The cost of this was included in the service charge and ground rent, and had already been factored into the Council's costings.

RESOLVED to approve:

- 1) the acquisition of the 10 student accommodation apartments at Purbeck House in Cambridge;
- 2) the loan of up to £2.1m to Aspire (MRH) Ltd for a period of 10 years, at an interest only rate of 5.5%;
- 3) a request that Council endorses the purchase and loan and authorises the necessary borrowing.

The meeting ended at 6.35.

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Agenda Item 8

Committee:	Cabinet	Date:	Tuesday, 26 November 2019
Title:	Budget Outturn 2019/20 - Qtr. 2 Forecast		
Portfolio Holder:	Portfolio Holder for Finance and Budget		
Report Author:	Angela Knight, Assistant Director - Resources aknight@uttlesford.gov.uk	Key decision:	N

Summary

1. This report details financial performance relating to the General Fund, Housing Revenue Account, Capital Programme and Treasury Management. It is based upon actual expenditure and income from April to September and predicts a forecast for the end of the 2019/20 financial year.
2. The General Fund is forecasting a £7,000 overspend, made up of small net variances in direct services and net reductions in capital financing.
3. The Housing Revenue Account is forecasting a net operating surplus of £400,000; after in year reserves adjustments this gives an overall budget surplus of £317,000.
4. The Capital Programme is forecasting a current year underspend of £6,834,000; this is due to requested slippage of £7,068,000 to be carried forward to 2020/21. This leaves an actual overspend of £234,000.
5. Treasury management activity has been in accordance with the Strategy.

Recommendations

6. The Cabinet is recommended to approve the General Fund, Housing Revenue Account and Capital Programme outturn forecast position and the updated use of reserves.

Financial Implications

7. Any financial implications are contained in the body of this report.

Background Papers

8. No background papers have been referred to in the preparation of this report.

Impact

- 9.

Communication/Consultation	Budget Managers and Corporate Management Team
Community Safety	N/A

Equalities	N/A
Health and Safety	N/A
Human Rights/Legal Implications	N/A
Sustainability	N/A
Ward-specific impacts	N/A
Workforce/Workplace	N/A

General Fund Revenue Account

10. The net operating expenditure is £3,233,000 underspent and after adjusting for the associated use of reserves, this gives an overall net overspend of £7,000. The following table provides a summary of the budget outturn and full details of service income and expenditure is shown in Appendix A.

£'000	2018/19	2019/20			
	Outturn	Original Budget	Current Budget	Forecast Outturn	Variance
Communities & Partnerships	778	895	853	1,288	435
Housing & Economic Development	1,485	1,792	1,792	1,756	(35)
Environmental Services	2,454	3,481	4,123	4,006	(117)
Finance & Administration	5,507	6,781	6,181	5,757	(424)
Portfolio (Service) Budgets	10,224	12,948	12,948	12,807	(141)
Corporate Items	(1,736)	(1,705)	4,031	939	(3,091)
Total Net Budget	8,487	11,243	16,979	13,746	(3,233)
Funding	(5,614)	(7,609)	(7,609)	(7,662)	(53)
Net Operating Profit	2,874	3,634	9,370	6,085	(3,286)
Transfers to/(from) Reserves	2,457	2,023	(3,713)	(420)	3,293
OVERALL NET POSITION	5,331	5,657	5,657	5,664	7

Budget Movements (original to current)

11. The original budget for 2019/20 approved by Council on 25 February has been updated and this is reflected in the current budget. The adjustments relate to the following items:

- Services (Portfolio's) – No changes to the overall budget total for services. To allow for more transparency and clarity of spending relating to Garden Communities a new cost centre has been set up. The total budget movements are £909,000, this will now all be managed and reported within Garden Planning (GPP), the budget virements are as follows:

- £600,000 from Corporate Team for Garden Communities delivery
 - £309,000 from Planning Policy for Development Plan Document preparation
- Capital Financing – the increase in the current budget from the original of £5,736,000 is the financing of the capital programme slippage brought forward from 2018/19 as approved at July Cabinet.

Variations

12. The forecasted position is a bottom line variance of £7,000 overspend compared to the quarter one position of £79,000 underspend, this is a total increased spend of £86,000. This key changes to the variances are;
- Planning Appeals - £255,000 - increased cost and this was reported in September as a post quarter end balance but it was not included in the actual costs
 - Housing Benefits - £175,000 - subsidy income originally calculated at 98% of expenditure, due to updated information and accuracy rates this has been uplifted to 99%
13. The services budget is predicting a net underspend of £141,202, after adjusting for the associated reserves movements the actual variance in direct services is a net underspend of £141,714.
14. The table below gives a summary of the under and overspends related to each portfolio service area. The table also identifies whether these are for one year only or expected to continue in future years (ongoing) and the reserves movements directly associated to service activities. Further details of the reserves movements can be found in paragraph 21.

	Savings/Additional Income		Increased costs/Decreased		Other Immaterial	Total Net Variance
	One off savings	Ongoing savings	One off Growth	Ongoing Growth		
Communities & Partnerships	(83,000)	(33,800)	525,000	37,170	(10,798)	434,572
Housing & Economic Development	(328,340)	(17,470)	308,030	0	2,367	(35,413)
Environmental Services	(785,220)	(454,993)	899,450	224,900	(990)	(116,853)
Finance & Admin	(721,216)	(1,817,512)	328,920	1,788,836	(2,536)	(423,508)
Total Service Variances	(1,917,776)	(2,323,775)	2,061,400	2,050,906	(11,957)	(141,202)
Use of reserves						
Grants & Contributions			(500,000)			
Corporate Management	184,968					
Communications			(43,000)			
Planning Policy			(37,330)			
Development Control			(25,000)			
Legal Services			(11,870)			
Garden Communities	255,500					
Homelessness	116,220					
Private Finance Init	48,000					
Health Improvement	12,000					
Actual Service Variances net of reserves	(1,301,088)	(2,323,775)	1,444,200	2,050,906	(11,957)	(141,714)

15. The key variances greater than £30,000 that are not funded through the use of reserves are detailed below:

Overspends

- Development Control, £352,000 - this relates to the increase in planning appeals and the professional fees and legal costs related to the undetermined Stansted Airport planning application.
- Building Surveying, £95,000 - income has decreased due to reduced applications

Underspends

- Housing Benefits Subsidy - £175,000 - subsidy income originally calculated at 98% of expenditure due to updated information and accuracy rates this has been uplifted to 99%
- Waste and Recycling - £72,000 is due to the reduced cost of diesel and providing the bin delivery service in house
- Council Tax Discounts - £62,000 is an increase in the income from the Essex Sharing Agreement for additional tax base growth in year
- Planning Policy, £55,000 - service restructure reduced staffing by 1 full time post
- Financial Services, £45,000 - insurance renewal (all categories) has generated a reduced premium
- Public Health, £38,000 - additional income due to higher levels of food imports through the Border Inspection Post at Stansted Airport.
- Central Services, £33,000 underspend - staff vacancy

16. The variance of £3,091,000 in the Corporate costs relate to the following items:

- Capital Financing – the decreased cost of financing is for two capital projects, the New Depot Site and the Superfast broadband project, this has no bottom line budget impact as both these are funded directly from the reserves where there is a contra entry
- Investment Income/charges – the net increase of £116,000 (reduction in borrowing costs and increase in income) is due to the re-profiling of the additional loans to Aspire (CRP) Ltd

Key Risks

17. The outturn forecast is the most informed prediction we have at this point in time and is reliant on estimates and assumptions provided by service managers.

18. Detailed below are the areas which are deemed as **HIGH** risk and have the potential to materially affect our year-end financial position.

- **Planning** (Local Plan)– the Stage 1 Hearings concluded on 18 July and whilst there was nothing unexpected to arise from the sessions, there are a series of examination actions that must be completed ahead of the second stage. The Inspectors have said that once they have reviewed the council’s responses they will write to the council with their initial findings and advice on the next steps. This has been delayed by the pre-election period and therefore the risk level remains unchanged.
- **Planning Appeals** - Forecasting whether decisions will be appealed is difficult to assess, and costs could continue to escalate above the overspend currently reported
- **Business Rates Retention** - the total business rate income recognised in the Council’s account is subject to change, due to the difficulty in estimating the year end business rate levy, realisation of appeals and the impact of revaluations carried out by the Valuation Office Agency (VOA). The Council is reliant on the VOA to release these figures and for UDC’s consultant to assess the potential impact on the appeals provision at year end promptly. The actual position is not known until year end and it is difficult to estimate this during the year.
- **Housing Benefit Subsidy Income Claims** – due to the complexity of the subsidy claim, a change in number of claimants throughout the year and the high financial value of the subsidy income, even a small % change can have a significant impact on the budget. For example a 1% change to caseload can increase or decrease the bottom line by approximately £68k.

General Fund Reserves

19. The balance of all reserves at 1 April 2019 was £17,420,000, with a predicted net drawdown of £420,000 which leaves an estimated year-end balance of £16,999,000. The complete reserves position is set out in Appendix B.

20. Within ‘all reserves’ are usable reserves which had a balance of £13,033,000 at 1 April 2019 with a predicted net drawdown of £955,000, this leaves a year-end balance of £12,078,000.

21. The current budget had an estimated £3,713,000 net use of reserves; the current forecast shows a net reduction of £3,293,000 in the amount of reserves required in-year. The changes to and (from) reserves are detailed in the following table:

Service Area	Amount £	Details of transfer
Grants & Contributions	(500,000)	Funds allocated for Carver Barracks Grant
Communications	(43,000)	Funds allocated for Citizen Access implementation
Planning Policy	(37,330)	Additional funding for consultancy on Local Plan
Development Control	(25,000)	Drawdown to cover reduced S106 funds in year
Legal Services	(11,870)	Funding for additional resource for review of the governance process
Garden Communities	255,500	Funding to be carried forward to future year/s
Corporate Management	184,968	Government funding for additional work relating to EU Exit
Homelessness	116,220	Government funding for programme of work to support homelessness
Private Finance Init	48,000	Additional income to support predicted future year deficits
Health Improvement	12,000	External funding to support programme of work for health and wellbeing
Service Movement to / (from) Reserves	(512)	
Business Rates	110,672	Estimated surplus to support future years deficits
Capital Slippage	604,000	Funding Contribution for superfast broadband not required in year
New Homes Bonus Ward Members	16,000	Release of grant income as per criteria for council new administration
Waste Depot Relocation Project	2,563,000	Funding of the depot not required in line with the slippage in the capital programme
Total Movement to / (from) Reserves	3,293,160	

Housing Revenue Account (HRA)

22. The HRA is forecasting a net operating surplus of £400,000. A detailed budget analysis is attached as Appendix C and the following table gives a summary of the key items of income and expenditure.

£'000	2019/20			
	Original Budget	Current Budget	Forecast Outturn	Variance
Total Service Income	(15,352)	(15,352)	(15,800)	(448)
Total Service Expenditure	4,491	4,491	4,523	32
Total Corporate Items	10,710	10,710	10,726	16
OPERATING (SURPLUS)/DEFICIT	(150)	(150)	(550)	(400)
Funding of Capital Programme from HRA	2,690	2,690	2,612	(78)
Use of Reserves	(2,539)	(2,539)	(2,379)	160
Total Use of Reserves/Funding	151	151	233	83
(SURPLUS)/DEFICIT	0	0	(317)	(317)

23. The key variances are related to increased income and are detailed below;

- £141,000 - additional service charge and rental income of £184,000 due to Reynolds Court being completed and units being tenanted earlier than anticipated. This is offset against additional costs of £43,000 relating to the council's element of the utilities supply
- £265,000 – compensation claim relating to the infrastructure works at Stansted Airport and the financial impact on the housing stock values

24. The HRA reserves position as at the 1 April 2019 is £3,042,000; after allowing for in-year forecast drawdowns on reserves of £379,000 this leaves an estimated year-end balance of £2,663,000. Full details of all the reserves can be seen in Appendix D.

Capital Programme

25. The Capital Programme original budget was set at £11,772,000 after allowing for capital slippage from 2018/19 of £11,034,000 (approved by Cabinet in the Budget Outturn report presented on 15 July) this gives an updated current budget of £22,806,000. Full details of the capital programme are shown in Appendix E; this includes tables detailing the Section 106 balances.

26. The total predicted spend for the year is £15,972,000 generating a net underspend of £6,834,000; after allowing for in year slippage of £7,068,000 this leaves an actual overspend of £234,000.

27. The reported slippage in 2019/20 to be carried forward to 2020/21 is due to the following projects:

General Fund

- Depot Relocation, £2,563,000 – The depot planning application was submitted in the Spring. However a speculative application, to which the council is not a party, has been submitted by a landowner promoting a different site as suitable for the council depot. Public consultation responses to one site reference the other and therefore it has been decided that both applications must go to the same Planning Committee meeting on the 11 December 2019. The delay will inevitably mean that, at best, the land will be acquired in the current year with build works starting in early 2020/21
- Superfast Broadband, £600,000 – Gigaclear have announced that the completion of the rollout of full fibre broadband for Uttlesford has been delayed until December 2021

Housing Revenue Account

- The Moors, £1,960,000 – the formal processes of planning approval and the subsequent contractor procurement process took longer than anticipated, as of 4th November a contract has been awarded
- Walden Place, £1,762,000 – A Joint Venture was being reviewed as an option for delivery, it has now been agreed the council will carry out the works directly. Discussions have been ongoing with planners and the conservation service to work up plan drawings to allow a Pre-App to be submitted

Treasury Management

28. Treasury Management Activities have been in accordance with the strategy. Full details of all the council's investments and borrowing is attached as Appendix F.

29. The HM Treasury increased the interest rates by 1% on Public Works Loan Board (PWLB) lending from the 7 October on new borrowing only. The following is an extract from the HM Treasury correspondence.

'PWLB lending is offered at a fixed margin above the Government's cost of borrowing, as measured by gilt yields. The Treasury raised the margin over gilts to 100bps (one percentage point) in 2010, to better reflect the availability of capital finance, and lowered it to 80bps over gilts in 2013 for qualifying authorities.

Some local authorities have substantially increased their use of the PWLB in recent months, as the cost of borrowing has fallen to record lows. HM Treasury is therefore restoring interest rates to levels available in 2018, by increasing the margin that applies to new loans from the PWLB by 100bps (one percentage point) on top of usual lending terms.

This restoration of normal PWLB lending rates will apply to all new loans with immediate effect. The Government will monitor the impact of this change and keep rates policy under review.'

30. The average rates of interest for the period April to September are shown in the table below; this also shows the change in the average rate between quarters.

	Quarter 1	Quarter 2
Investments short term	0.55%	0.58%
Borrowing short term	0.75%	0.69%

31. The council's long term investments relate to the loan to Aspire (CRP) Ltd for the purchase of the 50% share of Chesterford Research Park and the ongoing development of the park. The table below provides details of both the actual investments to date and future agreed amounts:

Drawdown Date	Amount £'000	Term	Rate %	Basis	Annual Interest Receivable £'000
03/05/2017	47,250	50 years	4	Interest only	1,890
26/03/2018	223	49 years 1 months	4	Interest only	8,920
02/01/2019	2,518	48 years 4 months	4	Interest only	100,720
20/08/2019	3,000	20 years	4.5	Principal and Interest	78,750
TBC	1,250	Ending on 20/08/39	4.5	Principal and Interest	0

32. The additional funds to Aspire (CRP) Ltd are for the refurbishment and refit of the Newnham building.

33. The council has two long term loans

- General Fund, £10,000,000 with Phoenix Life Ltd as the first tranche of funding for the council's investment in Aspire (CRP) Ltd on an interest only basis. The fixed rate of interest of 2.86%, gives an annual interest payment of £286,000.
- Housing Revenue Account, £84,807,000 to fund the purchase of the council's housing stock; this is a mix of fixed and variable rate loans. The annual interest payment is £2,604,000 with a current annual principal repayment of £2,000,000.

Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
Actual income and expenditure will vary from forecast, requiring adjustments to budget and/or service delivery. Detailed risks are set out in paragraphs 16 - 20 in the main body of the report.	2 – some variability is inevitable	2 – budget will be closely monitored and prompt action taken to deal with variances	Budgetary Monitoring and monthly analysis of the financial position

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

General Fund Summary – 2019/20

£'000	2018/19 Outturn	April to September			2019/20			
		Current Budget	Actuals to Date	Variance to Date	Original Budget	Current Budget	Forecast Outturn	Forecast to Budget Variance
Portfolio Budgets								
Community & Partnerships	778	419	887	468	895	853	1,288	435
Housing & Economic Development	1,485	891	478	(413)	1,792	1,792	1,756	(35)
Environmental	2,454	1,910	1,558	(352)	3,481	4,123	4,006	(117)
Finance & Administration	5,507	3,109	2,887	(221)	6,781	6,181	5,757	(424)
Total - Portfolio Budgets	10,224	6,329	5,810	(518)	12,948	12,948	12,807	(141)
Corporate Items								
Capital Financing Costs	1,704				1,892	7,628	4,653	(2,975)
Interest Charges	382				495	495	469	(26)
Investment Income	(1,971)				(2,119)	(2,119)	(2,209)	(91)
Impairment allowance	8				0	0	0	0
Pension Fund - Added Years	87				85	85	85	0
Corporate Core HRA Share	(374)				(366)	(366)	(366)	0
Recharge to HRA	(1,572)				(1,693)	(1,693)	(1,693)	0
Subtotal - Corporate Items	(1,736)				(1,705)	4,031	939	(3,091)
Subtotal - Budgets	8,487				11,243	16,979	13,746	(3,233)
Funding								
Council Tax - Collection Fund Balance	(14)				(67)	(67)	(67)	0
Business Rates - Collection Fund Balance	384				(941)	(941)	(1,052)	(111)
Business Rates - UDC Share (net of tariff)	(2,201)				(2,577)	(2,577)	(2,205)	372
Business Rates - Levy/(Safety Net) Payment	762				566	566	457	(109)
Business Rates - Section 31 Funding	(1,274)				(1,212)	(1,212)	(1,422)	(210)
Business Rates - Renewable Energy Schemes	(126)				(129)	(129)	(124)	5
Rural Services Delivery Grant	(279)				(279)	(279)	(279)	0
New Homes Bonus	(2,864)				(2,969)	(2,969)	(2,969)	0
Subtotal - Funding	(5,614)				(7,609)	(7,609)	(7,662)	(53)
Net Operating Expenditure	2,874				3,634	9,370	6,085	(3,286)
Transfer to/(from) Reserves								
Business Rates	280				941	941	1,052	111
Licensing	90				24	24	24	0
Capital Slippage	205				0	(1,173)	(569)	604
Working Balance	(49)				28	28	28	0
Medium Term Financial Strategy	336				0	0	0	0
Transformation	(9)				0	0	(55)	(55)
EU Exit	128				200	200	385	185
Funding	0				1,060	1,060	1,060	0
Economic Development	46				0	0	0	0
Elections	25				(55)	(55)	(55)	0
Homelessness	92				(20)	(20)	96	116
Health and Wellbeing	26				0	0	12	12
Planning and Development	(183)				(309)	(309)	(318)	(9)
Strategic Initiatives	0				0	0	(500)	(500)
Development Projects	1,152				0	0	202	202
New Homes Bonus Ward Members	(16)				(16)	(16)	0	16
Waste Depot Relocation Project	280				0	(4,563)	(2,000)	2,563
Waste Management	(14)				170	170	170	0
Private Finance Initiative	67				0	0	48	48
Subtotal - Movement in General Fund Reserves	2,457				2,023	(3,713)	(420)	3,293
COUNCIL TAX REQUIREMENT	5,331				5,657	5,657	5,664	7
Council Tax (precept levied on Collection Fund)	(5,330)				(5,657)	(5,657)	(5,657)	0
(Surplus)/Deficit	0				0	0	7	7

Community and Partnerships

£'000	2018/19 Outturn	2019/20			
		Original Budget	Current Budget	Forecast Outturn	Variance Qtr.2
Community Information	48	47	47	49	2
Day Centres	67	73	73	78	4
Emergency Planning	1	26	26	26	0
Grants & Contributions	351	358	358	851	493
Leisure & Performance	67	83	41	41	(1)
Saffron Walden Museum	186	215	215	213	(2)
New Homes Bonus	96	78	78	78	0
Private Finance Init	(32)	15	15	(38)	(53)
Communities Partnership	0	0	0	0	0
Renovation Grants	(5)	0	0	(11)	(11)
Portfolio Total	778	895	853	1,288	435

Housing and Economic Development

£'000	2018/19 Outturn	2019/20			
		Original Budget	Current Budget	Forecast Outturn	Variance Qtr.2
Building Surveying	(40)	(126)	(126)	(20)	106
Committee Admin	294	346	346	340	(5)
Customer Services Centre	379	451	451	453	2
Democratic Represent	324	361	361	361	0
Economic Development	225	265	265	265	(0)
Energy Efficiency	26	34	34	30	(4)
Health Improvement	119	155	155	128	(27)
Homelessness	89	234	234	121	(113)
Lifeline	(155)	(159)	(159)	(159)	0
Communications	224	229	229	236	7
Portfolio Total	1,485	1,792	1,792	1,756	(35)

Environmental Services

£'000	2018/19 Outturn	2019/20			
		Original Budget	Current Budget	Forecast Outturn	Variance Qtr.2
Animal Warden	29	16	16	8	(8)
Grounds Maintenance	296	333	333	335	2
Car Park	(732)	(661)	(661)	(682)	(21)
Development Control	(499)	(241)	(245)	107	352
Depots	45	51	51	49	(2)
Garden Planning	0	0	909	654	(256)
Street Cleansing	411	403	403	433	30
Housing Strategy	50	54	54	54	0
Highways	(0)	4	4	3	(1)
Local Amenities	8	(12)	(12)	(13)	(1)
Licensing	(257)	(375)	(375)	(378)	(3)
Vehicle Management	496	477	477	466	(11)
Public Health	584	669	669	611	(59)
Planning Management	345	385	392	381	(11)
Planning Policy	437	1,334	1,022	965	(56)
Planning Specialists	145	151	151	146	(5)
Waste Management	578	363	363	291	(72)
Community Safety	235	286	328	322	(6)
Street Services	284	244	244	254	10
Portfolio Total	2,454	3,481	4,123	4,006	(117)

Finance and Administration

£'000	2018/19 Outturn	2019/20			
		Original Budget	Current Budget	Forecast Outturn	Variance Qtr.2
Benefits Admin	224	301	301	293	(8)
Corporate Management	1,070	1,291	1,291	1,112	(180)
Conveniences	20	20	20	20	0
Central Services	449	444	444	401	(43)
Corporate Team	40	682	82	91	10
Conducting Elections	1	101	101	114	13
Electoral Registration	31	55	55	48	(7)
Financial Services	1,098	1,111	1,111	1,069	(42)
Housing Benefits	(5)	72	72	(103)	(175)
Human Resources	299	280	280	295	15
Internal Audit	126	139	139	144	5
Information Technology	1,362	1,402	1,402	1,407	5
Land Charges	(86)	(88)	(88)	(66)	22
Legal Services	186	179	179	178	(1)
Local Taxation	(108)	(90)	(90)	(100)	(10)
Non Domestic Rates	(144)	(144)	(144)	(146)	(2)
Office Cleaning	179	208	208	211	3
Offices	376	377	377	423	46
Revenues Admin	536	582	582	570	(11)
Council Tax Discounts	(150)	(141)	(141)	(203)	(62)
Portfolio Total	5,507	6,781	6,181	5,757	(424)

General Fund Reserves

£'000	Balance	Forecast Transfer From	Forecast Transfer to	Forecast Transfer	Forecast Balance
	1st April 2019	General Fund	General Fund	Between Reserves	31st March 2020
<u>RINGFENCED RESERVES</u>					
Business Rates	1,781	1,052			2,833
Departments for Work and Pensions	71				71
Licensing	90	57	(33)		114
Capital Slippage	1,171		(569)		602
Working Balance	1,272	28			1,300
TOTAL RINGFENCED RESERVES	4,387	1,137	(602)	0	4,921
<u>USABLE RESERVES</u>					
<u>Financial Management Reserves</u>					
Medium Term Financial Strategy	1,336	450	(450)		1,336
Transformation	1,168		(55)		1,114
EU Exit	128	385			513
Funding	0	1,060			1,060
	2,632	1,895	(505)	0	4,022
<u>Contingency Reserves</u>					
Emergency Response	40				40
	40	0	0	0	40
<u>Service Reserves</u>					
Economic Development	61				61
Elections	100	25	(80)		45
Homelessness	218	116	(20)		314
Health and Wellbeing	72	12			84
<i>Planning</i>	1,247	52	(330)		969
<i>Neighbourhood Planning</i>	70		(15)		55
<i>Housing Strategy</i>	25				25
<i>Development Control</i>	159		(25)		134
Strategic Initiatives	2,160		(500)		1,660
Development Projects	1,152	202	0		1,354
New Homes Bonus Ward Members	0		0		0
Waste Depot Relocation Project	4,649		(2,000)		2,649
Waste Management	201	170			371
Private Finance Initiative	247	48			295
	10,361	625	(2,970)	0	8,016
TOTAL USABLE RESERVES	13,033	2,520	(3,475)	0	12,078
TOTAL GENERAL FUND RESERVES	17,420	3,657	(4,077)	0	16,999

Appendix C

Housing Revenue Account 2019/20

£000	April to Sept			2019/20			
	Current Budget	Actuals to Date	Variance to Date	Original Budget	Current Budget	Forecast Outturn	Forecast Variance to Current Budget
Housing Revenue Account Income							
Dwellings Rent	(7,074)	(7,091)	(18)	(14,147)	(14,147)	(14,238)	(91)
Garage Rents	(112)	(112)	0	(224)	(224)	(224)	0
Land Rents	(2)	(2)	(0)	(3)	(3)	(3)	0
Charges for Services & Facilities	(488)	(586)	(98)	(977)	(977)	(1,069)	(93)
Contributions Towards Expenditure	0	(3)	(3)	0	0	(265)	(265)
Total Service Income	(7,676)	(7,794)	(118)	(15,352)	(15,352)	(15,800)	(448)
Housing Finance & Business Management							
Business & Performance Management	0	0	0	0	0	0	0
Rents, Rates & Other Property Charges	37	88	51	75	75	118	43
	37	88	51	75	75	118	43
Housing Maintenance & Repairs Services							
Common Service Flats	102	65	(37)	204	204	204	0
Estate Maintenance	76	70	(6)	152	152	152	0
Housing Repairs	1,280	1,336	56	2,561	2,561	2,575	15
Housing Sewerage	29	37	8	58	58	58	0
Newport Depot	12	13	1	24	24	24	0
Property Services	159	170	11	318	318	330	11
	1,659	1,691	32	3,317	3,317	3,343	26
Housing Management & Homelessness							
Housing Services	235	209	(26)	470	470	450	(20)
Sheltered Housing Services	315	279	(36)	629	629	612	(17)
Supporting People	0	0	0	0	0	0	0
	549	488	(62)	1,099	1,099	1,062	(37)
Total Service Expenditure	2,245	2,267	21	4,491	4,491	4,523	32
Corporate Items							
Bad Debt Provision	0	0	0	100	100	100	0
Depreciation - Dwellings (to MRR)	0	0	0	3,888	3,888	3,888	0
Depreciation - Non-Dwellings (to MRR)	0	0	0	91	91	91	0
Impairment - Non-Dwellings	0	0	0	0	0	0	0
Interest / Costs - HRA Loan	0	1,313	1,313	2,604	2,604	2,604	0
Repayment of Loan	0	0	0	2,000	2,000	2,000	0
Investment Income	0	0	0	(42)	(42)	(26)	16
Recharge from General Fund	0	0	0	1,695	1,695	1,695	0
HRA Share of Corporate Core	0	0	0	366	366	366	0
Pension Fund - Added Years	0	0	0	19	19	19	0
Pension Fund - Deficit	0	0	0	0	0	0	0
Right to Buy Admin Cost Allowance	(5)	0	5	(10)	(10)	(10)	0
Total Corporate Items	(5)	1,313	1,318	10,710	10,710	10,726	16
TOTAL EXPENDITURE	2,240	3,580	1,339	15,201	15,201	15,250	48
OPERATING (SURPLUS)/DEFICIT	(5,435)	(4,214)	1,221	(150)	(150)	(550)	(400)
Funding from Capital Receipts Reserve for HRA Loan	0	0	0	(2,000)	(2,000)	(2,000)	0
Funding of Capital Programme from HRA							
Funding of Action Plan Capital Items	0	0	0	0	0	0	0
Funding of Capital from Revenue	0	0	0	2,690	2,690	2,612	(78)
	0	0	0	2,690	2,690	2,612	(78)
Transfers to/from (-) Reserves							
Capital Projects Reserve	0	0	0	(153)	(153)	0	153
Potential Developments (New Builds)	0	0	0	(355)	(355)	0	355
Sheltered Housing Reserve	0	0	0	0	0	0	0
HRA Capital Slippage Reserve	0	0	0	0	0	(390)	(390)
Transformation Reserve	0	0	0	0	0	0	0
Working Balance	0	0	0	(31)	(31)	11	42
	0	0	0	(539)	(539)	(379)	160
Total Use of Reserve / Funding	0	0	0	2,151	2,151	2,233	83
(SURPLUS)/DEFICIT	(5,435)	(4,214)	1,221	0	0	(317)	(317)

Appendix D

Housing Revenue Account Reserves

Reserve	Actual Balance	Forecast transfer from HRA	Forecast Transfer to HRA	Transfer between Reserves	Estimated Balance
£'000	1st April 2019				31st March 2020
<u>RINGFENCED RESERVES</u>					
Working Balance	489	11	0	0	500
	489	11	0	0	500
<u>USABLE RESERVES</u>					
<u>Revenue Reserves</u>					
Transformation / Change Management	180	0	0	0	180
Revenue Projects	60	0	0	0	60
	240	0	0	0	240
<u>Capital Reserves</u>					
Capital Projects	13	0	0	60	73
Potential Development Projects	0	0	0	0	0
Sheltered Housing Projects	0	0	0	0	0
HRA Slippage Reserve	2,300	508	(898)	(60)	1,850
	2,313	508	(898)	0	1,923
TOTAL USABLE RESERVES	2,553	508	(898)	0	2,163
TOTAL RESERVES	3,042	519	(898)	0	2,663

Reserve with conditions	Actual Balance	Forecast transfer from HRA	Forecast Transfer to HRA	Estimated Balance
£'000	1st April 2019			31st March 2020
Capital Receipt Reserve - RTB	3,226	1,440	(3,660)	1,006
Capital Receipt Reserve - Other	40	470	(500)	10
Capital Receipt Reserve - Total	3,266	1,910	(4,160)	1,016
Major Repairs Reserve (MRR)	473	3,979	(4,026)	426

General Fund Capital Programme

£'000	Cost Code	Original Budget 2019/20	Slippage from 2018/19	Budget adjustment/ virements	Current Budget 2019/20	Forecast Outturn	Forecast to Budget Variance	Requested Slippage to 2020/21
Community and Partnerships								
S/W Motte & Bailey Castle	CGF119/6801	0	54		54	110	56	
Community Project Grants	CGF502/6842	110	0		110	110	0	
Community and Partnerships		110	54	0	164	220	56	0
Environmental Services								
White Street Car Park	CGF108/6801	0	25		25	25	0	
Household Bins	CGF300/6822	70	0		70	70	0	
Trade Waste Bins	CGF301/6822	30	0		30	30	0	
Kitchen Caddies	CGF304/6822	10	0		10	10	0	
Garden Waste Bins	CGF308/6822	20	0		20	20	0	
Car Parking Machine Replacement	CGF321/6822	0	92		92	92	0	
Electric Car Charges	CGF323/6822	0	0		0	10	10	
Grounds Maintenance Equipment	CGF307/6822	0	0		0	16	16	
Vehicle Replacement Programme	CGF602/6823	822	2,174		2,996	2,996	0	
Total Environmental Services		952	2,291	0	3,243	3,269	26	0
Housing and Economic Development								
Compulsory Purchase Order	CGF125/6821	0	0		0	0	0	
Private Sector Renewal Grants	CGF500/6841	70	0		70	70	0	
Disabled Facilities Grants	CGF503/6841	260	0		260	260	0	
Empty Dwellings	CGF505/6841	10	0		10	10	0	
Air Quality Monitoring SW	CGF322/6822	15	0		15	15	0	
Superfast Broadband	CGF528/6841	0	600		600	0	(600)	600
Total Housing and Economic Development		355	600	0	955	355	(600)	600

£'000	Cost Code	Original Budget 2019/20	Slippage from 2018/19	Budget adjustment/ virements	Current Budget 2019/20	Forecast Outturn	Forecast to Budget Variance	Requested Slippage to 2020/21
Finance & Administration								
IT Schemes								
Minor Items IT	CGF401/6834	20	0		20	20	0	
PCI Compliance	CGF413/6834	20	28		48	48	0	
New members IT equipment	CGF416/6824	30	0		30	30	0	
PSN CoCo Works	CGF425/6824	30	20		50	50	0	
Core Switches - replacement	CGF433/6824	0	24		24	24	0	
Replacement Electoral System	CGF434/6824	0	60		60	60	0	
Hot Desking/Mobile working	CGF435/6824	90	6		96	96	0	
Asset Management System - Cap Pur IT	CGF437/6824	0	30		30	30	0	
Cyber Security - Cap Pur IT	CGF438/6824	20	12		32	32	0	
Grounds Maint & Vehicle Sys - Cap Pur IT	CGF439/6824	0	95		95	95	0	
Idox Additional Modules - Cap Pur IT	CGF441/6824	0	5		5	5	0	
Licensing - Lalpacto Idox Uni - Cap Pur IT	CGF442/6824	0	16		16	16	0	
ArcGIS Upgrade - Cap Pur IT	CGF443/6824	0	21		21	21	0	
Mobile / Web Payments - Cap Pur IT	CGF444/6824	40	0		40	40	0	
Network Monitor&Threat Protect - Cap Pur IT	CGF445/6824	30	0		30	30	0	
Postal Software - Cap Pur IT	CGF446/6824	27	0		27	27	0	
UDC Asset work								
London Rd Office Building works	CGF112/6801	173	0		173	173	0	
New Depot	CGF103/6801	0	4,563		4,563	2,000	(2,563)	2,563
Day Centres Cyclical Improvements	CGF115/6801	46	27		73	73	0	
Guildhall Works	CGF116/6801	0	0		0	11	11	
Museum Buildings work	CGF123/6801	45	4		49	49	0	
London Rd Office Heating	CGF315/6822	0	36		36	36	0	
London Rd Office Electrical	CGF316/6822	15	56		71	71	0	
Total Finance & Administration		586	5,003	0	5,589	3,037	(2,552)	2,563

Housing Revenue Account Capital Programme

£'000	Cost Code	Original Budget 2019/20	Slippage from 2018/19	Budget adjustment/ virements	Current Budget 2019/20	Forecast Outturn	Forecast to Budget Variance	Requested Slippage to 2020/21
<u>Housing Revenue Account</u>								
HRA Repairs		3,445	54		3,499	3,529	30	
UPVC Fascia's and Guttering	CHR223/6812	100	0		100	100	0	
Light Vans Replacement Programme	CHR300/6823	0	183		183	0	(183)	183
HRA IT - Contingency	CHR400/6841	0	20		20	20	0	
Cash Incentive Scheme Grants	CHR500/6841	50	0		50	50	0	
<u>Business Plan Items</u>								
Resurfacing access roads	CHR111/6801	0	133		133	133	0	
Market Properties	CHR105/6801	0	0		0	0	0	
<u>New Builds (RTB 1-4-1)</u>								
Unidentified	CHR105/6801	2,425	0	(2,425)	0	0	0	
Market Properties	CHR106/6801	0	0	975	975	1,610	635	
Sheds Lane	CHR112/6801	15	0		15	15	0	
Newton Grove	CHR113/6801	134	188		322	322	0	
Frambury Lane	CHR114/6801	168	370		538	538	0	
The Moors	CHR116/6801	2,432	759		3,191	270	(2,921)	1,960
Thaxted Road	CHR117/6801	0	0	150	150	150	0	
Great Chesterford	CHR118/6801	0	0	1,300	1,300	1,350	50	
<u>Redevelopment Scheme</u>								
<u>Sheltered Schemes</u>								
Reynolds Court	CHR107/6801	0	110		110	110	0	
Hatherley Court	CHR108/6801	0	482		482	869	387	
Walden Place	CHR109/6801	1,000	787		1,787	25	(1,762)	1,762
Total HRA		9,769	3,086	0	12,855	9,091	(3,764)	3,905

Total Capital Programme

£'000	Original Budget 2019/20	Slippage from 2018/19	Budget adjustment/virements	Current Budget 2019/20	Forecast Outturn	Forecast to Budget Variance	Requested Slippage to 2020/21
Total HRA	9,769	3,086	0	12,855	9,091	(3,764)	3,905
Total General Fund	2,003	7,948	0	9,951	6,881	(3,070)	3,163
CAPITAL PROGRAMME TOTAL	11,772	11,034	0	22,806	15,972	(6,834)	7,068

Financing of Capital Programme

	General Fund £'000	Housing Revenue Account £'000
Grants and Contributions	284	115
Revenue Contribution (RCCO)	713	1,740
Internal Borrowing	3,315	0
Reserves	2,569	873
S106	0	602
Capital Receipts	0	1,777
Major Repairs Reserve	0	3,985
	6,881	9,091
Total Financing		15,972

Section 106 Balances

With Conditions	31 March 2019	Income	Adjustment	Drawn Down -	Balance at 30
	£'000	£'000		Capital/Revenue	Sept 2019
	£'000	£'000		£'000	£'000
S106 Receipts in Advance					
Priors Green, Takeley	78	-	-	-	78
Land north of Ingrams, Felsted	10	-	-	-	10
Rochford Nurseries/Foresthall Park, Stansted	60	-	-	(30)	30
The Orchard, Elsenham	42	-	-	-	42
Wedow Road, Thaxted	53	-	-	-	53
Sector 4 Woodlands Park, Gt Dunmow	10	-	-	-	10
Keers Green Nurseries, Aythorpe Roding	120	-	-	-	120
Land adjacent to S/W Hospital	31	-	-	-	31
Land at Blossom Hill Farm, Henham	33	-	-	-	33
Land at Webb & Hallett Road, Flitch Green, Felsted	33	-	-	-	33
Land south side of Radwinter Road	49	-	-	-	49
Total	519	-	-	(30)	489

Other Bodies	31 March 2019	Income	Adjustment	Transferred to	Balance at 30
	£'000	£'000		other bodies	Sept 2019
	£'000	£'000		£'000	£'000
S106 Receipts in Advance					
Sector 4 Woodlands Park (Helena Romanes School)	165	-	-	-	165
Brewers End, Takeley	31	-	-	-	31
Land adj Hailes Wood, Elsenham	10	-	-	-	10
Land at Flitch Green, Felsted	67	-	-	-	67
Land adjacent to S/W Hospital	16	-	-	-	16
Ashdon Road Commercial Centre	26	-	-	-	26
Land south of Stansted Road, Elsenham	53	-	-	-	53
Land south of Ongar Road, Dunmow	17	-	-	-	17
Land at 119 Radwinter Road, adj S/W Hospital	15	-	-	-	15
Land North of Ongar Road, Gt Dunmow	21	-	-	-	21
Land at Bury Water Lane, Newport	29	-	-	-	29
Land south side of Radwinter Road	36	-	-	-	36
Land at Elsenham Nuseries	14	-	-	-	14
Bury Water Lane, Newport	26	-	-	-	26
Walpole Farm, Cambridge Road, Stansted	53	187	-	(187)	53
Land at Little Walden Road, Saffron Walden	120	-	-	(120)	-
Land at London Road, Gt Chesterford	-	400	-	(364)	36
Grants and Contributions to Other Bodies	699	587	-	(671)	615

Without Conditions	31 March 2019	Income	Adjustment	Drawn Down -	Balance at 30
	£'000	£'000		Capital	Sept 2019
	£'000	£'000		£'000	£'000
S106 Unapplied					
Affordable Housing;	676	-	-	-	676
Drawn Down	-	-	-	-	-
Affordable Housing	676	-	-	-	676
Dunmow Eastern Sector	18	-	-	-	18
Woodlands Park, Gt Dunmow	36	-	-	-	36
Bell College, Saffron Walden	15	-	-	-	15
Priors Green, Takeley	8	-	-	-	8
Foresthall Park, Stansted	33	-	-	-	33
Lt Walden Road/Ashdon Road, Saffron Walden	98	-	-	-	98
Oakwood Park, Takeley	5	-	-	-	5
Total	889	-	-	-	889

Treasury Management 2019/20 – Quarter 2**Investments April – September 2019**

Date of Investment	Counterparty	Amount (£)	Date of Repayment	Interest Rate
01-Apr-19	Coventry City Council	2,500,000	18-Apr-19	0.80%
01-Apr-19	DMO	2,500,000	04-Apr-19	0.50%
02-Apr-19	DMO	1,000,000	04-Apr-19	0.50%
04-Apr-19	DMO	1,500,000	11-Apr-19	0.50%
10-Apr-19	DMO	1,200,000	18-Apr-19	0.50%
15-Apr-19	DMO	1,500,000	18-Apr-19	0.50%
26-Apr-19	DMO	1,500,000	30-Apr-19	0.50%
01-May-19	DMO	1,500,000	09-May-19	0.50%
09-May-19	DMO	3,000,000	17-May-19	0.50%
15-May-19	DMO	2,000,000	17-May-19	0.50%
15-May-19	DMO	1,000,000	20-May-19	0.50%
24-May-19	DMO	1,000,000	03-Jun-19	0.50%
31-May-19	DMO	1,500,000	03-Jun-19	0.50%
03-Jun-19	DMO	1,500,000	05-Jun-19	0.50%
03-Jun-19	DMO	3,000,000	11-Jun-19	0.50%
05-Jun-19	DMO	3,500,000	10-Jun-19	0.50%
11-Jun-19	Thurrock Council	2,000,000	11-Dec-19	0.80%
14-Jun-19	Conwy County Borough Council	2,000,000	16-Dec-19	0.80%
10-Jun-19	DMO	2,000,000	14-Jun-19	0.50%
10-Jun-19	DMO	1,500,000	11-Jun-19	0.50%
12-Jun-19	Surrey County Council	2,000,000	12-Dec-19	0.78%
11-Jun-19	DMO	2,000,000	12-Jun-19	0.50%
11-Jun-19	DMO	2,000,000	19-Jun-19	0.50%
17-Jun-19	DMO	4,500,000	19-Jun-19	0.50%
26-Jul-19	DMO	1,000,000	01-Aug-19	0.50%
01-Aug-19	DMO	1,000,000	05-Aug-19	0.50%
05-Aug-19	DMO	750,000	16-Aug-19	0.50%
15-Aug-19	DMO	4,000,000	16-Aug-19	0.50%
02-Sep-19	DMO	1,000,000	05-Sep-19	0.50%
05-Sep-19	Cornwall Council	2,000,000	05-Dec-19	0.63%
05-Sep-19	DMO	1,000,000	19-Sep-19	0.50%
16-Sep-19	DMO	2,000,000	19-Sep-19	0.50%

Money Market Funds Investments April – September 2019

Date of Investment	Counterparty	Amount (£)	Date of Repayment	Average daily Interest Rate
01-Apr-19	CCLA	1,000,000	On-going	0.74%
01-May-19	Federated	1,000,000	20-May-19	0.77%
03-Jun-19	Federated	1,000,000	On-going	0.74%
11-Jun-19	Invesco	1,000,000	19-Jun-19	0.75%
01-Jul-19	Invesco	1,000,000	18-Jul-19	0.73%
18-Jul-19	Invesco	500,000	15-Aug-19	0.73%
05-Aug-19	Invesco	500,000	15-Aug-19	0.72%
03-Sep-19	Invesco	700,000	On-going	0.71%
11-Sep-19	Invesco	300,000	On-going	0.71%

Borrowing April – September 2019

Date of borrowing	Institution	Amount (£)	Date of Repayment	Interest Rate
20/05/2019	Western Isles Council	2,000,000	01/07/2019	0.75%
17/06/2019	Vale of Glamorgan Council	1,500,000	01/11/2019	0.73%
19/06/2019	Neath Port Talbot Council	1,000,000	01/11/2019	0.76%
18/07/2019	Worcester City Council	2,000,000	01/08/2019	0.60%
22/07/2019	Harlow District Council	2,000,000	02/09/2019	0.68%
22/07/2019	Falkirk Council	2,500,000	02/09/2019	0.68%
18/07/2019	Newport City Council	2,000,000	01/08/2019	0.65%
19/08/2019	Western Isles Council	3,500,000	02/12/2019	0.71%
20/08/2019	Barnsley Metropolitan Borough Council	3,000,000	02/12/2019	0.71%
22/08/2019	Bridgend County Borough Council	1,500,000	01/11/2019	0.72%
19/09/2019	Vale of Glamorgan Council	1,000,000	01/11/2019	0.65%
19/09/2019	Greater Manchester Combined Authority	4,500,000	01/10/2019	0.62%

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Committee:	Cabinet	Date:
Title:	Treasury Management Mid-Year Review	Tuesday, 26 November 2019
Portfolio Holder:	Portfolio Holder for Finance and Budget	
Report Author:	Angela Knight, Assistant Director - Resources aknight@uttlesford.gov.uk	Key decision: N

Summary

1. The Authority adopted the Chartered Institute of Public Finance and Accountancy's *Treasury Management in the Public Services: Code of Practice 2011 Edition* (the CIPFA Code) which requires the Authority to approve treasury management semi-annual and annual reports.
2. This report is for the period 1 April to 30 September 2019.
3. The Authority's treasury management strategy for 2019/20 was approved at a meeting of the Authority on 21 February 2019.
4. This report is to give members an update on the current Treasury Activities and other factors that may influence or affect the financial market.
5. Treasury Management activities are defined by CIPFA as:

"The management of the Council's investments, borrowing and cash flows, its banking, money market and capital market transactions, the effective control of the risks associated with those activities and the pursuit of optimal performance consistent with those risks."

Recommendations

6. The Cabinet is recommended to note the Treasury Management mid-year review report and updated prudential indicators

Financial Implications

7. No direct financial implications arising from this report, any associated financial implications are included in Appendix A.

Background Papers

8. None

Impact

9.

Communication/Consultation	CMT
Community Safety	N/A
Equalities	N/A
Health and Safety	N/A
Human Rights/Legal Implications	N/A
Sustainability	N/A
Ward-specific impacts	N/A
Workforce/Workplace	N/A

Situation

10. The Authority has borrowed and 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 are therefore central to the Authority's treasury management strategy.
11. The main risks to the Council's treasury activities are:
- I. Liquidity risk (inadequate cash resources)
 - II. Market or interest rate risk (fluctuations in interest rates)
 - III. Inflation risk (exposure to change in prices)
 - IV. Credit and counterparty risk (security of investments)
 - V. Refinancing risks (impact of debt maturing in future years)
 - VI. Legal and regulatory risk (i.e. non-compliance with requirements)
12. A detailed report is attached as Appendix A and this has been compiled with the support of Arlingclose Ltd.
13. The Capital Strategy was approved alongside the Treasury Management Strategy on the 21 February 2019. There is no specific requirement to provide a mid-year update on the Capital Strategy but it was felt that it would be of benefit to provide updated prudential indicators and these are detailed in Appendix B.
14. Routine Treasury Management activities on investments and borrowing are detailed in the Budget Monitoring – Qtr. 2 Forecast Outturn report, included as a separate agenda item for tonight's meeting.

Risk Analysis

15.

Risk	Likelihood	Impact	Mitigating actions
Liquidity	2 – unlikely due to forward planning of income receipts and expenditure	2 – we would incur additional costs of borrowing from external sources	Cash in and out flows are managed on a daily basis. All income and expenditure is planned and built in to cash flow statements. A minimum amount of £1m is maintained to cover any unexpected events
Interest Rate fluctuations	2 – there is normally a period prior to rises being announced	3 – this could significantly affect the cost of borrowing if they went up	The interest rate forecasts and projections are monitored regularly and we receive regular updates from our Consultants (Arlingclose)

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

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Treasury Management Mid-Year Review 2019/20

Introduction

The Authority adopted the Chartered Institute of Public Finance and Accountancy's *Treasury Management in the Public Services: Code of Practice* (the CIPFA Code) which requires the Authority to approve treasury management semi-annual and annual reports.

The Authority's treasury management strategy for 2019/20 was approved at a meeting on 21st February 2019. The Authority has borrowed and 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.

The 2017 Prudential Code includes a requirement for local authorities to provide a Capital Strategy, a summary document approved by full Council covering capital expenditure and financing, treasury management and non-treasury investments. The Authority's Capital Strategy, complying with CIPFA's requirement, was approved by full Council on 21st February 2019.

External Context

Economic background: UK Consumer Price Inflation (CPIH) fell to 1.7% year/year in August 2019 from 2.0% in July, weaker than the consensus forecast of 1.9% and below the Bank of England's target. The most recent labour market data for the three months to July 2019 showed the unemployment rate edged back down to 3.8% while the employment rate remained at 76.1%, the joint highest since records began in 1971. Nominal annual wage growth measured by the 3-month average excluding bonuses was 3.8% and 4.0% including bonuses. Adjusting for inflation, real wages were up 1.9% excluding bonuses and 2.1% including.

The Quarterly National Accounts for Q2 GDP confirmed the UK economy contracted by 0.2% following the 0.5% gain in Q1 which was distorted by stockpiling ahead of EU Exit. Only the services sector registered an increase in growth, a very modest 0.1%, with both production and construction falling and the former registering its largest drop since Q4 2012. Business investment fell by 0.4% (revised from -0.5% in the first estimate) as EU Exit uncertainties impacted on business planning and decision-making.

Politics, both home and abroad, continued to be a big driver of financial markets over the last quarter. Boris Johnson won the Conservative Party leadership contest and has committed to leaving the EU on 31st October regardless of whether a deal is reached with the EU. Mr Johnson prorogued Parliament which led some MPs to put forward a bill requiring him to seek a EU Exit extension if no deal is in place by 19th October. The move was successful and, having been approved by the House of Lords, was passed into law. The Supreme Court subsequently ruled Mr Johnson's suspension of Parliament unlawful.

Tensions continued between the US and China with no trade agreement in sight and both countries imposing further tariffs on each other's goods. The US Federal Reserve cut its target Federal Funds rates by 0.25% in September to a range of 1.75% - 2%, a pre-emptive move to maintain economic growth amid escalating concerns over the trade war and a weaker economic environment leading to more pronounced global slowdown. The euro area

Purchasing Manager Indices (PMIs) pointed to a deepening slowdown in the Eurozone. These elevated concerns have caused key government yield curves to invert, something seen by many commentators as a predictor of a global recession. Market expectations are for further interest rate cuts from the Fed and in September the European Central Bank reduced its deposit rate to -0.5% and announced the recommencement of quantitative easing from 1st November.

The Bank of England maintained Bank Rate at 0.75% and in its August Inflation Report noted the deterioration in global activity and sentiment and confirmed that monetary policy decisions related to EU Exit could be in either direction depending on whether or not a deal is ultimately reached by 31st October.

Financial markets: After rallying early in 2019, financial markets have been adopting a more risk-off approach in the following period as equities saw greater volatility and bonds rallied (prices up, yields down) in a flight to quality and anticipation of more monetary stimulus from central banks. The Dow Jones, FTSE 100 and FTSE 250 are broadly back at the same levels seen in March/April.

Gilt yields remained volatile over the period on the back of ongoing economic and political uncertainty. From a yield of 0.63% at the end of June, the 5-year benchmark gilt yield fell to 0.32% by the end of September. There were falls in the 10-year and 20-year gilts over the same period, with the former dropping from 0.83% to 0.55% and the latter falling from 1.35% to 0.88%. 1-month, 3-month and 12-month LIBID (London Interbank Bid) rates averaged 0.65%, 0.75% and 1.00% respectively over the period.

Recent activity in the bond markets and PWLB interest rates highlight that weaker economic growth remains a global risk. The US yield curve remains inverted with 10-year Treasury yields lower than US 3-month bills. History has shown that a recession hasn't been far behind a yield curve inversion. Following the sale of 10-year Bunds at -0.24% in June, yields on German government securities continue to remain negative in the secondary market with 2 and 5-year securities currently both trading around -0.77%.

Credit background: Credit Default Swap (CDS) spreads rose and then fell again during the quarter, continuing to remain low in historical terms. After rising to almost 120bps in May, the spread on non-ringfenced bank NatWest Markets plc fell back to around 80bps by the end of September, while for the ringfenced entity, National Westminster Bank plc, the spread remained around 40bps. The other main UK banks, as yet not separated into ringfenced and non-ringfenced from a CDS perspective, traded between 34 and 76bps at the end of the period.

There were minimal credit rating changes during the period. Moody's upgraded The Co-operative Bank's long-term rating to B3 and Fitch upgraded Clydesdale Bank and Virgin Money to A-.

Local Context

On 31st March 2019, the Authority had net borrowing of £102m arising from its revenue and capital income and expenditure. The underlying need to borrow for capital purposes is measured by the Capital Financing Requirement (CFR), while usable reserves and working

capital are the underlying resources available for investment. These factors are summarised in Table 1 below.

Table 1: Balance Sheet Summary

	31.3.19 Actual £m
General Fund CFR	59
HRA CFR	84
Total CFR	143
Less: PFI liabilities	-5
Borrowing CFR	138
Less: Usable reserves	-26
Less: Working capital	-10
Net borrowing	102

The Authority pursued its strategy of keeping borrowing and investments below their underlying levels, sometimes known as internal borrowing, in order to reduce risk and keep interest costs low.

The treasury management position at 30th September 2019 and the change during the year is shown in Table 2 below.

Table 2: Treasury Management Summary

	31.3.19 Balance £m	2019/20 Movement £m	30.9.19 Balance £m	30.9.19 Weighted Average Rate %
Long-term borrowing	97	-2.5	94.5	3.14
Short-term borrowing	19	-0.5	18.5	0.76
Total borrowing	116	-3	113	
Short-term investments	12	-1	11	0.75
Cash and cash equivalents	2	-0.5	1.5	0
Total investments	14	-1.5	12.5	
Net borrowing	102	-1.5	100.5	

Borrowing Strategy during the period

At 30th September 2019 the Authority held £113m of loans, a decrease of £3m from 31st March 2019, as part of its strategy for funding previous and current years' capital programmes. Outstanding loans on 30th September are summarised in Table 3 below.

Table 3: Borrowing Position

	31.3.19	2019/20	30.9.19	30.9.19
	Balance	Movement	Balance	Weighted Average Rate
	£m	£m	£m	%
Public Works Loan Board	84.5	0	84.5	3.17
Phoenix Life Ltd	10	0	10	2.86
Local authorities (long-term)	2.5	-2.5	0	0
Local authorities (short-term)	19	-0.5	18.5	0.76
Total borrowing	116	-3	113	

The Authority's chief objective when borrowing has been to strike an appropriately low risk balance between securing low interest costs and achieving cost certainty over the period for which funds are required, with flexibility to renegotiate loans should the Authority's long-term plans change being a secondary objective.

With short-term interest rates remaining much lower than long-term rates, the Authority considered it to be more cost effective in the near term to use internal resources or borrow short-term loans instead. The net movement in temporary / short-term loans is shown in table 3 above.

The Authority's borrowing decisions are not predicated on any one outcome for interest rates and a balanced portfolio of short- and long-term borrowing was maintained.

Other Debt Activity

After £0.07m repayment of prior years' Private Finance Initiative liabilities, total debt other than borrowing stood at £4.6m on 30th September 2019, taking total debt to £118m.

Treasury Investment Activity

The Authority holds significant invested funds, representing income received in advance of expenditure plus balances and reserves held. During the six-month period, the Authority's investment balance ranged between £9 and 18 million due to timing differences between income and expenditure. The investment position is shown in table 4 below.

Table 4: Treasury Investment Position

	31.3.19	2019/20	30.9.19	30.9.19
	Balance	Movement	Balance	Weighted Average Rate
	£m	£m	£m	%
Government (incl. local authorities)	11	-3	8	0.75
Money Market Funds	1	2	1	0.72
Total investments	12	-3	9	

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 Authority's 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.

The progression of risk and return metrics are shown in the extracts from Arlingclose's quarterly investment benchmarking in Table 5 below.

Table 5: Investment Benchmarking – Treasury investments managed in-house

	Credit Score	Credit Rating	Bail-in exposure %	Weighted Average Maturity (days)	Rate of Return %
31.03.19	3.80	AA-	15	3.74	0.79
30.09.19	3.96	AA-	36	3.59	0.69
Similar LA's	4.28	AA-	62	4.19	0.83
All LA's	4.26	AA-	61	4.22	0.86

Readiness for EU Exit: The scheduled leave date for the UK to leave the EU is now 31st October 2019 and there remains little political clarity as to whether a deal will be agreed by this date and there is the possibility that the exit date is pushed back yet again. As 31st October approaches the Authority will ensure there are enough accounts open at UK-domiciled banks and Money Market Funds to hold sufficient liquidity required in the near term and that its account with the Debt Management Account Deposit Facility (DMADF) remains available for use in an emergency.

Non-Treasury Investments

The definition of investments in CIPFA's revised Treasury Management Code now covers all the financial assets of the Authority as well as other non-financial assets which the Authority holds primarily for financial return. This is replicated in MHCLG's Investment Guidance, in which the definition of investments is further broadened to also include all such assets held partially for financial return.

The Authority also held £52.991m of such investments in loans to its subsidiary Aspire (CRP) Ltd.

These investments are expected to generate £2m of investment income for the Authority after taking account of direct costs, representing a rate of return of 4%. This is higher than the return earned on treasury investments, but reflects the additional risks to the Authority of holding such investments.

Treasury Performance

The Authority measures the financial performance of its treasury management activities both in terms of its impact on the revenue budget and its relationship to benchmark interest rates, as shown in table 6 below.

Table 6: Performance

	Actual £m	Budget £m	Over/ under
Phoenix Life Loan	10	10	0
PWLB Loans	84	86.5	-2.5
Short-term Borrowing	19	15.5	3.5
Total Borrowing	113	112	1
PFI	5	5	0
Total debt	113	112	1
Government (incl. local authorities)	8	9	-1
Money Market Funds	3	1	2
Total treasury investments	11	10	1
GRAND TOTAL	102	102	0

Compliance

The Director of Finance and Corporate Services reports that all treasury management activities undertaken during the quarter complied fully with the CIPFA Code of Practice and the Authority's approved Treasury Management Strategy. Compliance with specific investment limits is demonstrated in table 7 below.

Compliance with the authorised limit and operational boundary for external debt is demonstrated in table 8 below.

Table 7: Debt Limits

	2019/20 Maximum £m	30.09.19 Actual £m	2019/20 Operational Boundary £m	2019/20 Authorised Limit £m	Complied
Borrowing	115	113	245	245	<input type="checkbox"/>
PFI	5	5	5	5	<input type="checkbox"/>
TOTAL	120	118	250	250	<input type="checkbox"/>

Table 8: Investment Limits

	2019/20 Maximum £m	30.09.19 Actual £m	2019/20 Limit £m	Complied
Banks and other organisations whose lowest published long-term credit rating from Fitch, Moody's and Standard and Poor's is A- and above except the UK Central Government	0	0	1	✓
Banks and other organisations whose lowest published long-term credit rating from Fitch, Moody's and Standard and Poor's is BBB+ except the UK Central Government	0	0	1	✓
UK Central Government	6.5	0	Unlimited	✓
UK Local Authorities including Police and Fire per authority	2.5	2	3	✓
UK Building Societies without credit ratings	0	0	1	✓
Saffron Building Society	0	0	0.5	✓
Money Market Funds, per fund	1	1	1	✓

Treasury Management Indicators

The Authority measures and manages its exposures to treasury management risks using the following indicators.

Security: The Authority has adopted a voluntary measure of its exposure to credit risk by monitoring the value-weighted average credit rating of its investment portfolio. This is calculated by applying a score to each investment (AAA=1, AA+=2, etc.) and taking the arithmetic average, weighted by the size of each investment. Unrated investments are assigned a score based on their perceived risk.

Credit risk indicator	30.09.19 Actual	2019/20 Target	Complied?
Portfolio average credit rating	AA-	A	✓

Liquidity: The Authority has adopted a voluntary measure of its exposure to liquidity risk by monitoring the amount of cash available to meet unexpected payments within a rolling three-month period, without additional borrowing.

Liquidity risk indicator	30.09.19 Actual	2019/20 Target	Complied?
Total cash available within 3 months	£3m	£2m	✓

Interest Rate Exposures: This indicator is set to control the Authority's exposure to interest rate risk. The upper limits on the one-year revenue impact of a 1% rise or fall in interests was:

	30.9.19 Actual	2019/20 Limit	Complied
Upper limit on one-year revenue impact of a 1% rise in interest rates	£70,860	£250,000	✓
Upper limit on one-year revenue impact of a 1% fall in interest rates	-£70,860	-£250,000	✓

The impact of a change in interest rates is calculated on the assumption that maturing loans and investment will be replaced at current rates.

Maturity Structure of Borrowing: This indicator is set to control the Authority's exposure to refinancing risk. The upper and lower limits on the maturity structure of all borrowing were:

	31.3.19 Actual %	Upper Limit %	Complied
Under 12 months	15	25	✓
12 months and within 24 months	1	25	✓
24 months and within 5 years	6	50	✓
5 years and within 10 years	13	75	✓
10 years and within 20 years	36	75	✓
20 years and above	27	100	✓

Time periods start on the first day of each financial year. The maturity date of borrowing is the earliest date on which the lender can demand repayment.

Principal Sums Invested for Periods Longer than a year: The purpose of this indicator is to control the Authority's exposure to the risk of incurring losses by seeking early repayment of its investments. The limits on the long-term principal sum invested to final maturities beyond the period end were:

	2019/20	2020/21	2021/22
Actual principal invested beyond year end	0	0	0
Limit on principal invested beyond year end	£10m	£10m	£10m
Complied	✓	✓	✓

Outlook for the remainder of 2019/20

The global economy is entering a period of slower growth in response to political issues, primarily the trade policy stance of the US. The UK economy has displayed a marked slowdown in growth due to both EU Exit uncertainty and the downturn in global activity. In response, global and UK interest rate expectations have eased dramatically.

There appears no near-term resolution to the trade dispute between China and the US, a dispute that the US appears comfortable exacerbating further. With the 2020 presidential election a year away, Donald Trump is unlikely to change his stance.

The possibility of a no-deal EU exit remains for early 2020 but this is dependent on the outcome of the forthcoming election on the 12 December.

Central bank actions and geopolitical risks will continue to produce significant volatility in financial markets, including bond markets.

Our treasury advisor Arlingclose expects Bank Rate to remain at 0.75% for the foreseeable future but there remain substantial risks to this forecast, dependant on EU Exit outcomes and the evolution of the global economy. Arlingclose also expects gilt yields to remain at low levels for the foreseeable future and judge the risks to be weighted to the downside and that

volatility will continue to offer longer-term borrowing opportunities

	Dec-19	Mar-20	Jun-20	Sep-20	Dec-20	Mar-21	Jun-21	Sep-21	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22
Official Bank Rate													
Upside risk	0.00	0.00	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25
Arlingclose Central Cas	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75
Downside risk	0.50	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75

Capital Strategy Prudential Indicators

A requirement for council's to publish a capital strategy came into effect in 2018/19 for the 5 year strategy commencing 2019/20. There is no requirement for a mid-year review to be published but a decision has been taken to provide details of the mid-year position against forecast in a table formats as below.

Table 1 – Estimate of Capital Expenditure in £ millions

Capital expenditure is where the Council spends money on assets, such as property or vehicles which will be used for more than one year.

	2019/20 Actual	2019/20 Forecast	2020/21 Budget	2021/22 Budget
General Fund Services	3	7	6	1
Council Housing (HRA)	4	9	7	7
Capital Investments	3	5	0	0
Total	10	21	13	8

Table 2 – Capital Financing in £ millions

All capital expenditure must be financed, either from external sources (government grants and other contributions), the Council's own resources (revenue, reserves and capital receipts) or debt (borrowing, leasing and Private Finance Initiative). The planned financing of the above expenditure is as follows:

	2019/20 Actual	2019/20 Forecast	2020/21 Budget	2021/22 Budget
External Sources	0	1	0	0
Own Resources	7	15	8	8
Debt	3	5	5	0
Total	10	21	13	8

Table 3 – Replacement of Debt Finance in £ millions

Debt is only a temporary source of finance, since loans and leases must be repaid, and this is therefore replaced over time by other financing, usually from revenue which is known as minimum revenue provision (MRP). Alternatively, proceeds from selling capital assets (known as capital receipts) may be used to replace debt finance. Current MRP and use of capital receipts are as follows:

	2019/20 Actual	2019/20 Forecast	2020/21 Budget	2021/22 Budget
Own Resources	3	3	4	3

Table 4 – Estimates of Capital Financing Requirement in £ millions

The Council's cumulative outstanding amount of debt finance is measured by the capital financing requirement (CFR). This increases with new debt-financed capital expenditure and reduces with MRP and capital receipts used to replace debt.

	2019/20 Forecast	2020/21 Budget	2021/22 Budget
General Fund Services	8	9	8
Council Housing (HRA)	83	81	79
Capital Investments	52	54	54
Total	143	144	141

Table 5 – Capital Receipts in £ millions

When a capital asset is no longer considered necessary, it may be sold so that the proceeds, known as capital receipts, can be spent on new assets or to repay debt.

	2019/20 Actual	2019/20 Forecast	2020/21 Budget	2021/22 Budget
Asset sales	1	2	2	2
Loans repaid	0	0	0	0
Total	1	2	2	2

Table 6 – Gross Debt and Capital Financing Requirement £ millions

Projected levels of the Council's total outstanding debt (which comprises borrowing, PFI liabilities, leases) are shown below, compared with the capital financing requirement (see above, table 4).

	2019/20 Actual	2019/20 Forecast	2020/21 Budget	2021/22 Budget
Debt (incl. PFI & Leases)	104	104	114	126
Capital Financing Requirement	135	143	144	141

Table 7 – Proportion of Financing Costs to Net Revenue Stream

Although capital expenditure is not charged directly to the revenue budget, interest payable on loans and MRP are charged to revenue, offset by any investment income receivable.

Due to the very long-term nature of capital expenditure and financing, the revenue budget implications of expenditure incurred in the next few years will extend for up to 50 years into the future. The Director of Finance and Corporate Services is satisfied that the proposed capital programme is prudent, affordable and sustainable.

	2019/20 Forecast	2020/21 Budget	2021/22 Budget
Financing Costs	6	7	7
Proportion of net revenue stream	26.16%	28.10%	28.84%

Committee:	Cabinet	Date:	Tuesday, 26 th November 2019
Title:	Local Council Tax Support Scheme Proposals 2020/21		
Portfolio Holder:	Portfolio Holder for Finance and Budget Cllr Neil Hargreaves		
Report Author:	Angela Knight, Assistant Director - Resources aknight@uttlesford.gov.uk	Key decision:	Y

Summary

1. There is a requirement to annually review the Local Council Tax Support (LCTS) Scheme, and propose changes to the scheme for the following financial year. The decisions made, even if no change is proposed, must then be consulted upon before a decision is taken at Full Council in December on the final scheme for the following financial year.
2. As can be seen from the table in paragraph 8 Uttlesford has the lowest percentage contribution requirement of any authority in Essex. This demonstrates that whilst the council has had sufficient funds to support the scheme it has done so.
3. In 2013/14 when the original scheme was introduced the contribution rate was set at 8.5%. This increased in 2014/15 to 12.5% and it has remained at this rate for each subsequent year.
4. The Council carried out a consultation with all preceptors and the public on the LCTS scheme proposals for 2020/21 over the summer. The consultation responses report is included as Appendix 1.

Recommendations

5. The Cabinet is recommended to approve the following draft proposals to inform the Local Council Tax Scheme consultation for 2020/21:
 - I. The 2020/21 LCTS scheme is set on the same basis as the 2019/20 scheme and therefore the contribution rate is frozen for the fifth consecutive year.
 - II. The Council continues to protect Vulnerable and Disabled Residents and Carer's on a low income.

Financial Implications

6. Detailed in the main body of this report.

Background Papers

7. None

Impact

Communication/Consultation	Proposals subject to public consultation and discussions with major preceptors
Community Safety	None.
Equalities	An equalities impact assessment will be completed as part of developing final proposals for decisions by Cabinet and the Council later in the year.
Health and Safety	None.
Human Rights/Legal Implications	Compliance with relevant legislation.
Sustainability	The objective is to achieve a financially sustainable set of arrangements.
Ward-specific impacts	None.
Workforce/Workplace	Ongoing demands on the Revenues & Benefits, Housing and Customer Service teams

Local Council Tax Support (LCTS) Scheme

8. The LCTS scheme was implemented to replace the Council Tax Benefit (CTB) scheme which was fully funded by the Department for Work and Pensions in 2013.
9. In 2013 the Government provided funding at 90% of the cost of the previous year's CTB scheme to local councils for the scheme. Overall council funding has reduced each year which directly affects our financial ability to support the LCTS scheme.
10. Each year the Council must decide whether to change the LCTS scheme for working age applicants in its area. The LCTS scheme for Pension Age claimants is set by Government who state we must fully protect pensioners under the same rules that applied to Council Tax Benefit. This means we have no discretion in the help we give people over pension age, as there are nationally set rules for this group.
11. Changes to the scheme will only affect working age claimants who currently receive LCTS or who may apply in the future, to provide support for people on certain benefits and low incomes.
12. The Council has adopted a scheme which has the following key elements:
 - a) Pensioners on low income protected from adverse changes (as required by Government)
 - b) Disabled people, carers and blind people on a low income receive discretionary protection from adverse changes
 - c) Working age people previously on full CTB pay no more than 12.5% of the council tax bill
 - d) £25 per week of earned wages income disregarded from assessment (to provide a work incentive)

- e) Child Benefit and Child Maintenance disregarded from assessment (to minimise exacerbation of child poverty, or accusations of same)
- f) Hardship Policy to enable additional support for genuine extreme hardship cases

Contribution Rates across Essex

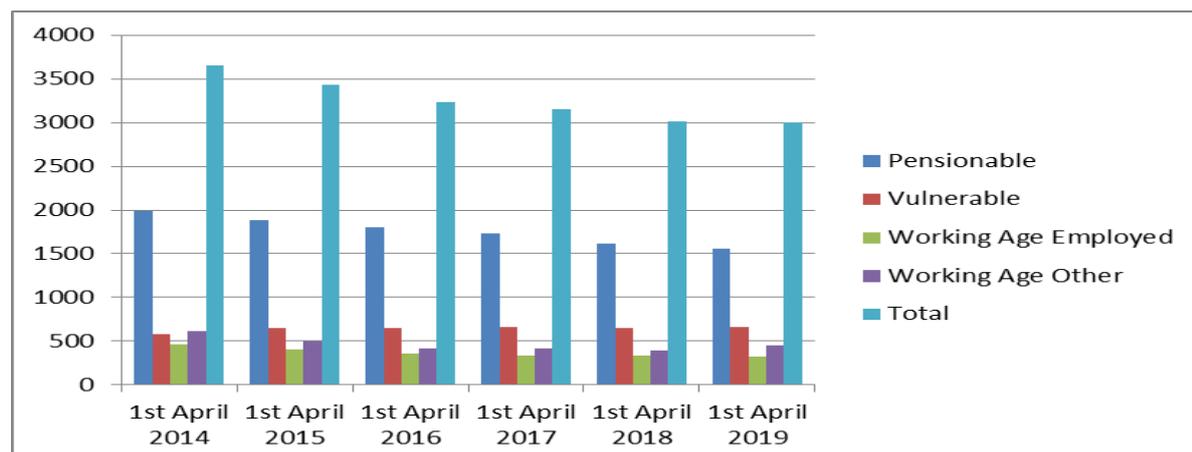
13. The council has the lowest percentage contribution rate within Essex with the highest being set at the maximum permitted level of 30%.

	Contribution Rate (%)						
	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
Basildon	15	25	25	25	25	25	25
Braintree	20	20	20	20	24	24	24
Brentwood	20	20	20	20	20	20	20
Castle Point	30	30	30	30	30	30	30
Chelmsford	20	23	23	23	23	23	23
Colchester	20	20	20	20	20	20	20
Epping Forest	20	20	20	25	25	25	25
Harlow	24	24	24	26	24	24	24
Maldon	20	20	20	20	20	20	20
Rochford	20	20	20	20	28	28	28
Southend-on-Sea	25	25	25	25	25	25	25
Tendring	15	15	20	20	20	20	20
Thurrock	25	25	25	25	25	25	25
Uttlesford	8.5	12.5	12.5	12.5	12.5	12.5	12.5

Caseload

14. The following table and graph details the caseload as at 1st April for each of the previous 6 years.

	1st April 2014	1st April 2015	In year movement	1st April 2016	In year movement	1st April 2017	In year movement	1st April 2018	In year movement	1st April 2019	In year movement
Pensionable	1,984	1,881	(103)	1,807	(74)	1,735	(72)	1,621	(114)	1,557	(64)
Vulnerable/Disabled	582	651	69	653	2	667	14	651	(16)	664	13
Working Age - Employed	470	406	(64)	359	(47)	334	(25)	341	7	323	(18)
Working Age - unemployed	612	498	(114)	417	(81)	419	2	400	(19)	452	52
Total Claimants	3,648	3,436	(212)	3,236	(200)	3,155	(81)	3,013	(142)	2,996	(17)



Effect of changing the Contribution Rate

15. The Band D equivalent used in this report for the calculation of the effect of an increase in contribution rate and the full cost of the scheme is estimated based on the 2019/20 Band D equivalent uplifted to reflect the estimated cost for 2020/21.
16. For each increase of 2.5% in the contribution rate it would generate a potential additional council tax income of £32,261 across all the preceptors of which the council would retain £4,517.
17. The impact of each 2.5% increase on a Working Age claimant who receives the maximum amount of LCTS would be an additional £41.63 per year to pay, equating to £0.80p per week.
18. The financial gain and the claimant impact are detailed in the table below, the costings are based on all working age claimants paying a 12.5% contribution, as it is impossible to identify and calculate precise figures as the contribution level varies dependant on the claimant's financial circumstances.

Percentage Contribution	Average liability income due	90% Collection Rate	Increase @ 2.5% increments	Additional Cost to claimant	
				per year	per week
12.50%	£179,230.22	£161,307			
15%	£215,076.26	£193,569	£32,261	£41.63	£0.80
17.50%	£250,922.31	£225,830	£64,523	£83.26	£1.60
20%	£286,768.35	£258,092	£96,784	£124.88	£2.40

Income Sharing Agreement

19. An Essex wide income sharing agreement was entered into with all billing authorities and major preceptors at the time of implementation of the new LCTS scheme.
20. The main principles of the agreement are to ensure a joint approach in maximising income collection, reduce fraud and ensure compliance.
21. By working proactively on fraud this ensures that our Taxbase is maintained at the maximum level generating extra revenue for both the major preceptors and billing authorities.
22. Preceptors receive a share of all income generated for Council Tax and this is allocated through the Collection Fund at year end.
23. The increased income generated specifically from these activities and internal decisions by UDC each year is monitored and the preceptors have agreed to share their element of the extra income with the Local Authorities.
24. Two posts are being funded through this agreement to work directly on all areas of fraud and compliance within Council Tax.
25. We are currently working with Essex County and other Local Authorities on the 'Next Steps for the Sharing Agreement'. Due to the success of this agreement for all parties it is anticipated that this will continue.
26. The income generated directly from this work will also be shared as per the agreement.

LCTS Administration, hardship and recovery funding

27. As part of the scheme the major preceptors (County, Fire and Police) provide funding of £34,000 per annum to employ an officer to ensure the efficient administration of the LCTS scheme. The officer also works with those people affected by the scheme to provide support in managing their payments and thereby avoiding costly recovery action being taken.
28. Essex County Council contributes £7,000 per annum towards the running of the hardship scheme which has a £15,000 annual budget (£8,000 UDC element).

Full cost of LCTS scheme

29. The following table shows that the forecast financial position for UDC in 2020/21 is a net cost of £380,021, based on the caseload as at 1 April 2019 and a forecast band D equivalent.

£'000	LCTS Expenditure 2020/21	County, Fire and Police Share	UDC Share 2020/21
LCTS Discounts	3,469,564	2,983,825	485,739
Major Preceptors - Sharing Agreement (14%)	0	105,687	(105,687)
Net of LCTS Scheme & Discounts	3,469,564	3,089,512	380,052
Major Preceptor LCTS Funding (Admin & Recovery)	0	34	(34)
LCTS Hardship Scheme	15	7	8
ECC Funding of Hardship Scheme	0	5	(5)
Total Net Cost	3,469,579	3,089,558	380,021

30. The expectation is that current caseload levels will remain fairly static, but it should be noted that these could see some further increases with the wider rollout of UC.

Consultation Responses

31. The consultation period for all the major preceptors (Essex County Council and the Police, Fire and Crime Commissioner) and Town and Parish Councils began on the 22 July and 27 August for the public with both closing on the 30 September.
32. The full report on the outcomes of the Consultation can be viewed in Appendix 1. This includes additional comments submitted and the responses to these of the Cabinet Member for Finance.
33. A total of 156 responses were received, 134 from the public and 22 from preceptors.

34. The consultation responses are detailed in the following table (please note that not all respondents answered all the questions);

Questions		Residents	Preceptors	Total	
<p>Q1 The Government has said pensioners on low income must be given full protection from the implications of the Local Council Tax Support (LCTS) scheme. Uttlesford's current scheme also protects disabled people on a low income and carers on a low income.</p>					
Do you agree with this?	Yes	86	19	105	94%
	No	7	0	7	6%
		93	19	112	100%
<p>Q2 In the past few years the level that working age recipients in Uttlesford contribute towards their Council Tax bill has been set at 12.5%. This is the lowest contribution of any council in Essex.</p>					
Should the council keep the rate at 12.5%?	Yes	64	12	76	67%
	No	31	7	38	33%
		95	19	114	100%
If "No", do you think the discount should be larger or smaller?	Larger	13	2	15	45%
	Smaller	17	1	18	55%
		30	3	33	100%

Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
Assumptions about costs and income levels are incorrect	2 (a high degree of variability and estimation is involved)	2 (adverse or favourable cost affecting the council budget/collection fund)	Monitor trends closely and review scheme each year to make necessary adjustments

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

Uttlesford District Council October 2019

Local Council Tax Support (LCTS)

A summary report on the survey about Local Council Tax Support (LCTS) provision in Uttlesford for the financial year 2020-2021.

Uttlesford District Council has been consulting local residents regarding the Local Council Tax Support Scheme since 2012 during which time the Scheme has undergone various changes.

For the current consultation, surveys were made available to citizens across the district, town and parish councils and key preceptors (Essex County Council and the Police, Fire and Crime Commissioner). The online survey was publicised through the council's website which provided a direct link to web version of the questionnaire. Paper copies of the survey were also made available from the council's main access points in Saffron Walden, Great Dunmow and Thaxted. A link to an online version of the survey was sent directly to Essex County Council, the PFCC and to all town and parish councils in the district. Further publicity throughout the consultation period included a press release to all local media, promotion via the council's e-newsletters and through social media.

The survey questions were presented so that respondents could 'tick' their preferred response. However, some additional comments were sent directly to the council's Consultation team and are included as an appendix to this report.

Results – Public Survey

Counts = the number of surveys returned or the number of answers to a particular question

Percentage = the proportion of surveys returned or people who answered a question in a certain way

Overall submissions	Result counts (percentage)
Total number of paper forms returned:	3 (2.24%)
Total number of web forms submitted:	131 (97.76%)
Total number of responses to the survey:	134 (100%)
Number of people who entered their postcode:	86

Question	Result counts (percentage)	Overall result
<p>Q1 The Government has said pensioners on low income must be given full protection from the implications of the Local Council Tax Support (LCTS) scheme. Uttlesford’s current scheme also protects disabled people on a low income and carers on a low income.</p> <p>Do you agree with this?</p>	<p>Yes a - 86 (92.47%)</p> <p>No - 7 (7.53%)</p>	Yes
<p>Q2 In the past few years the level that working age recipients in Uttlesford contribute towards their Council Tax bill has been set at 12.5%. This is the lowest contribution of any council in Essex.</p> <p>Should the council keep the rate at 12.5%?</p>	<p>Yes - 64 (67.37%)</p> <p>No - 31 (32.63%)</p>	Yes
<p>If “No”, do you think the discount should be larger or smaller?</p>	<p>Larger - 13 (43.30%)</p> <p>Smaller - 17 (56.70%)</p>	Smaller

Results – Survey of town and parish councils, Essex County Council and the Police, Fire and Crime Commissioner

Surveys were made available electronically to town and parish councils and the key preceptors, Essex County Council and the Police, Fire and Crime Commissioner.

Some parish and town councils submitted more than one response and some sent a comment by email rather than completing an online form. A summary of responses to questions has been included in the results below and the additional comments are included at the end of the report.

Overall submissions	Result counts (percentage)
Total number of web forms submitted:	20 (90.91%)
Total number of comments emailed directly:	2 (9.09%)
Total number of responses to the survey:	22 (100%)
Organisations who supplied their name:	18

Headline question	Result counts (percentage)	Overall result
<p>Q1 The Government has said pensioners on low income must be given full protection from the implications of the Local Council Tax Support (LCTS) scheme. Uttlesford's current scheme also protects disabled people on a low income and carers on a low income.</p> <p>Do you agree with this?</p>	<p>Yes - 19 (100%)</p> <p>No - 0 (0.00%)</p>	Yes
<p>Q2 In the past few years the level that working age recipients in Uttlesford contribute towards their Council Tax bill has been set at 12.5%. This is the lowest contribution of any council in Essex.</p> <p>Should the council keep the rate at 12.5%?</p>	<p>Yes - 12 (63.16%)</p> <p>No - 7 (36.84%)</p>	Yes
<p>If "No", do you think the discount should be larger or smaller?</p>	<p>Larger - 2 (66.67%)</p> <p>Smaller - 1 (33.33%)</p>	Larger

Summary

In summary, responses to the Local Council Tax Support Scheme questions indicates a majority view that the current scheme should remain unchanged.

Additional comments received in conjunction with the survey about Local Council Tax Support (LCTS) provision in Uttlesford for the financial year 2020-2021.

Additional Comments – Public Survey

Thank you for embarking on this consultation; I'm pleased to have the opportunity to offer my views.

As part of this consultation, please could you register my strong opinion that the 12.5% minimum tax rate should be reduced to 0%. I would also like to offer some addition comments and suggestions.

I applaud the improvements to some UDC information that now explain 'Anyone in Uttlesford on a low income and entitled to Disability Living Allowance or Carers Allowance will have some protection' – rather than saying vulnerable and disabled people are protected as has been stated in some previous years. For a variety of reasons, most disabled people don't receive DLA. However, please check whether you really mean 'recipients of DLA' rather than people entitled to DLA. The difference is important. Many people lack the health or other resources to complete the DLA application process, let alone appeal DLA initial decisions. It will really help if the UDC avoids inadvertently misleading residents about the realities of DLA (and PIP). The UDC could make this small further contribution to being part of the DLA/PIP solutions rather than part of the DLA/PIP problems.

The UDC consultation questions seemed to me to be inadequate. Q1 asked about whether we should 'protects vulnerable and disabled people'. This misleading. Whilst I realise, and applaud that, UDC offers a lower minimum rate of tax than some councils, despite our best efforts, we only protect some 'vulnerable and disabled people'. By no means all. We should not pretend otherwise.

Member response – The question correctly says that LCTS reduction is available to various categories of people on a low income. It doesn't imply that it covers for example disabled people who are not on a low income. Receipt of DLA is one of many factors on the LCTS application form, which includes other disability related questions, in order to determine eligibility. However, it is very much agreed that the forms are long. Council staff are available and happy to help residents complete the forms.

Additional Comments – Public Survey

Q2 omitted to enquire whether the tax rate should be lowered, and if so, to what %. I realise that financially it's hard for the Council to reduce its income. However, I would maintain that the Council has more options to raise its income, and to 'get by' than its constituents living in poverty, and/or with chronic illness and/or disability. In my opinion, such constituents should not be required to pay any Local Council Tax.

The survey omitted including a meaningful question concerning the accessibility of Local Council Tax Support. I'd suggest that, at the very least, the UDC should collect information as to why everyone entitled to UDC LCTS doesn't claim it. A vague question about the UDC information strategy seems to me woefully inadequate in this respect. Lastly, whilst I understand that analysis and summary of comments is not easy and adds to the cost of a survey, I believe that omitting the option of additional comments in the survey itself makes it harder for the UDC to accurately interpret the responses to the questions.

Member Response - An 'open ender' comments section was not included because the questions were very specific and only about LCTS. Analysing, categorising and responding to comments which could be on any topic and not necessarily related to LCTS was outside the scope of this survey.

If you want my honest opinion we should not have to pay it at all because the policing is so poor in area (big question is where did the money for the old Police Station go).

Additional comments – Town and parish councils and preceptors (Essex County Council and Police, Fire and Crime Commissioner)

I'm writing on behalf of Saffron Walden Town Council to respond to the UDC consultation on the Local Council Tax Support.

Our response is that it

AGREES with the statement in Question 1: "The government has said pensioners on a low income should be given a discount under the Local Council Tax Support (LCTS) scheme. Uttlesford's current scheme also protects vulnerable and disabled people and carers on a low income."

FURTHER the Town Council considers that all people on low incomes should be given support, and not just those in the categories listed.

Localising Council Tax Support for Town and Parish Councils 2020-21

The loss to Saffron Walden Town Council of the withdrawal of the LCTS for the financial year 2018-19 represented the equivalent of 2.7% of the Precept for our tax payers. This is money that the Council must find by cutting other projects to the detriment of the people of Saffron Walden.

Rt. Hon. Sajid Javid, Secretary of State for Business, Innovation and Skills, in his speech to the National Association of Local Councils in October made a number of salient points:

"I know that not enough cash from the principal support grant is finding its way down to your level and that's just not right.

Principal authorities should be devolving responsibilities to local councils because you are best placed to deliver more tailored services.....not so that they can save a few pounds and get important work done on the cheap.

They certainly shouldn't be using parish precepts as a means of avoiding their own cap on council tax increases."

Additional comments – Town and parish councils and preceptors (Essex County Council and Police, Fire and Crime Commissioner)

“The government has previously issued guidance to billing authorities on this, making clear that they should work with parish and town councils to pass down appropriate levels of funding.

But from my conversations with you, it’s clear that too many top-tier councils aren’t following that guidance closely enough.

So let me promise you all today that I’ll be exploring ways in which I can strengthen the requirement for principal authorities to pass a share of local council tax support to their towns and parishes.

It’s the least you deserve.

As you do more for your residents, so their interest in your work is likely to increase.”

“Ask most British people where they live and they won’t name their principal local authority area.

They’ll tell you about their town, their village, their neighbourhood.

Local identity isn’t about lines on a map, it’s about community.

People are more attached to their town or village than to their district or borough.”

Since our last submission to Uttlesford in November 2017 the Council has faced a number of calls on its resources.

The Rates charged on our premises have increased from between 2.3% to 12.5%. Next year the Council will no longer receive the grant from Uttlesford to operate the toilets in Hill Street, this will result in SWTC needing to fund the upkeep from its own resources. The threat by the Government to charge VAT on market lettings would have serious repercussions for a town like saffron Walden and would be an additional cost the Council would have to pass on to its stall holders. This is in spite of frequent assurance that town high streets must remain viable.

Saffron Walden Town Council earnestly requests that Uttlesford District Council reinstates its previous policy of sharing the LCTS with local Town and Parish Councils.

Additional comments – Town and parish councils and preceptors (Essex County Council and Police, Fire and Crime Commissioner)

Member Response - In 2013 the Government provided funding at 90% of the cost of the previous year's CTB scheme to local councils for the LCTS scheme, year on year the council has seen funding allocations reduce significantly in excess of the level of funding originally allocated. Whilst the funds were available the council were able to allocate grants to support preceptors but with no direct funding to be shared, each preceptor takes the burden pro rata to their precept.

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Committee:	Cabinet	Date:	Tuesday 26 November 2019
Title:	Felsted Neighbourhood Plan – Examiners Report		
Portfolio Holder:	Cllr John Evans, Portfolio Holder for Planning and the Local Plan	Key decision:	Yes
Lead Officer:	Demetria McDonald – Planning Policy Officer		

Summary

1. The examiner's report into the examination of the Felsted Neighbourhood Plan has been received (Appendix 1). The Examiner recommends proceeding to referendum if recommended modifications are made to the Plan. The changes are summarised in Appendix 2.

Recommendations

2. That Cabinet accepts the Independent Examiner's recommended changes to the Felsted Neighbourhood Plan in full as set out in the Schedule at Appendix 2 and notes the recommendation that the amended Felsted Neighbourhood Plan should proceed to a Referendum of voters within the Parish of Felsted to establish whether the plan should form part of the Development Plan for Uttlesford District Council.
3. That the Cabinet approves the holding of a referendum relating to the Felsted Neighbourhood Plan on 30 January 2020 that will include all the registered electors in Felsted Parish.

Financial Implications

4. The referendum will initially be funded by Uttlesford District Council at a cost of approximately **£5,000**. After the referendum UDC will be able to claim **£20,000** funding from MHCLG which will cover the cost of the examination and the referendum.

Background Papers

5. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

None

Impact

6.

Communication/Consultation	The plan has undergone significant community involvement in its preparation
Community Safety	The plan deals with community safety
Equalities	The plan consulted with every resident
Health and Safety	None
Human Rights/Legal Implications	None
Sustainability	The plan deals with sustainability of the villages
Ward-specific impacts	Felsted
Workforce/Workplace	None

Situation

7. The Felsted Neighbourhood Plan was submitted for examination commencing 1st August 2019 following a six week consultation period (see Appendix 3 for a reference copy of the original submitted NP without the modifications made). The examination was conducted via written representations (the examiner decided that a public hearing would not be required). The Examiner's report, detailing recommendations was received on 29 September 2019 (see Appendix 1).
8. Planning legislation states that once a local planning authority has been issued with an examiner's report, then it must consider the recommendations and **a) reach a decision within 5 weeks starting with the day after receiving the Examiner's report or b) reach a decision on a different date subject to UDC and Qualifying Body (Felsted Parish Council) agreement.** If the authority is satisfied with the examiner's recommendations then specified modifications should be made before the Plan proceeds to referendum.
9. The Council can also decide to extend the area in which the referendum is to take place, should it wish, or it could decide that it is not satisfied with the plan proposal, with respect to meeting basic conditions, compatibility with Convention rights and the definition and provisions of the Neighbourhood Plan, even if modified.
10. If the Council is satisfied then it will need to publicise its decision (**Decision Statement**) and move to a referendum as soon as possible. If the Council is not satisfied that the Plan meets basic conditions then it must refuse the plan proposal and publicise its decision and reasons.

The Recommendations

11. The examiner has recommended that, subject to modifications, the Neighbourhood Plan meets the basic conditions and other statutory requirements, and that it can proceed to a referendum within the neighbourhood plan area.
12. The recommended modifications are set out in Appendix 2 'Schedule of Examiner's Recommendations'.
13. There are a number of modifications to policies, deletion of policies, and amendments to general wording within the Plan document, as well as mapping modifications and additions.
14. The Council Policy Planning Officers and Felsted Neighbourhood Plan Steering Group through correspondence (2nd October 2019) agreed on the modifications, the Felsted Neighbourhood Plan Steering group accepted the recommendations made by the examiner.

Proposed Action

15. It is recommended that Cabinet approve the examiner's recommendations, as detailed in Appendix 2, allowing the Felsted Neighbourhood Plan to proceed to referendum within the neighbourhood area (the civil parish of Felsted).
16. Should the examiner's recommendations be met with full approval by Cabinet then a Decision Statement will be published on the Council's website.
17. The next steps will involve the Council publishing information and giving at least 28 days' notice of the referendum (not including weekends or bank holidays). It is therefore anticipated that a referendum could be held on 30 January 2020.
18. If more than half of the people who vote in the referendum, vote in favour of the Plan then the Council must adopt the Neighbourhood Plan, it then becomes part of the Council's development plan.

Risk Analysis

19.

Risk	Likelihood	Impact	Mitigating actions
The modifications should only be disregarded if the Plan does not meet the basic conditions. If the Council do not support the	1. Officers are satisfied that the Examiner's recommendations are reasonable and needed to ensure the Plan meets the Basic Conditions	2. The Council does not follow the regulations set out in Neighbourhood Plan legislation.	The Neighbourhood Plan regulations have been followed and Officers are in agreement with the Examiner's recommendations.

Plan to referendum then the Council must have sound reasons for doing so.			
If the Decision is not made by 5/11/19 (within the prescribed 5 weeks) the Qualifying Body makes representations to the Secretary of State that the Council failed to make a decision within the prescribed 5 weeks of receiving the Examiner's report.	2. The Qualifying Body is not willing to agree to the Council's requests for an extension of the prescribed 5 weeks' Decision period.	2. The Council does not follow the Neighbourhood Planning Regulations.	Council continued requesting for an extension and provided reasons to the Qualifying Body for the need of a Cabinet Decision on a Key Decision and extension granted to 26 November 2019.

- 1 = Little or no risk or impact
- 2 = Some risk or impact – action may be necessary.
- 3 = Significant risk or impact – action required
- 4 = Near certainty of risk occurring, catastrophic effect or failure of project.

Felsted Parish Council

Felsted Neighbourhood Development Plan

A report to Uttlesford District Council of the Independent
Examination of the Felsted Neighbourhood Development Plan

Independent Examiner Christopher Edward Collison

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Overall Finding

This is the report of the Independent Examination of the Felsted Neighbourhood Development Plan. The plan area comprises the entire administrative area of Felsted Parish Council within the Uttlesford District Council area. The plan period is 2018-2033. The Neighbourhood Plan includes policies relating to the development and use of land. The Neighbourhood Plan allocates land for residential development.

This report finds that subject to specified modifications the Neighbourhood Plan meets the Basic Conditions and other requirements. It is recommended the Plan should proceed to a local referendum based on the plan area.

Neighbourhood Planning

1. The Localism Act 2011 empowers local communities to take responsibility for the preparation of elements of planning policy for their area through a neighbourhood development plan. The National Planning Policy Framework (the Framework) states that “*neighbourhood planning gives communities the power to develop a shared vision for their area*”¹
2. Following satisfactory completion of the necessary preparation process, neighbourhood development plans have statutory weight. Decision-makers are obliged to make decisions on planning applications for the area that are in line with the neighbourhood development plan, unless material considerations indicate otherwise.
3. The Felsted Neighbourhood Development Plan (the Neighbourhood Plan) has been prepared by Felsted Parish Council (the Parish Council). The draft plan has been submitted by the Parish Council, a qualifying body able to prepare a neighbourhood plan, in respect of the Felsted Neighbourhood Area which was formally designated by Uttlesford District Council (the District Council) on 4 December 2014. The Neighbourhood Plan has been produced by the Neighbourhood Plan Steering Group made up of Parish Councillors and other volunteers from the local community.
4. The submission draft of the Neighbourhood Plan, along with the Consultation Statement and the Basic Conditions Statement, has been approved by the Parish Council for submission of the plan and accompanying documents to the District Council. The District Council arranged a period of publication between 12 June 2019 and 24 July 2019 and subsequently submitted the Neighbourhood Plan to me for independent examination.

Independent Examination

5. This report sets out the findings of the independent examination of the Neighbourhood Plan.² The report makes recommendations to the District Council including a recommendation as to whether or not the

¹ Paragraph 29 National Planning Policy Framework (2019)

² Paragraph 10 Schedule 4B Town and Country Planning Act 1990

Neighbourhood Plan should proceed to a local referendum. The District Council will decide what action to take in response to the recommendations in this report.

6. The District Council will decide whether the Neighbourhood Plan should proceed to referendum, and if so whether the referendum area should be extended, and what modifications, if any, should be made to the submission version plan. Once a neighbourhood plan has been independently examined, and the decision taken to put the plan to a referendum, it must be taken into account when determining a planning application, in so far as the policies in the plan are material to the application³.
7. Should the Neighbourhood Plan proceed to local referendum and achieve more than half of votes cast in favour, then the Neighbourhood Plan will form part of the Development Plan and be given full weight in the determination of planning applications and decisions on planning appeals in the plan area⁴ unless the District Council subsequently decide the Neighbourhood Plan should not be 'made'. The Housing and Planning Act 2016 requires any conflict with a neighbourhood plan to be set out in the committee report, that will inform any planning committee decision, where that report recommends granting planning permission for development that conflicts with a made neighbourhood plan⁵. The Framework is very clear that where a planning application conflicts with an up to date neighbourhood plan that forms part of the development plan, permission should not usually be granted⁶.
8. I have been appointed by the District Council with the consent of the Parish Council, to undertake the examination of the Neighbourhood Plan and prepare this report of the independent examination. I am independent of the Parish Council and the District Council. I do not have any interest in any land that may be affected by the Neighbourhood Plan and I hold appropriate qualifications and have appropriate experience. I am an experienced Independent Examiner of Neighbourhood Plans. I am a Member of the Royal Town Planning Institute; a Member of the Institute of Economic Development; a Member of the Chartered Management Institute; and a Member of the Institute of Historic Building Conservation. I have forty years

³ Paragraph 48 of the National Planning Policy Framework 2019 explains full weight is not given at this stage

⁴ Section 3 Neighbourhood Planning Act 2017

⁵ Section 156 Housing and Planning Act 2016

⁶ Paragraph 12 National Planning Policy Framework 2019

professional planning experience and have held national positions and local authority Chief Planning Officer posts.

9. As independent examiner, I am required to produce this report and must recommend either:

- that the Neighbourhood Plan is submitted to a referendum, or
- that modifications are made and that the modified Neighbourhood Plan is submitted to a referendum, or
- that the Neighbourhood Plan does not proceed to a referendum on the basis it does not meet the necessary legal requirements.

10. I make my recommendation in this respect and in respect to any extension to the referendum area,⁷ in the concluding section of this report. It is a requirement that my report must give reasons for each of its recommendations and contain a summary of its main findings.⁸

11. The general rule is that examination of the issues is undertaken by the examiner through consideration of written representations.⁹ The Planning Practice Guidance (the Guidance) states *“it is expected that the examination of a draft Neighbourhood Plan will not include a public hearing.”*

12. The examiner has the ability to call a hearing for the purpose of receiving oral representations about a particular issue in any case where the examiner considers that the consideration of oral representations is necessary to ensure adequate examination of the issue, or a person has a fair chance to put a case. All parties have had opportunity to state their case. As I did not consider a hearing necessary, I proceeded on the basis of written representations and an unaccompanied visit to the Neighbourhood Plan area.

Basic Conditions and other Statutory Requirements

13. An independent examiner must consider whether a neighbourhood plan meets the “Basic Conditions”.¹⁰ A neighbourhood plan meets the Basic Conditions if:

⁷ Paragraph 8(1)(d) Schedule 4B Town and Country Planning Act 1990

⁸ Paragraph 10(6) Schedule 4B Town and Country Planning Act 1990

⁹ Paragraph 9(1) Schedule 4B Town and Country Planning Act 1990

¹⁰ Paragraph 8(2) Schedule 4B Town and Country Planning Act 1990

- having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan;
- the making of the neighbourhood plan contributes to the achievement of sustainable development;
- the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
- the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations; and
- 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 2017.¹¹

14. An independent examiner must also consider whether a neighbourhood plan is compatible with the Convention Rights.¹² All of these matters are considered in the later sections of this report titled ‘The Neighbourhood Plan taken as a whole’ and ‘The Neighbourhood Plan Policies’.

15. In addition to the Basic Conditions and Convention Rights, I am also required to consider whether the Neighbourhood Plan complies with the provisions made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004.¹³ I am satisfied the Neighbourhood Plan has been prepared in accordance with the requirements of those sections, in particular in respect to the Neighbourhood Planning (General) Regulations 2012 (the Regulations) which are made pursuant to the powers given in those sections.

16. The Neighbourhood Plan relates to the area that was designated by the District Council as a neighbourhood area on 4 December 2014. A map of the Neighbourhood Area is included as Figure 3 of the Submission Draft Plan. The Neighbourhood Plan designated area is coterminous with the Felsted Parish Council boundary. The

¹¹ This Basic Condition arises from the coming into force, on 28 December 2018, of the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018 whereby the Neighbourhood Planning Regulations 2012 are amended. This basic condition replaced a basic condition “the making of the neighbourhood plan is not likely to have a significant effect on a European site or a European offshore marine site, either alone or in combination with other plans or projects”.

¹² The Convention Rights has the same meaning as in the Human Rights Act 1998

¹³ In sections 38A and 38B themselves; in Schedule 4B to the 1990 Act (introduced by section 38A (3)); and in the 2012 Regulations (made under sections 38A (7) and 38B (4)).

Neighbourhood Plan does not relate to more than one neighbourhood area,¹⁴ and no other neighbourhood development plan has been made for the neighbourhood area.¹⁵ All requirements relating to the plan area have been met.

17. I am also required to check whether the Neighbourhood Plan sets out policies for the development and use of land in the whole or part of a designated neighbourhood area;¹⁶ and the Neighbourhood Plan does not include provision about excluded development.¹⁷ I am able to confirm that I am satisfied that each of these requirements has been met.

18. A neighbourhood plan must also meet the requirement to specify the period to which it has effect.¹⁸ The front cover of the Submission Version Plan clearly states the plan period to be 2018-2033.

19. The role of an independent examiner of a neighbourhood plan is defined. I am not examining the test of soundness provided for in respect of examination of Local Plans.¹⁹ It is not within my role to examine or produce an alternative plan, or a potentially more sustainable plan, except where this arises as a result of my recommended modifications so that the Neighbourhood Plan meets the Basic Conditions and other requirements that I have identified. I have been appointed to examine whether the submitted Neighbourhood Plan meets the Basic Conditions and Convention Rights, and the other statutory requirements.

20. A neighbourhood plan can be narrow or broad in scope. There is no requirement for a neighbourhood plan to be holistic, or to include policies dealing with particular land uses or development types, and there is no requirement for a neighbourhood plan to be formulated as, or perform the role of, a comprehensive local plan. The nature of neighbourhood plans varies according to local requirements.

21. Neighbourhood plans are developed by local people in the localities they understand and as a result each plan will have its own character.

¹⁴ Section 38B (1)(c) Planning and Compulsory Purchase Act 2004

¹⁵ Section 38B (2) Planning and Compulsory Purchase Act 2004

¹⁶ Section 38A (2) Planning and Compulsory Purchase Act 2004

¹⁷ Principally minerals, waste disposal, development automatically requiring Environmental Impact Assessment, and nationally significant infrastructure projects - Section 38B(1)(b) Planning and Compulsory Purchase Act 2004

¹⁸ Section 38B (1)(a) Planning and Compulsory Purchase Act 2004

¹⁹ Under section 20 of the Planning and Compulsory Purchase Act 2004 and in respect of which guidance is given in paragraph 35 of the National Planning Policy Framework 2019

It is not within my role to re-interpret, restructure, or re-write a plan to conform to a standard approach or terminology. Indeed, it is important that neighbourhood plans reflect thinking and aspiration within the local community. They should be a local product and have particular meaning and significance to people living and working in the area.

22. Apart from minor corrections and consequential adjustment of text (referred to in the Annex to this report) I have only recommended modifications to the Neighbourhood Plan (presented in bold type) where I consider they need to be made so that the plan meets the Basic Conditions and the other requirements I have identified.²⁰

Documents

23. I have considered each of the following documents in so far as they have assisted me in determining whether the Neighbourhood Plan meets the Basic Conditions and other requirements:

- Felsted Neighbourhood Plan 2018-2033 Submission Draft including Appendices 1, 2, and 2A and Maps 1 to 13 included in the Map Book
- Felsted Neighbourhood Plan Consultation Statement including Appendices 1 to 18 [*In this report referred to as the Consultation Statement*]
- Felsted Neighbourhood Plan Basic Conditions Statement [*In this report referred to as the Basic Conditions Statement*]
- Felsted Neighbourhood Plan Strategic Environmental Assessment (SEA) Screening Determination Statement June 2018 and May 2019
- Neighbourhood Plan for Felsted Parish Habitats Regulations Assessment (HRA): HRA Screening and Appropriate Assessment updated 30 May 2019
- Felsted Neighbourhood Plan Submission – (1 May 2019) Statement of Common Ground between Uttlesford District Council and Felsted Parish Council
- Felsted Neighbourhood Plan Site Assessment Report
- Felsted Neighbourhood Plan Preferred Sites Justification Report
- Felsted Neighbourhood Plan Viability Study (AECOM) April 2018
- Felsted Heritage and Character Assessment October 2017 including Appendices A, and B parts 1 and 2
- Felsted Housing Needs Survey March 2016
- Felsted Neighbourhood Plan Estate Agents Survey April 2016
- Felsted Neighbourhood Plan information available on the Uttlesford District Council website and the Felsted Neighbourhood Plan website
- Representations received during the Regulation 16 publicity period

²⁰ See 10(1) and 10(3) of Schedule 4B to the Town and Country Planning Act 1990

- Correspondence between the Independent Examiner and the District and Parish Councils including the initial letter of the Examiner dated 30 July 2019; the Parish Council comments on the representations of other parties dated 14 August 2019; the letter of the Examiner seeking clarification of various matters dated 3 September 2019; and the joint response of the District and Parish Councils to that letter dated 12 September 2019
- Uttlesford Local Plan Adopted January 2005 and interactive Proposals Map
- Uttlesford District Council Local Plan submitted to the Secretary of State for examination 18 January 2019 (emerging Plan) [In this report referred to as the emerging Local Plan]
- National Planning Policy Framework (February 2019) [*In this report referred to as the Framework*]
- Permitted development rights for householders: technical guidance MHCLG (10 September 2019) [*In this report referred to as the Permitted Development Guidance*]
- Planning Practice Guidance web-based resource MHCLG (first fully launched 6 March 2014 and subsequently updated) [*In this report referred to as the Guidance*]
- The Town and Country Planning (Use Classes) Order 1987 (as amended)
- The Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2014
- The Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2015
- The Town and Country Planning Act 1990 (as amended)
- The Planning and Compulsory Purchase Act 2004 (as amended)
- The Localism Act 2011
- The Housing and Planning Act 2016
- The Neighbourhood Planning Act 2017 and Commencement Regulations 19 July 2017, 22 September 2017, and 15 January 2019
- The Neighbourhood Planning (General) Regulations 2012 (as amended) [*In this report referred to as the Regulations. References to Regulation 14, Regulation 16 etc in this report refer to these Regulations*].
- The Neighbourhood Planning (General) (Amendment) Regulations 2015
- The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016.
- The Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018

Consultation

24. The submitted Neighbourhood Plan is accompanied by a Consultation Statement which outlines the process undertaken in the preparation of the plan. In addition to detailing who was consulted and by what methods, it also provides a summary of comments received from local community members, and other consultees, and how these have been addressed in the Submission Plan. I highlight here a number of key stages of consultation undertaken in order to illustrate the approach adopted.
25. The Neighbourhood Plan Steering Group comprising Parish Councillors and other local volunteers first met in July 2014 and continued to meet regularly throughout the plan preparation process. Minutes of meetings have been published on a dedicated website.
26. A coffee morning and briefing session for interested parties and representatives of village organisations was held in March 2015. An agenda for consultation was launched that same month and distributed to “Green Leaders” and village organisations. An initial consultation document generated response on a range of topics. Businesses operating within the parish were invited to a stakeholder’s event in April 2015. A well-advertised open day in May 2015, attended by more than 175 people, resulted in 500 comments that were collated and analysed. A Smart Survey in 2015 and 2016 generated a further 68 comments. Other consultation included focussed workshops on key themes attended by over 200 people; a survey of local estate agents; a housing needs survey; a youth survey; and surveys in relation to the three schools in the parish and the doctors’ surgery. Traffic and car park surveys were undertaken in 2015, and a further car parking survey in 2016. A feedback event was hosted by the Steering Group in May 2016.
27. Throughout the plan preparation process publicity has been achieved through the dedicated Neighbourhood Plan website, through Felsted News, and through the Holy Cross Church newsletter. Meetings relating to the Community Hub were held during 2016 and 2017. Preparation of the Heritage and Character Assessment involved a drop-in session in January 2017. Policy intentions were presented in July 2017 with over 150 people attending, and later these intentions were published which generated further response. A reference forum was established in September 2017. Housing development proposals have been developed through discussion with land owners and

agents. Village meetings were held in April 2018.

28. Pre-submission consultation in accordance with Regulation 14 was undertaken between 23 July 2018 and 21 September 2018. The consultation included seven drop-in open events; making Plan and evidence base documents available on the dedicated website with copies available for viewing at several locations; summary notes and questionnaire sent to every address in the parish; advertisements in local newspapers; use of noticeboards; and an online opportunity to comment. The representations arising from the consultation are presented in Appendix 18 of the Consultation Statement where responses and changes made to the Neighbourhood Plan, are set out. The suggestions have, where considered appropriate, been reflected in a number of changes to the Plan that was approved by the Parish Council, for submission to the District Council.
29. The Submission Version of the Neighbourhood Plan has been the subject of a Regulation 16 period of publication between 12 June 2019 and 24 July 2019. A total of 15 representations were submitted during the period of publication. I have been provided with copies of each of these representations.
30. Historic England confirm they have no specific comments on the Neighbourhood Plan. Sport England has submitted generic statements relating to neighbourhood plan preparation with no comment on any specific part of the Neighbourhood Plan. These representations and the representation on behalf of National Grid do not necessitate any modification of the Plan to meet the Basic Conditions.
31. Essex County Council has commented on a large number of the policies of the Neighbourhood Plan. I have taken these comments into consideration, where they are relevant to my remit, when examining the policies in question. The County Council has also provided information regarding mineral developments and waste developments and allocations. These are matters that are excluded development for the purposes of neighbourhood planning.
32. The Environment Agency has submitted representations including comments relating to water recycling centre capacity, sustainable drainage systems, and flood risk. I have made a specific recommendation for modification of the Neighbourhood Plan in respect of issues raised by the Environment Agency, and taken the representations into consideration when considering relevant policies,

in particular those relating to meeting housing need.

33. Representations submitted by the District Council, and by the Council for the Preservation of Rural England (CPRE) refer to aspects of several of the policies of the Neighbourhood Plan. CPRE also state more emphasis should be given to the protection of best and most versatile agricultural land however this is not necessary to meet the Basic Conditions. Anglian Water has commented on Policies HN2 and HN3. Natural England has commented on Policies HN8 and CW4. Springfields Planning and Development, on behalf of one client, have commented on Policy HN4 and supporting text, and village development limits; and on behalf of another client have commented on Policies HN1, HN2, HN4, and HN5. In addition to general comments that do not necessitate modification of the Neighbourhood Plan, Gladman Developments have commented on Policies HN5 and ICH5. An individual has commented on Policy HN2. Another individual has commented on Policy HN5. The representation of GO Planning Ltd (on behalf of GO Homes Ltd Limited in conjunction with landowners of land within the Neighbourhood Area) includes a statement that too much emphasis has been given to the doctors surgery and school parking in site allocations, and the plan fails to recognise how development on the settlements edge can be absorbed into the village with the open character of the countryside protected. The representation comments on many components and policies of the Neighbourhood Plan including Maps and supporting documents.
34. In preparing the entirety of this report I have taken into consideration all of the representations submitted during the Regulation 16 period even though they may not be referred to in whole. I have taken account of the representations of all parties relating to specific policies of the Neighbourhood Plan, so far as they are relevant to my remit, when considering the policies later in my report. Several representations suggest additional policies or aspects of policy, or alternative approaches to policy matters, however it is beyond my remit to make recommendations for modification of the Neighbourhood Plan in these respects except where they are necessary to meet the Basic Conditions and other requirements.
35. On 15 August 2019 the District Council sent me a copy of an email sent by an individual to the Neighbourhood Plan Steering Group on 12 August 2019. As the period for representations had closed on 24 July 2019, I wrote to the District Council on the basis that if the Council was proposing this letter should be accepted as a late representation the

Council should state the reasons why this should be the case. The Neighbourhood Plan Steering Group advised me that the person sending the representation had been inadvertently omitted from an email list. Having read the representation, I note the writer had submitted a representation in the publicity period, covering the same principal issue. The District Council subsequently advised me that it was not proposing the late representation should be considered. The District Council had advertised the publicity period in the correct way. I have not taken the late representation into consideration.

36. I provided the Parish Council with an opportunity to comment on the Regulation 16 representations of other parties. I placed no obligation on the Parish Council to offer any comments but such an opportunity can prove helpful where representations of other parties include matters that have not been raised earlier in the plan preparation process. On 15 August 2019 the Parish Council responded to the opportunity to comment by setting out a statement in respect of a number of the Regulation 16 representations. I have taken the Parish Council response into account in preparing my report. I advised the District Council that the Regulation 16 representations, and the Parish Council response, should be published on their website.

37. The representation of Go Planning Ltd makes reference to consultation, including at page 5, *“However, it is apparent that at certain junctures the Steering Group have not provided written responses to direct representations made, or indeed failed to follow up their own letters for further consultations especially with regard to the potential to deliver their idea of a new community hub”*, and at page 11, further reference to consultation regarding the community hub. In this respect the Parish Council has commented, drawing specific attention to parts of the Consultation Statement. The representation of an individual states *“We were not given the power to decide where new housing was to be located, at each step the two sites proposed were Sunnybrook Farm and the Bury Fields. Other housing projects have been turned down by the committee.”* I am satisfied there is evidence of adequate consultation being undertaken as part of the Plan preparation process.

38. The Regulations state that where a qualifying body submits a plan proposal to the local planning authority it must include amongst other items a consultation statement. The Regulations state a Consultation Statement means a document which:

a) contains details of the persons and bodies who were consulted

- about the proposed neighbourhood development plan;
- b) explains how they were consulted;
- c) summarises the main issues and concerns raised by the persons consulted; and
- d) describes how these issues and concerns have been considered and, where relevant, addressed in the proposed neighbourhood development plan.²¹

39. The Consultation Statement includes information in respect of each of the requirements set out in the Regulations. I am satisfied the requirements have been met. It is evident the Neighbourhood Plan Steering Group has taken great care to ensure stakeholders have had full opportunity to influence the general nature, and specific policies, of the Neighbourhood Plan.

The Neighbourhood Plan taken as a whole

40. This section of my report considers whether the Neighbourhood Plan taken as a whole meets EU obligations, habitats and Human Rights requirements; has regard to national policies and advice contained in guidance issued by the Secretary of State; whether the plan contributes to the achievement of sustainable development; and whether the plan is in general conformity with the strategic policies contained in the development plan for the area. Each of the plan policies is considered in turn in the section of my report that follows this. In considering all of these matters I have referred to the submission, background, and supporting documents, and copies of the representations and other material provided, and available, to me.

Consideration of Convention Rights; and whether the making of the Neighbourhood Plan does not breach, and is otherwise compatible with, EU obligations; and 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

41. The Basic Conditions Statement states “*The Neighbourhood Plan has been prepared through continued, active, and committed consultation with the local community and stakeholders. It reflects the views and aspirations of the local community. The consultation undertaken has been inclusive and provided the opportunity to participate in the plan*

²¹ Regulation 15 The Neighbourhood Planning (General) Regulations 2012 SI 2012 No.637

preparation process through the various methods that were used to consult and engage. The Plan put forward by the Parish Council presents opportunities for further involvement, participation and engagement with all groups within the community through the delivery of projects and aspirations within the Neighbourhood Plan. The Parish Council have considered the European Convention on Human Rights and in particular Article 8 (privacy); Article 14 (discrimination); and Article 1 of the first Protocol (property). It is considered that none of the policies or proposals in the Neighbourhood Plan would breach the Convention.” I am satisfied the European Convention on Human Rights, and in particular to Article 8 (privacy); Article 14 (discrimination); and Article 1 of the first Protocol (property)²², has been considered in Plan preparation. I have seen nothing in the submission version of the Neighbourhood Plan that indicates any breach of the Convention.

42. An equality impact assessment has been undertaken in respect of the Neighbourhood Plan. The Equalities Impact Analysis presented as Table 5 of the Basic Conditions Statement shows the Neighbourhood Plan would have neutral or positive impacts on groups with protected characteristics as identified in the Equality Act 2010. I agree with this assessment.
43. The objective of EU Directive 2001/42²³ is *“to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with this Directive, an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment.”* The Neighbourhood Plan falls within the definition of ‘plans and programmes’²⁴ as the Local Planning Authority is obliged to ‘make’ the plan following a positive referendum result.²⁵
44. The Neighbourhood Planning (General) (Amendment) Regulations 2015 require the Parish Council, as the Qualifying Body, to submit to Uttlesford District Council either an environmental report prepared in accordance with the Environmental Assessment of Plans and

²² The Human Rights Act 1998 which came into force in the UK in 2000 had the effect of codifying the protections in the European Convention on Human Rights into UK law.

²³ Transposed into UK law through the Environmental Assessment of Plans and Programmes Regulations 2004

²⁴ Defined in Article 2(a) of Directive 2001/42

²⁵ Judgement of the Court of Justice of the European Union (Fourth Chamber) 22 March 2012

Programmes Regulations 2004, or a statement of reasons why an environmental report is not required.

45. A Felsted Neighbourhood Plan Strategic Environmental Assessment (SEA) Screening Determination Statement was published in June 2018. The conclusion of the SEA Screening Determination Statement was *“The assessment concludes that the Neighbourhood Plan is not likely to have significant environmental effects and consequently that a strategic environmental assessment is not required.”* Following the advice of Natural England, the SEA screening was repeated in 2019 to reflect the updated information from the Habitats Regulations Assessment of the plan. The Screening Report of May 2019 concluded that the Neighbourhood Plan is not likely to have a significant effect on the environment. Necessary consultation has been undertaken with statutory bodies. I am satisfied the requirements regarding Strategic Environmental Assessment have been met.
46. I have earlier in my report referred to the replacement on 28 December 2018 of the Basic Condition relating to Habitats that had previously been in place throughout much of the period of preparation of the Neighbourhood Plan.
47. The Basic Conditions Statement states *“On 13 September 2018, UDC received a letter from Natural England whereby Natural England informed UDC that the zone of influence for the Blackwater Estuary SPA and Ramsar site had been increased following updated information collected as part of visitor surveys. The zone of influence increased to 22km. This had direct implications for the neighbourhood plan since a sizeable part of the plan area now fell within the zone of influence including the site allocation of 24 additional homes at Watch House Green. Natural England advised UDC that the neighbourhood plan needed to be subject to an appropriate assessment due to this change in circumstance”.*
48. The appropriate assessment under the Habitats Directive and Conservation of Habitats and Species Regulations 2017 has subsequently been undertaken through an update on 30 May 2019 which concludes *“The HRA screening process has identified that Policy HN2 (Sunnybrook Farm) in the Felsted NP might have a likely significant effect on the Blackwater Estuary SPA and Ramsar site when it is considered in combination with other plans in the 22 km zone of influence of this European site. The scale of development coming forward within the zone of influence is recognised by stakeholders including Natural England, Essex County Council and the*

Local Planning Authorities (LPAs) themselves. The extent to which the development across the region could have cumulative significant adverse impacts on the Blackwater Estuary SPA and Ramsar Site is also recognised by stakeholders. In response to this situation, the twelve Essex LPAs are working on the Recreational disturbance and Avoidance and Mitigation Strategy (RAMS) for the Essex Coast. This is being prepared by Essex County Council's Place Services on behalf of 12 partner Local Planning Authorities. The RAMS sets out a package of necessary avoidance and mitigation measures for each of the 10 Essex Coast Habitats sites and a tariff which will be used to pay for the avoidance and mitigation measures. For the strategy to work, all residential development within the zones of influence will either need to pay the tariff, which is a fair and proportionate contribution to the overall package of measures or prepare a project level HRA with bespoke mitigation. The RAMS is intended to ensure compliance with the Habitats Regulations for new residential development within the emerging Local Plans (across the area) and is intended on mitigating impacts so that such residential development does not have any adverse effect on the integrity of the involved coastal designated sites. A final draft of the RAMS has been prepared and is expected to be consulted upon in September/October 2019. However, in the interim period, it is proposed Uttlesford District Council will use the draft RAMS to seek contributions towards the identified avoidance and mitigation measures to ensure that residential development coming forward as part of the Felsted NP does not adversely affect the integrity of the Essex coastal designated European sites and planning decisions comply with the requirements of the Habitats Regulations. Uttlesford District Council's commitment to RAMS will mean that the Felsted neighbourhood plan will not result in any adverse effects on the integrity of European sites alone or in-combination. Uttlesford District Council's commitment to RAMS is demonstrated through: - a commitment to request financial contributions towards avoidance and mitigation measures in line with the RAMS from any development coming forward within the zone of influence (this is a small area in the south east of the district where little development is expected to come forward) and - the inclusion of a RAMS planning policy in the Felsted neighbourhood plan. The entire zone of influence falls within Felsted parish so, once adopted, this policy will apply to any development coming forward in zone of influence. See Figure 3 for a map showing the 22 km zone of influence within Uttlesford District. The findings of the appropriate assessment are that, following the consideration of mitigation measures including the incorporation of HRA policies in the

NP, the Felsted neighbourhood plan will not result in any adverse effects on the integrity of the European site.”

49. As a point of clarification I asked the District and Parish Councils to confirm the Habitats Regulations Assessment (HRA) Screening and Appropriate Assessment updated 30 May 2019 does not require further updating following the granting, on 20 June 2019, of outline planning permission on appeal of the project for up to 30 dwellings on land east and north of Clifford Smith Drive, Watch House Green. (Appeal ref APP/C1570/W/18/3210034). In a joint response the District and Parish Councils stated *“The May 2019 report takes into account the draft site allocation in the emerging Local Plan. Furthermore, at the point of this application being permitted by appeal (Appeal ref APP/C1570/W/18/3210034), the scheme had been subject to its own appropriate assessment (see paragraphs 19 to 26 of the appeal report) which concludes (following consideration of mitigation measures) no adverse effects to the Blackwater Estuary Special Protection Area. There are therefore no additional impacts to be assessed from this in combination with the FNP.”* I am satisfied the Neighbourhood Plan meets the requirements of the revised Basic Condition relating to Habitats Regulations.
50. There are a number of other EU obligations that can be relevant to land use planning including the Water Framework Directive, the Waste Framework Directive, and the Air Quality Directive but none appear to be relevant in respect of this independent examination.
51. I conclude that the Neighbourhood Plan is compatible with the Convention Rights, and does not breach, and is otherwise compatible with, EU obligations. I also conclude the making of the Neighbourhood Plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.
52. The Guidance states it is the responsibility of the local planning authority to ensure that all the regulations appropriate to the nature and scope of a draft neighbourhood plan submitted to it have been met in order for the draft neighbourhood plan to progress. The District Council as Local Planning Authority must decide whether the draft neighbourhood plan is compatible with EU obligations:
- when it takes the decision on whether the neighbourhood plan should proceed to referendum; and

- when it takes the decision on whether or not to make the neighbourhood plan (which brings it into legal force).²⁶

Consideration whether having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Neighbourhood Plan; and whether the making of the Neighbourhood Plan contributes to the achievement of sustainable development

53. I refer initially to the basic condition “*having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan*”. The requirement to determine whether it is appropriate that the plan is made includes the words “*having regard to*”. This is not the same as compliance, nor is it the same as part of the test of soundness provided for in respect of examinations of Local Plans²⁷ which requires plans to be “*consistent with national policy*”.

54. Lord Goldsmith has provided guidance²⁸ that ‘*have regard to*’ means “*such matters should be considered.*” The Guidance assists in understanding “*appropriate*”. In answer to the question “*What does having regard to national policy mean?*” the Guidance states a neighbourhood plan “*must not constrain the delivery of important national policy objectives.*”

55. The most recent National Planning Policy Framework published on 19 February 2019 sets out the government’s planning policies for England and how these are expected to be applied. I have undertaken this Independent Examination of the Neighbourhood Plan in the context of the Framework published in February 2019 and the Planning Practice Guidance most recently updated on 22 July 2019. Clearly some updates of the Guidance have occurred after the Neighbourhood Plan had been prepared and submitted.

56. The Basic Conditions Statement includes general text in section 2.1 and commentary in Table 1 that explains how the Neighbourhood Plan

²⁶ Planning Practice Guidance paragraph 031 Reference ID: 11-031-20150209 revision 09 02 2015

²⁷ Under section 20 of the Planning and Compulsory Purchase Act 2004 and in respect of which guidance is given in paragraph 35 of the National Planning Policy Framework 2019

²⁸ The Attorney General, (Her Majesty’s Principal Secretary of State for Justice) Lord Goldsmith, at a meeting of the House of Lords Grand Committee on 6 February 2006 to consider the Company Law Reform Bill (Column GC272 of Lords Hansard, 6 February 2006) and included in guidance in England’s Statutory Landscape Designations: a practical guide to your duty of regard, Natural England 2010 (an Agency of another Secretary of State)

policies have regard for the Framework. I am satisfied the Basic Conditions Statement demonstrates how the Neighbourhood Plan has regard to relevant identified components of the Framework.

57. The Neighbourhood Plan includes a positive vision for Felsted Parish that includes:

- economic dimensions (*“local employment”, “small business development”, “village shopping”, “supported additional market housing development”*); and
- social components (*“a special place to live”, “village amenities particularly primary health care”, “new larger community hall”, “safety and comfort”, “enhanced public space, “met housing needs”, “schools emblematic of educational excellence, meet emerging demands and play an active role in the community”*); and
- environmental considerations (*“in a rural setting”, “setting of listed buildings protected”, “dispersed nature remains”, “character and identity protected”, “ecology protected”, “natural environment protected and enhanced”, “green infrastructure delivered”, and enhanced use of active travel routes*).

58. Paragraph 4.3.2 of the Neighbourhood Plan includes a table that identifies the relationship of each policy to components of the vision. Paragraph 4.4.1 of the Neighbourhood Plan states the Steering Group has worked with the Parish Council to establish the Felsted Community Trust as a mechanism to help secure the community benefits objectives of the Plan.

59. Section 4.5 of the Neighbourhood Plan identifies *“issues that are not deliverable through planning policy”* that have not or cannot be addressed through the planning policies of the Neighbourhood Plan. It is stated *“the Parish Council will seek to implement these projects through the identification of key partners and sources of funding”*. The Neighbourhood Plan preparation process is a convenient mechanism to surface and test local opinion on ways to improve a neighbourhood other than through the development and use of land. It is important that those non-development and land use matters, raised as important by the local community or other stakeholders, should not be lost sight of. The acknowledgement in the Neighbourhood Plan of issues raised in consultation processes that do not have a direct relevance to land use planning represents good practice. The Guidance states, *“Wider community aspirations than those relating to the development and use of land, if set out as part of the plan, would need to be clearly*

*identifiable (for example, set out in a companion document or annex), and it should be made clear in the document that they will not form part of the statutory development plan”.*²⁹ I am satisfied the approach adopted in the Neighbourhood Plan presenting the “*issues that are not deliverable through planning policy*” in a separate section and with such an unambiguous title differentiates the community aspirations from the policies of the Plan and has sufficient regard for the Guidance.

60. Apart from those elements of policy of the Neighbourhood Plan in respect of which I have recommended a modification to the plan I am satisfied that the need to ‘*have regard to*’ national policies and advice contained in guidance issued by the Secretary of State has, in plan preparation, been exercised in substance in such a way that it has influenced the final decision on the form and nature of the plan. This consideration supports the conclusion that with the exception of those matters in respect of which I have recommended a modification of the plan, the Neighbourhood Plan meets the basic condition “*having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan.*”

61. At the heart of the Framework is a presumption in favour of sustainable development³⁰ which should be applied in both plan-making and decision-taking.³¹ The Guidance states, “*This basic condition is consistent with the planning principle that all plan-making and decision-taking should help to achieve sustainable development. A qualifying body must demonstrate how its plan or order will contribute to improvements in environmental, economic and social conditions or that consideration has been given to how any potential adverse effects arising from the proposals may be prevented, reduced or offset (referred to as mitigation measures). In order to demonstrate that a draft neighbourhood plan or order contributes to sustainable development, sufficient and proportionate evidence should be presented on how the draft neighbourhood plan or order guides development to sustainable solutions*”³².

62. The Basic Conditions require my consideration whether the making of the Neighbourhood Plan contributes to the achievement of sustainable development. There is no requirement as to the nature or extent of that

²⁹ Planning Practice Guidance *Paragraph: 004 Reference ID: 41-004-20190509 Revision 09 05 2019*

³⁰ Paragraph 10 National Planning Policy Framework 2019

³¹ Paragraph 11 National Planning Policy Framework 2019

³² Planning Practice Guidance Paragraph 072 Ref ID:41-072-20190509 Revision 09 05 2019

contribution, nor a need to assess whether or not the plan makes a particular contribution. The requirement is that there should be a contribution. There is also no requirement to consider whether some alternative plan would make a greater contribution to sustainable development.

63. The Framework states there are three dimensions to sustainable development: economic, social and environmental. The Basic Conditions Statement includes Table 1 which provides an analysis of how the Neighbourhood Plan has regard to the specific paragraphs of the Framework which, in turn, demonstrates how the Neighbourhood Plan contributes to the achievement of sustainable development as defined by the Framework as a whole. Table 2 of the Basic Conditions Statement sets out an assessment how the policies of the Neighbourhood Plan impact on the three dimensions of sustainable development. This analysis shows that with the exception of two policies every other policy of the Neighbourhood Plan will have a positive impact in at least two of those dimensions.

64. I conclude that the Neighbourhood Plan, by guiding development to sustainable solutions, contributes to the achievement of sustainable development. Broadly, the Neighbourhood Plan seeks to contribute to sustainable development by ensuring schemes are of an appropriate quality; will serve economic needs; will protect and enhance social facilities; and will protect important environmental features. In particular, I consider the Neighbourhood Plan seeks to:

- Strengthen the village centre as a service centre, building on its historic character;
- Conditionally support relocation or redevelopment of key services and facilities;
- Ensure major developments provide for infrastructure improvements;
- Conditionally support provision of a new burial ground;
- Guard against loss of recreational and play facilities;
- Conditionally support school related developments;
- Allocate two sites for housing development;
- Support residential development within village development limits;
- Establish criteria for support of residential development proposals outside village development limits;
- Require a mix of house types and sizes within developments;

- Protect the Blackwater Estuary SPA and Ramsar site;
- Establish design criteria;
- Establish criteria for support of signage proposals;
- Limit the impact of lighting schemes;
- Guard against coalescence of settlements;
- Conditionally support start-up and small businesses, and establish criteria for loss of business premises;
- Conditionally support employment use of rural buildings and home working;
- Protect identified elements of countryside areas;
- Designate a nature area;
- Guard against adverse impact on public rights of way; and
- Protect and enhance the green infrastructure network.

65. Subject to my recommended modifications of the Submission Plan including those relating to specific policies, as set out later in this report, I find it is appropriate that the Neighbourhood Plan should be made having regard to national policies and advice contained in guidance issued by the Secretary of State. I have also found the Neighbourhood Plan contributes to the achievement of sustainable development.

Consideration whether the making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)

66. The Framework states neighbourhood plans should “*support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies*”.³³ Plans should make explicit which policies are strategic policies.³⁴ “*Neighbourhood plans must be in general conformity with the strategic policies contained in any development plan that covers their area*”³⁵. “*Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine its strategic policies*”.³⁶

67. The Guidance states, “*A local planning authority should set out clearly its strategic policies in accordance with paragraph 21 of the National*

³³ Paragraph 13 National Planning Policy Framework 2019

³⁴ Paragraph 21 National Planning Policy Framework 2019

³⁵ Footnote 16 National Planning Policy Framework 2019

³⁶ Paragraph 29 National Planning Policy Framework 2019

Planning Policy Framework and provide details of these to a qualifying body and to the independent examiner.”³⁷

68. In this independent examination, I am required to consider whether the making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area). The District Council has informed me that the Development Plan applying in the Felsted Neighbourhood Area and relevant to the Neighbourhood Plan is the Uttlesford Local Plan adopted in 2005. Whilst the Essex Minerals Local Plan 2014 and the Essex and Southend-on-Sea Waste Local Plan 2017 are also part of the Development Plan those Plans do not appear to be relevant to the Neighbourhood Plan. The District Council has confirmed that the following policies of the Uttlesford Local Plan (2005) are regarded by the Local Planning Authority as strategic policies for the purposes of neighbourhood planning:

Policy S1 Development Limits for the Main Urban Areas
Policy S3 Other Development Limits
Policy S4 Stansted Airport Boundary
Policy S7 The Countryside
Policy GEN 1 Access
Policy GEN 2 Design
Policy GEN 3 Flood Protection
Policy GEN 4 Good Neighbourliness
Policy GEN 6 Infrastructure Provision to support Development
Policy Gen 7 Nature Conservation
Policy E1 Distribution of Employment Land
Policy E2 Safeguarding Employment Land
Policy ENV 1 Design of Development within Conservation Areas
Policy ENV 5 Protection of Agricultural Land
Policy ENV 7 The Protection of the Natural Environment (Designated Sites)
Policy ENV 9 Historic Landscapes
Policy ENV 10 Noise Sensitive Development and Disturbance from Aircraft
Policy H 1 Housing Development
Policy H 3 New Houses within Development Limits
Policy H 9 Affordable Housing
Policy H 11 Affordable Housing on “Exception Sites”
Policy LC 2 Access to Leisure and Cultural Facilities
Policy RS 1 Access to Retailing Centres
Policy RS 2 Town and Local Centres
Policy RS 3 Retention of Retail and Other Services in Rural Areas
Policy T 1 Transport Improvements.

³⁷ Planning Practice Guidance Paragraph 077 Reference ID: 41-077-20190509 Revision 09 05 2019

69. The District Council is working to prepare the Uttlesford Local Plan 2011-2033 that will form part of the Development Plan. This work has proceeded to the stage where the Uttlesford Local Plan was formally submitted to the Secretary of State on 18 January 2019, and hearing sessions commenced on 2 July 2019.

70. The Neighbourhood Plan can proceed ahead of preparation of the emerging Local Plan. The Guidance states: *“Neighbourhood plans, when brought into force, become part of the development plan for the neighbourhood area. They can be developed before or at the same time as the local planning authority is producing its Local Plan. A draft neighbourhood plan or Order must be in general conformity with the strategic policies of the development plan in force if it is to meet the basic condition. Although a draft Neighbourhood Plan or Order is not tested against the policies in an emerging Local Plan the reasoning and evidence informing the Local Plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. For example, up-to-date housing needs evidence is relevant to the question of whether a housing supply policy in a neighbourhood plan or Order contributes to the achievement of sustainable development. Where a neighbourhood plan is brought forward before an up-to-date Local Plan is in place the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in:*

- *the emerging neighbourhood plan*
- *the emerging Local Plan*
- *the adopted development plan*

with appropriate regard to national policy and guidance. The local planning authority should take a proactive and positive approach, working collaboratively with a qualifying body particularly sharing evidence and seeking to resolve any issues to ensure the draft neighbourhood plan has the greatest chance of success at independent examination. The local planning authority should work with the qualifying body to produce complementary neighbourhood and Local Plans. It is important to minimise any conflicts between policies in the neighbourhood plan and those in the emerging Local Plan, including housing supply policies. This is because section 38(5) of the Planning and Compulsory Purchase Act 2004 requires that the conflict must be resolved by the decision maker favouring the policy which is contained in the last document to become part of the development plan. Strategic policies should set out a housing requirement figure for designated neighbourhood areas from their overall housing requirement (paragraph 65 of the revised National

Planning Policy Framework). Where this is not possible the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body, which will need to be tested at the neighbourhood plan examination. Neighbourhood plans should consider providing indicative delivery timetables and allocating reserve sites to ensure that emerging evidence of housing need is addressed. This can help minimise potential conflicts and ensure that policies in the neighbourhood plan are not overridden by a new Local Plan.”³⁸

71. I am mindful of the fact that should there ultimately be any conflict between the Neighbourhood Plan, and the emerging Local Plan when it is adopted; the matter will be resolved in favour of the plan most recently becoming part of the Development Plan; however, the Guidance is clear in that potential conflicts should be minimised.

72. The Regulation 16 consultation on the Submission Neighbourhood Plan included a Statement of Common Ground between the District Council and the Parish Council dated 1 May 2019. The statement sets out the main points of agreement and understanding between both parties with regard to the submission Neighbourhood Plan and its relationship with the emerging Local Plan. Paragraph 1.3 of the document states *“This statement relates to issues associated with the Council’s proposal to allocate land in the ULP as Policy FEL02 (Footnote - identified in the SHLAA as site 17FEL15 and identified as Land East of Braintree Road, Watch House Green, Felsted) and the FNP proposed housing allocation as Policy FEL/HN2 (Footnote - identified as SHLAA site 19FEL15, and identified as land at Sunnybrook Farm, Braintree Road, Watch House Green, Felsted).”* The Statement of Common Ground states the District Council and the Parish Council do not agree about the appropriateness of the allocation of FEL02 (17FEL15) Land East of Braintree Road, Watch House Green. It is however agreed that ULP Policy FEL02 is not a strategic policy. The Regulation 16 representation of Springfields Planning and Development Ltd on behalf of Mr David Payne includes as Appendix 8 a copy of an appeal decision letter dated 20 June 2019 granting planning permission for up to 30 dwellings on land east and north of Clifford Smith Drive, Watch House Green, Felsted. The Appeal decision letter states the appeal site is allocated for housing in the emerging Local Plan. I refer to the appeal decision later in my

³⁸ Planning Practice Guidance Paragraph: 009 Reference ID: 41-009-20190509 Revision 09 05 2019

report when considering the policies of the Neighbourhood Plan grouped under the heading “meeting housing needs”.

73. In order to satisfy the basic conditions, the Neighbourhood Plan must be in general conformity with the strategic policies of the Development Plan. The emerging Local Plan is not part of the Development Plan and this requirement does not apply in respect of that. Emerging planning policy is subject to change as plan preparation work proceeds. The emerging Local Plan is at an advanced stage but is subject to potential modification following hearing sessions. The Statement of Common Ground in respect of the Neighbourhood Plan dated 1 May 2019 includes at paragraph 3.2 *“It is agreed that if the FNP is made (adopted) with the allocation at Sunnybrook Farm retained in the plan, that UDC should submit a main modification to the examination of the ULP to seek the matching allocation of this site.”* Later in my report I refer to a joint response of the District and Parish Councils to my request for clarification of matters which states the Statement of Common Ground has been overtaken by events and become redundant. I return to this matter when considering the policies of the Neighbourhood Plan that are grouped under the heading “Meeting Housing Needs”.

74. The Guidance states *“Neighbourhood plans, when brought into force, become part of the development plan for the neighbourhood areas. They can be developed before or at the same time as the local planning authority is producing its Local Plan”*³⁹. In *BDW Trading Limited, Wainholmes Developments Ltd v Cheshire West & Chester BC* [2014] EWHC1470 (Admin) it was held that the only statutory requirement imposed by basic condition (e) is that the Neighbourhood Plan as a whole should be in general conformity with the adopted development plan as a whole.

75. In considering a now-repealed provision that *“a local plan shall be in general conformity with the structure plan”* the Court of Appeal stated *“the adjective ‘general’ is there to introduce a degree of flexibility.”*⁴⁰ The use of ‘general’ allows for the possibility of conflict. Obviously, there must at least be broad consistency, but this gives considerable room for manoeuvre. Flexibility is however not unlimited. The test for neighbourhood plans refers to the strategic policies of the development plan rather than the development plan as a whole.

³⁹ Planning Practice Guidance Paragraph: 009 Reference ID: 41-009-20190509 Revision 09 05 2019

⁴⁰ *Persimmon Homes v. Stevenage BC* the Court of Appeal [2006] 1 P &CR 31

76. The Guidance states, “When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:

- whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with;
- the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy;
- whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy;
- the rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach.”⁴¹

My approach to the examination of the Neighbourhood Plan Policies has been in accordance with this guidance.

77. Consideration as to whether the making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area) has been addressed through examination of the plan as a whole and each of the plan policies below. This consideration has been informed by Section 2.3.1 of the Basic Conditions Statement which includes “Table 3 General Conformity Assessment” that indicates the relationship between the Neighbourhood Plan policies and policies of the Adopted Local Plan (2005). Subject to the modifications I have recommended, I have concluded the Neighbourhood Plan is in general conformity with the strategic policies contained in the Development Plan.

The Neighbourhood Plan Policies

78. The Neighbourhood Plan includes 38 policies as follows:

Protecting the Historic Village Centre

Policy FEL/HVC1 Historic Village Centre

Policy FEL/HVC2 Existing Village Shop and Post Office

⁴¹ Planning Practice Guidance Paragraph 074 ID ref: 41-074 20140306 Revision 06 03 2014

Policy FEL/HVC3 Royal British Legion Site

Policy FEL/HVC4 Additional Car Parking in the Village Centre

Policy FEL/HVC5 Managing Congestion at the T Junction in Felsted Village

Village Amenities

Policy FEL/VA1 Doctors' Surgery

Policy FEL/VA2 Memorial Hall

Policy FEL/VA3 Infrastructure Priorities

Policy FEL/VA4 Burial Ground

Policy FEL/VA5 Recreational and Play Areas

Developing Our Schools

Policy FEL/SC1 Supporting our Schools

Policy FEL/SC2 Felsted School

Policy FEL/SC3 Felsted School Follyfield Site

Policy FEL/SC4 Felsted School Facilities off Braintree Road and Garnetts Lane

Policy FEL/SC5 Felsted Primary School – Modernisation

Policy FEL/SC6 Felsted Primary School – Expansion

Policy FEL/SC7 Felsted Primary School Site

Meeting Housing Needs

Policy FEL/HN1 Meeting Housing Needs

Policy FEL/HN2 Land at Braintree Road (Sunnybrook Farm)

Policy FEL/HN3 Land at Station Road (Bury Farm)

Policy FEL/HN4 Residential Development within Development Limits

Policy FEL/HN5 Residential Development outside Development Limits

Policy FEL/HN6 Supplemental Dwellings

Policy FEL/HN7 Housing Mix

Policy FEL/HN8 Habitats Regulations Assessment

Integrity, Character and Heritage

Policy FEL/ICH1 High Quality Design

Policy FEL/ICH2 Heritage Assets

Policy FEL/ICH3 Signage Pollution

Policy FEL/ICH4 Light Pollution

Policy FEL/ICH5 Avoiding Coalescence

Supporting the Rural Economy

Policy FEL/RE1 Start Up and Small Businesses

Policy FEL/RE2 Loss of Employment Uses

Policy FEL/RE3 Re-use of Rural Buildings

Policy FEL/RE4 Home Working

Countryside and Wildlife

Policy FEL/CW1 Landscape and Countryside Character

Policy FEL/CW2 Nature Area including Felsted Fen

Policy FEL/CW3 Footpaths, Bridleways and Cycleways

Policy FEL/CW4 Green Infrastructure

79. Paragraph 29 of the Framework states *“Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies”*. Footnote 16 of the Framework states *“Neighbourhood plans must be in general conformity with the strategic policies contained in any development plan that covers their area.”*

80. Paragraph 15 of the Framework states *“The planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing*

housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings.”

81. Paragraph 16 of the Framework states *“Plans should: a) be prepared with the objective of contributing to the achievement of sustainable development; b) be prepared positively, in a way that is aspirational but deliverable; c) be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees; d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals; e) be accessible through the use of digital tools to assist public involvement and policy presentation; and f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).*
82. The Guidance states *“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.”*⁴²
83. *“While there are prescribed documents that must be submitted with a neighbourhood plan ... there is no ‘tick box’ list of evidence required for neighbourhood planning. Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan”.*⁴³
84. A neighbourhood plan should contain policies for the development and use of land. *“This is because, if successful at examination and referendum (or where the neighbourhood plan is updated by way of making a material modification to the plan and completes the relevant process), the neighbourhood plan becomes part of the statutory development plan. Applications for planning permission must be determined in accordance with the development plan, unless material*

⁴² Planning Practice Guidance Paragraph 041 Reference ID: 41-041-20140306 Revision 06 03 2014

⁴³ Planning Practice Guidance Paragraph 040 Reference ID: 41-040-20160211 Revision 11 02 2016

considerations indicate otherwise (See section 38(6) of the Planning and Compulsory Purchase Act 2004).⁴⁴

85. *“Neighbourhood plans are not obliged to contain policies addressing all types of development. However, where they do contain policies relevant to housing supply, these policies should take account of latest and up-to-date evidence of housing need.”⁴⁵ “A neighbourhood plan can allocate sites for development, including housing. A qualifying body should carry out an appraisal of options and an assessment of individual sites against clearly identified criteria. Guidance on assessing sites and on viability is available.”⁴⁶*
86. If to any extent, a policy set out in the Neighbourhood Plan conflicts with any other statement or information in the plan, the conflict must be resolved in favour of the policy. Given that policies have this status, and if the Neighbourhood Plan is ‘made’ they will be utilised in the determination of planning applications and appeals, I have examined each policy individually in turn. I have considered any inter-relationships between policies where these are relevant to my remit.
87. The Environment Agency has advised *“Providing sewerage capacity for new development in Felsted is currently complicated. Our figures (from volumes of sewage output supplied to us by Anglian Water) show that Felsted Water Recycling Centre is currently discharging way above its permitted capacity. This is because of flow which has been diverted from Great Dunmow Water Recycling Centre (WRC), ostensibly as a temporary measure while works were done at Dunmow. This excess flow is due to be diverted back to Great Dunmow very soon, but it does mean that we cannot be certain of the volume of discharge which Felsted would process from its own catchment. It is possible that we will find that additional capacity needs to be created at Felsted before new properties can be connected to the sewerage system, and this can be a lengthy process. Early discussions with Anglian Water and the Parish Council, on this matter should occur as soon as possible. It should also be included in the Neighbourhood plan that this will be looked into and that new development should not be occupied until Felsted WRC discharges within its capacity or upgrades are made if necessary”* and *“There is no mention to fluvial flood risk within the Neighbourhood plan. The river Chelmer falls on the site boundary of the Neighbourhood area*

⁴⁴ Planning Practice Guidance Paragraph 004 Reference ID: 41-004-20190509 Revision 09 05 2019

⁴⁵ Planning Practice Guidance Paragraph 040 Reference ID 41-040-20160211 Revision 11 02 2016

⁴⁶ Planning Practice Guidance Paragraph 042 Reference ID 41-042-20170728 Revision 28 07 2017

and the River Ter flows through the middle of the Neighbourhood area. This is an opportunity to ensure that development does not increase flood risk elsewhere. We would want to see that the principles of the National Planning and Policy Framework (NPPF) are adhered to in identifying which sites are taken forward. All proposals for development of 1 hectare or above in Flood Zone 1 and for development in Flood Zones 2 and 3 must be accompanied by a flood risk assessment that sets out the mitigation measures for the site and agreed with the relevant authority. Development in these flood zones must accord with those categories in the Flood Risk Vulnerability Classification, which are described as appropriate for this Flood Zone. All of the site allocations are in Flood zone 1 so there are no issues in regards to flood risk but they need to be aware there maybe unmodelled watercourses in the area. Developments will be required to model these to determine flood risk. Environment Agency phasing re water reclamation capacity Flood risk from unmodelled watercourses.” I have recommended modification of the Neighbourhood Plan so that the matters of water recycling capacity and fluvial flood risk from unmodelled watercourses are addressed so that the Neighbourhood Plan has regard for national policy.

Recommended modification 1:

- **Insert additional policy FEL/INF1 “New development will only be supported where proposals demonstrate sufficient water reclamation capacity exists, and that fluvial flooding will not result.”**
- **Insert supporting text based on the Environment Agency representation**

Protecting the Historic Village Centre

Policy FEL/HVC1 Historic Village Centre

88. This policy seeks to designate the historic village centre, identified on Map 2, as a historic character area and local centre. The policy also seeks to establish criteria for support of proposals within that area.

89. In a representation Essex County Council recommend alternative wording for criterion ii). I have not recommended a modification in this respect as the proposed wording includes the imprecise term, “maximise” and introduces uncertainty by using the term “as appropriate”.

90. The terms “*should*” and “*can be*” do not provide a basis for the determination of planning applications. The criteria in the second and third paragraphs of the policy are presented without purpose. The terms “*good*”, “*sensitive*”, “*impinging on*”, “*help alleviate*”, and “*unacceptable*” are imprecise. I have recommended a modification in these respects so that the policy “*is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals*” as required by paragraph 16d) of the Framework.
91. The requirement “*will help alleviate existing traffic congestion*” does not meet the tests set out in paragraph 56 of the Framework. Paragraph 109 of the Framework states “*Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*” I have recommended modification of the policy in these respects so that the policy has regard for national policy.
92. The policy is in general conformity with the strategic policies included in the Development Plan applying in the Neighbourhood Area and relevant to the Neighbourhood Plan (namely the Uttlesford Local Plan 2005) and serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.
93. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable development; plan-making; and decision-making sections; annex 1 implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with: building a strong, competitive economy; ensuring the vitality of town centres; promoting healthy and safe communities; promoting sustainable transport; making effective use of land; achieving well-designed places; conserving and enhancing the natural environment; and conserving and enhancing the historic environment, the policy is appropriate to be included in a ‘made’ neighbourhood plan. Having regard to the Guidance the policy is appropriate to be included in a ‘made’ neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

**Recommended modification 2:
In Policy FEL/HVC1**

- in the second paragraph before “Development proposals” insert “To be supported”; replace “should” with “must”; and delete “a good” and “sensitive and”
- commence the third paragraph with “To be supported”; after “within the” insert “Historic Village Centre”; and delete “that”
- replace (i) with “safe access, and that off-street parking provision will be sufficient to avoid additional on-street parking;”
- replace (ii) with “the proposal will not result in severe traffic congestion; and”
- replace (iii) with “the proposal will not adversely affect residential amenity through noise, fumes, smells, or disturbance.”

Policy FEL/HVC2 Existing Village Shop and Post Office

94. This policy seeks to establish conditional support for relocation of the village shop and post office to an alternative location. The policy also seeks to establish conditional support for specified reuse of the existing shop and post office premises should they be vacated.
95. Essex County Council recommend reference to cycle parking and requirement for Transport Statement/Assessment. Paragraph 104 of the Framework states planning policies should provide for cycle parking. Paragraph 109 of the Framework states “*Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*”. Paragraph 111 of the Framework refers to transport statements and transport assessments. I have recommended modification of the policy in these respects so that the policy has regard for national policy.
96. In a representation GO Planning Ltd state “*To plan positively to deliver the Plan, it should consider a consultation exercise to review opportunities for the village shop and Post Office relocation and provide an assessment for each in order to try ensure the continued financial viability of this much valued existing service.*” A consultation of this nature is not necessary to meet the Basic Conditions.
97. In commenting on the Regulation 16 representations the Parish Council has stated “*The NP does not prevent the PC and stakeholders from continuing to pursue the relocation of the village shop or other*

amenities outside the NP. In fact, paragraph 2.4.1 of the NP includes at the end: 'The surgery in community ownership will generate a revenue stream for community amenities, which could include the redevelopment of the Memorial Hall and the relocation of the village convenience shop and Post Office.' To add clarity to this point at paragraph 4.5, we will add *'The Felsted PC will continue to work with stakeholders and residents to review opportunities for the village shop and post office relocation'*". Whilst I would have no objection to this additional reference being made in the "Issues that are not deliverable through Planning Policy" section of the submission Plan document I am unable to make a recommendation of modification in this respect as it would be outside my remit.

98. The terms *"sustainable, accessible location"* and *"adequate"* are imprecise. It is unnecessary and confusing to refer to parking issues in both the first and third paragraphs of the policy. I have recommended a modification in these respects so that the policy *"is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals"* as required by paragraph 16d) of the Framework.
99. The policy is in general conformity with the strategic policies included in the Development Plan applying in the Neighbourhood Area and relevant to the Neighbourhood Plan (namely the Uttlesford Local Plan 2005) and serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.
100. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable development; plan-making; and decision-making sections; annex 1 implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with promoting healthy and safe communities, and promoting sustainable transport the policy is appropriate to be included in a 'made' neighbourhood plan. Having regard to the Guidance the policy is appropriate to be included in a 'made' neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

**Recommended modification 3:
In Policy FEL/HVC2**

- **replace "sustainable, accessible location which includes adequate car parking" with "to a location no less**

- accessible to users and which will not necessitate on-street car parking”
- replace the third paragraph with “Proposals must be subject to a Transport Statement/Assessment in accordance with ECC Development Management Policies (2011) to demonstrate that they will not exacerbate existing traffic congestion and parking issues at this location.”

Policy FEL/HVC3 Royal British Legion Site

101. This policy seeks to establish conditional support for relocation of the Royal British Legion, and in the event of a relocation safeguards the existing site, identified on Map 2, for community use and accessible public open space.
102. The representation of GO Planning Ltd states “*The Policy fails to consider the deliverability aspects of relocating the Royal British Legion site and building to an alternative location. The site is identified to be safeguarded for community use and for the provision of accessible public open space. This in turn will provide very limited value in the existing site, which will preclude the viability of relocating. A suitable future relocation site should have been identified in the Plan in order to aid possibly delivery*”. These representations do not necessitate modification of the Neighbourhood Plan to meet the Basic Conditions.
103. In a representation Essex County Council recommend reference to cycle parking. In commenting on the Regulation 16 representations the Parish Council has stated the policy could be revised to include an additional criterion “*v) addition of public cycle parking for the village centre*”. Paragraph 104 of the Framework states planning policies should provide for cycle parking. I have recommended a modification in this respect so that the policy has regard for national policy although the term “*for the village centre*” is unnecessary and not sufficiently justified. The term “*are sought which*” does not provide a basis for the determination of planning applications. I have recommended a modification in this respect so that the policy “*is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals*” as required by paragraph 16d) of the Framework.
104. The requirement to “*include the provision of accessible public conveniences*” does not have sufficient regard for the requirement to

meet the tests set out in paragraph 56 of the Framework, or paragraph 34 of the Framework relating to the undermining of deliverability of the plan as a result of development contributions. I have recommended modification of the policy in this respect so that the policy has regard for national policy.

105. The policy is in general conformity with the strategic policies included in the Development Plan applying in the Neighbourhood Area and relevant to the Neighbourhood Plan (namely the Uttlesford Local Plan 2005) and serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

106. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable development; plan-making; and decision-making sections; annex 1 implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with promoting healthy and safe communities, and conserving and enhancing the historic environment, the policy is appropriate to be included in a 'made' neighbourhood plan. Having regard to the Guidance the policy is appropriate to be included in a 'made' neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 4:

In Policy FEL/HVC3

- **replace “Proposals are sought which” with “To be supported proposals relating to the existing RBL site must”**
- **commence point iv) with “Subject to viability considerations”**
- **add point “v) include public cycle parking facilities**

Policy FEL/HVC4 Additional Car Parking in the Village Centre

107. This policy seeks to conditionally welcome additional off-street parking spaces within the Felsted Village Development Limits shown on Map 13, and supports installation of electric vehicle charging points.

108. The representation of GO Planning Ltd states *“The Policy has no ability to be successful given the land ownership and funding requirements for such a proposal.”* This representation does not

necessitate modification of the Neighbourhood Plan to meet the Basic Conditions.

109. The term “*welcomed*” does not provide a basis for the determination of planning applications. In a representation Essex County Council suggest the policy should refer to the standards identified in Policy TA2 of the Pre-Submission Local Plan. I have, earlier in my report, referred to the relationship between the Neighbourhood Plan and the emerging Local Plan. The County Council also recommend reference to cycle parking. In commenting on the Regulation 16 representations the Parish Council has stated “*Policy wording to be revised as follows: • Includes appropriate cycle parking*”. Paragraph 104 of the Framework states planning policies should provide for cycle parking. The term “*appropriate*” is imprecise. I have recommended a modification in these respects so that the policy has regard for national policy and “*is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals*” as required by paragraph 16d) of the Framework.
110. In response to a representation by the District Council, the Parish Council has proposed that the reference to electric vehicle charging should be transferred to Policy FEL/ICH1 so as to apply throughout the Neighbourhood Area. I have recommended a modification in this respect in order to correct an error.
111. The policy is in general conformity with the strategic policies included in the Development Plan applying in the Neighbourhood Area and relevant to the Neighbourhood Plan (namely the Uttlesford Local Plan 2005) and serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.
112. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable development; plan-making; and decision-making sections; annex 1 implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with promoting sustainable transport, and achieving well-designed places, the policy is appropriate to be included in a ‘made’ neighbourhood plan. Having regard to the Guidance the policy is appropriate to be included in a ‘made’ neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 5:

In Policy FEL/HVC4

- **replace “welcomed” with “supported”**
- **add a further bullet point “include cycle parking in accordance with the most up to date parking standards of the highway authority.”**
- **transfer the final sentence to become a free-standing sentence after the paragraph relating to energy hierarchy in Policy FEL/ICH1**

Policy FEL/HVC5 Managing Congestion at the T Junction in Felsted Village

113. This policy seeks to establish that development proposals which would increase the number of access points or significantly increase the volume of traffic in areas identified on Map 2 of the Neighbourhood Plan must be accompanied by a traffic impact statement relating to specified traffic implications.

114. In commenting on the Regulation 16 representations the Parish Council has proposed the Policy wording is revised in accordance with the recommendation of Essex County Council as follows: *“Paragraph 1 is deleted, and replaced with: ‘Proposals must be subject to a Transport Statement/Assessment in accordance with ECC Development Management Policies (2011) to demonstrate how walking, cycling and passenger transport will be maximised and the impact on the existing conditions on the local highway network minimised’*”. I have recommended a modification in this respect but avoided use of the terms *“maximised”* and *“minimised”* as they do not provide a basis for the determination of planning proposals. Paragraph 102 of the Framework states opportunities to promote walking, cycling and public transport use should be identified and pursued. I have recommended a modification in these respects so that the policy has regard for national policy and *“is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”* as required by paragraph 16d) of the Framework.

115. The policy is in general conformity with the strategic policies included in the Development Plan applying in the Neighbourhood Area and relevant to the Neighbourhood Plan (namely the Uttlesford Local Plan 2005) and serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

116. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable development; plan-making; and decision-making sections; annex 1 implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with promoting sustainable transport, the policy is appropriate to be included in a 'made' neighbourhood plan. Having regard to the Guidance the policy is appropriate to be included in a 'made' neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 6:

In Policy FEL/HVC5 after “must be” replace the text before the numbered points with “subject to a Transport Statement/Assessment in accordance with ECC Development Management Policies (2011) to demonstrate how walking, cycling and passenger transport will be promoted and adverse impact on the existing conditions on the local highway network will be avoided:”

Village Amenities

Policy FEL/VA1 Doctors' Surgery

117. This policy seeks to establish support for the relocation of the GP surgery and associated dispensary, and in the event of a relocation, redevelopment of the existing site for residential (C3) or professional services/office (A2) use is conditionally supported.

118. In a representation GO Planning Ltd state *“The Policy should not restrict the redevelopment of the site should the surgery not relocate within the neighbourhood area.”* The policy does not place any restriction on redevelopment of the site in those circumstances.

119. The term *“adequate”* is imprecise. The final sentence of the policy is without consequence. I have recommended a modification in these respects so that the policy *“is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”* as required by paragraph 16d) of the Framework.

120. The policy is in general conformity with the strategic policies included in the Development Plan applying in the Neighbourhood Area and relevant to the Neighbourhood Plan (namely the Uttlesford Local

Plan 2005) and serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

121. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable development; plan-making; and decision-making sections; annex 1 implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with: promoting healthy and safe communities; promoting sustainable transport; achieving well-designed places; and conserving and enhancing the historic environment, the policy is appropriate to be included in a 'made' neighbourhood plan. Having regard to the Guidance the policy is appropriate to be included in a 'made' neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 7:

In Policy FEL/VA1 commence the final sentence with “To be supported” and replace “include adequate off” with “will not necessitate on”

Policy FEL/VA2 Memorial Hall

122. This policy seeks to establish support for the redevelopment of the Memorial Hall, with a capacity up to 250 people seated, on the existing site or at another suitable site. The policy also seeks to establish that in the event of a re-location the existing site is safeguarded for a community use and/or A1 retail. Provision of a new village shop and post office in line with policy FEL/HVC2 is supported. The policy also seeks vehicular access and parking facilities associated with the recreational area to the rear of the Memorial Hall site.
123. In a representation GO Planning Ltd state *“Reference is made to possible relocation of the Memorial Hall to an alternative site within the neighbourhood area. The Submission Plan should include consultation on a range of suitable sites and consider the deliverability of the available sites on offer which although started this exercise was never pursued to a conclusion.”* Consultation of this nature is not necessary to meet the Basic Conditions. In a representation Essex County Council recommend reference to cycle parking facilities. Paragraph 104 of the Framework states planning policies should provide for cycle

parking. I have recommended a modification in this latter respect so that the policy has regard for national policy.

124. The final sentence of the policy is without consequence. The achievement of vehicular access to the recreation areas at the rear of the site and additional parking facilities must meet the tests set out in paragraph 56 of the Framework. I have recommended a modification in these respects so that the policy has regard for national policy and *“is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”* as required by paragraph 16d) of the Framework.
125. The policy is in general conformity with the strategic policies included in the Development Plan applying in the Neighbourhood Area and relevant to the Neighbourhood Plan (namely the Uttlesford Local Plan 2005) and serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.
126. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable development; plan-making; and decision-making sections; annex 1 implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with promoting healthy and safe communities, the policy is appropriate to be included in a ‘made’ neighbourhood plan. Having regard to the Guidance the policy is appropriate to be included in a ‘made’ neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 8:

In Policy FEL/VA2 replace the final sentence with “To be supported development or redevelopment proposals must not prevent future achievement of vehicular access to the recreational area to the rear of the site where additional car and cycle parking facilities may be provided.”

Policy FEL/VA3 Infrastructure Priorities

127. This policy seeks to establish that major developments should provide, or provide for, infrastructure improvements made necessary by the scheme. The policy acknowledges provision can be on-site or off-site. Infrastructure priorities are identified.

128. In a representation GO Planning Ltd state *“Reference is made to developer contributions towards the Neighbourhood Plan’s identified infrastructure priorities, namely: - improvements to and enlargement of the primary school - a village hall to accommodate up to 250 seated people - and premises for the relocation of the Royal British Legion. It is noted that no developer contributions are sought towards the provision of a new doctor’s surgery. It is also noted that each request would need to be CIL compliant. As these demands would not be considered CIL compliant the Submission Plan is therefore considered non-compliant.”* The District Council state *“Paragraphs 5.2.13 and 5.2.15 (page 37) – S106 commuted monies on housing schemes that trigger the Local Plan requirement for affordable housing are ring fenced for the delivery of affordable housing. Other funds like new homes bonus funding may be accessible for infrastructure projects. Paragraph 5.2.13 should be amended to make it clear that S106 monies commuted in lieu of affordable housing cannot be used for other community infrastructure projects. The NP needs to suggest how other funding is going to be secured via S106 or other mechanisms for clarity.”*
129. The Regulation 16 representation of Essex County Council includes support for the reference to new development being required to contribute to improvements/enlargement of the primary school; suggests the Parish Council should consider whether contributions to a village hall and relocation of the Royal British Legion meet the requirements for Section 106 contributions set out in the Framework and are compliant with the CIL Regulations; and suggests definition of infrastructure.
130. Developer contributions are negotiated as part of the planning application process and Councils’ can only seek Section 106 contributions for reasons that are directly related to the impacts of the proposed development. Paragraph 34 of the Framework states that *“Plans should set out the contributions expected from development”*. Section 106 contributions are governed by the Community Infrastructure Levy Regulations 2010 (as amended) and require that any request for funding meets the three tests as outlined in Section 122 (2) of the Regulations, namely that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is — (a) necessary to make the development acceptable in planning terms; (b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development. Contributions would be highlighted by the relevant

infrastructure providers either at the pre-application stage or through the formal consultation process. The policy must not be reliant on a third party for realisation.

131. Whilst most developer contributions are subject to strict limitations on use and are tied to specific purposes, for example through Section 106 agreements, some funds may become available during the plan period the use of which can be locally determined, for example the neighbourhood portion of Community Infrastructure Levy. I have recommended a modification so that this point is clarified. It is appropriate to use the Neighbourhood Plan preparation process to engage with the community to identify how any neighbourhood determined element of development generated finance should be utilised and for the priority areas to be set out in the policy itself. I have recommended modification of the policy in this respect so that the policy has regard for national policy.

132. The policy is in general conformity with the strategic policies included in the Development Plan applying in the Neighbourhood Area and relevant to the Neighbourhood Plan (namely the Uttlesford Local Plan 2005) and serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

133. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable development; plan-making; and decision-making sections; annex 1 implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with promoting healthy and safe communities, the policy is appropriate to be included in a 'made' neighbourhood plan. Having regard to the Guidance the policy is appropriate to be included in a 'made' neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 9:

In Policy FEL/VA3 replace the second sentence before the bullet points with "Use of developer contributions able to be locally determined will be directed to any of the following priorities:"

Policy FEL/VA4 Burial Ground

134. This policy seeks to establish conditional support for provision of a new burial ground.
135. In a representation GO Planning Ltd state *“This Policy is supported. Perhaps the Steering Group would consider a consultation exercise to identify the available sites and the merits of those available”*. Consultation of this nature is not necessary to meet the Basic Conditions.
136. The term *“adequate and sympathetically designed”* is imprecise. I have recommended a modification in this respect so that the policy *“is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”* as required by paragraph 16d) of the Framework.
137. The policy is in general conformity with the strategic policies included in the Development Plan applying in the Neighbourhood Area and relevant to the Neighbourhood Plan (namely the Uttlesford Local Plan 2005) and serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.
138. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable development; plan-making; and decision-making sections; annex 1 implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with promoting healthy and safe communities; promoting sustainable transport; and conserving and enhancing the natural environment, the policy is appropriate to be included in a ‘made’ neighbourhood plan. Having regard to the Guidance the policy is appropriate to be included in a ‘made’ neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 10:

In Policy FEL/VA4

- **replace “adequate and sympathetically designed” with “off-street”**
- **after “visitors” insert “so that on-street parking is not necessary”**

Policy FEL/VA5 Recreational and Play Areas

139. This policy seeks to establish criteria for change of use of existing recreational or play facilities.
140. In commenting on the Regulation 16 representation of the District Council, the Parish Council has stated *“We agree that this policy should be amended to be in line with NPPF para 97(c). By adding “or better” after “.....an equivalent...” to read: “The change of use of any recreational or play facility will not be supported unless an equivalent or better alternative facility is provided in an acceptable location within the Neighbourhood Area.”* I have recommended a modification in this respect so that the policy has regard for national policy.
141. The term *“in an acceptable location”* is imprecise. I have recommended a modification in this respect so that the policy *“is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”* as required by paragraph 16d) of the Framework.
142. The policy is in general conformity with the strategic policies included in the Development Plan applying in the Neighbourhood Area and relevant to the Neighbourhood Plan (namely the Uttlesford Local Plan 2005) and serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.
143. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable development; plan-making; and decision-making sections; annex 1 implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with promoting healthy and safe communities, the policy is appropriate to be included in a ‘made’ neighbourhood plan. Having regard to the Guidance the policy is appropriate to be included in a ‘made’ neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 11:

In Policy FEL/VA5

- after **“equivalent”** insert **“or better”**
- delete **“in an acceptable location”**

- after “Area” insert “in no less convenient location for users”

Developing Our Schools

Policy FEL/SC1 Supporting our Schools

144. This policy seeks to establish support for named school related development proposals. The policy also seeks to establish that development proposals that do not include sufficient off-street parking and/or traffic management schemes will not be supported.
145. In a representation Essex County Council recommend a requirement for schools to prepare School Travel Plans. Paragraph 111 of the Framework states “*All developments that will generate significant amounts of movement should be required to provide a travel plan.*” Paragraph 16 of the Framework states “*plans should serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).*”
146. Planning applications must be determined on the basis of the proposals, not the identity of the applicant. It is unnecessary and confusing for the policy to state “*other than those specifically supported in SC5*” as the policies of the Neighbourhood Plan should be read together. The requirement to “*ease the free flow of traffic and reduce parking stress*” and to “*alleviate pressure on the local highway network*” does not meet the tests for obligations set out in paragraph 56 of the Framework. The terms “*wider community benefits*”; “*sympathetically designed*”; and “*effective and deliverable traffic management schemes*” are imprecise. The requirement to “*wherever possible, provide wider community benefits*” has not been sufficiently justified. The term “*wherever possible*” does not provide a basis for the determination of planning applications. Paragraph 109 of the Framework states “*Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*” I have recommended a modification in these respects so that the policy has regard for national policy and “*is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals*” as required by paragraph 16d) of the Framework.

147. The policy is in general conformity with the strategic policies included in the Development Plan applying in the Neighbourhood Area and relevant to the Neighbourhood Plan (namely the Uttlesford Local Plan 2005) and serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

148. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable development; plan-making; and decision-making sections; annex 1 implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with promoting sustainable transport and achieving well-designed places, the policy is appropriate to be included in a 'made' neighbourhood plan. Having regard to the Guidance the policy is appropriate to be included in a 'made' neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 12:

In Policy FEL/SC1

- **after “following” insert “school related” and delete “by the schools”**
- **in the first bullet point delete “and, other than those specifically supported in SC5” and replace the colon and points 1 and 2 with “not result in severe congestion or additional on-street parking.”**
- **in the second bullet point replace “sympathetically designed,” with “designed to”**
- **in the third bullet point delete “sympathetically designed” and delete “and include effective and deliverable traffic management schemes”**
- **replace the final sentence with “Development proposals that will result in additional on-street parking will not be supported.**

Policy FEL/SC2 Felsted School

149. This policy seeks to establish conditional support for proposals to expand the permanent facilities of Felsted School off Stebbing Road.

150. It is unnecessary and confusing for the policy to state “*Subject to SC1*” as the policies of the Neighbourhood Plan should be read together. I have recommended a modification in this respect so that the policy “*is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals*” as required by paragraph 16d) of the Framework.
151. The policy is in general conformity with the strategic policies included in the Development Plan applying in the Neighbourhood Area and relevant to the Neighbourhood Plan (namely the Uttlesford Local Plan 2005) and serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.
152. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable development; plan-making; and decision-making sections; annex 1 implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with promoting sustainable transport the policy is appropriate to be included in a ‘made’ neighbourhood plan. Having regard to the Guidance the policy is appropriate to be included in a ‘made’ neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

**Recommended modification 13:
In Policy FEL/SC2 delete “Subject to SC1,”**

Policy FEL/SC3 Felsted School Follyfield Site

153. This policy seeks to establish parking and vehicular entry/exit requirements for any redevelopment of Felsted School’s Follyfield site.
154. In a representation the District Council ask “*Has the Policy requirement to manage ‘right turns to and from the public highway’ been explored with highways to ascertain feasibility?*”
155. The policy is without consequence, and overly prescriptive without adequate justification. In commenting on the Regulation 16 representation of Essex County Council, the Parish Council has stated “*Policy to be revised as follows: ‘Any scheme to redevelop Felsted School’s Follyfield site (as shown on Map 4) must be subject to a Transport Statement/Assessment and provide a safe and suitable access and conform with Essex Parking Standards.’*” I have

recommended a modification of this nature but which is future-proofed. I have recommended a modification in this respect so that the policy *“is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”* as required by paragraph 16d) of the Framework.

156. The policy is in general conformity with the strategic policies included in the Development Plan applying in the Neighbourhood Area and relevant to the Neighbourhood Plan (namely the Uttlesford Local Plan 2005) and serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

157. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable development; plan-making; and decision-making sections; annex 1 implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with promoting sustainable transport the policy is appropriate to be included in a ‘made’ neighbourhood plan. Having regard to the Guidance the policy is appropriate to be included in a ‘made’ neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 14:

Replace Policy FEL/SC3 with “To be supported any scheme to redevelop Felsted School’s Follyfield site (as shown on Map 4) must be subject to a Transport Statement/Assessment and provide a safe and suitable access and conform with the latest parking standards of the highway authority.”

Policy FEL/SC4 Felsted School Facilities off Braintree Road and Garnetts Lane

158. This policy seeks to establish criteria for support of further development of Felsted School’s facilities off Braintree Road or Garnetts Lane.

159. The policy is in general conformity with the strategic policies included in the Development Plan applying in the Neighbourhood Area and relevant to the Neighbourhood Plan (namely the Uttlesford Local Plan 2005) and serves a clear purpose by providing an additional level

of detail or distinct local approach to that set out in the strategic policies.

160. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable development; plan-making; and decision-making sections; annex 1 implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with achieving well-designed places; conserving and enhancing the natural environment; and conserving and enhancing the historic environment, the policy is appropriate to be included in a 'made' neighbourhood plan. Having regard to the Guidance the policy is appropriate to be included in a 'made' neighbourhood plan. This policy meets the Basic Conditions.

Policy FEL/SC5 Felsted Primary School – Modernisation

161. This policy seeks to establish conditional support for the replacement of temporary buildings and other measures that modernise the Primary School

162. In a representation Essex County Council has recommended additional text however this is not necessary to meet the Basic Conditions.

163. It is unnecessary and confusing for the policy to state "*Notwithstanding the general conditionality of SC1*" as the policies of the Neighbourhood Plan should be read together. The term "sympathetic design and an appropriate scale" is imprecise. I have recommended a modification in these respects so that the policy "*is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals*" as required by paragraph 16d) of the Framework.

164. The policy is in general conformity with the strategic policies included in the Development Plan applying in the Neighbourhood Area and relevant to the Neighbourhood Plan (namely the Uttlesford Local Plan 2005) and serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

165. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable

development; plan-making; and decision-making sections; annex 1 implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with promoting healthy and safe communities, and achieving well-designed places, the policy is appropriate to be included in a 'made' neighbourhood plan. Having regard to the Guidance the policy is appropriate to be included in a 'made' neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 15:

In Policy FEL/SC5

- **delete “Notwithstanding the general conditionality of SC1”**
- **replace “are of sympathetic design and of an appropriate scale” with “reflect the character and appearance of the setting”**

Policy FEL/SC6 Felsted Primary School – Expansion

166. This policy seeks to establish conditional support for the development and expansion of the Primary School on the existing site.

167. The representation of GO Planning Ltd states “*The general aim of the Policy is supported. However, the extent of points referred to would benefit from a more general aim and allow proposals to be developed accordingly.*” In a representation Essex County Council recommend paragraph 1 is replaced with “*The development and expansion of Felsted Primary School on the existing site, as shown in Map 5, must be subject to a Transport Statement/Assessment which considers local traffic management including:*” Subject to adding a consequence, I have recommended a modification of this nature so that the policy has regard for national policy and “*is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals*” as required by paragraph 16d) of the Framework.

168. The terms “*adequate*” and “*modal shift through travel planning*” are imprecise. The requirement for a new access has not been sufficiently justified. The term “*potentially including*” does not provide a basis for the determination of planning applications. Implementation of enhanced parking restrictions, and measures to achieve speed reduction, are dependent on a third party for realisation. I have recommended a modification in these respects so that the policy “*is clearly written and unambiguous, so it is evident how a decision maker*

should react to development proposals” as required by paragraph 16d) of the Framework. Whilst the term “*substantial off-street short-term waiting*” is also imprecise and may result in limited provision a more precise requirement cannot be specified in the absence of quantification of demand.

169. The policy is in general conformity with the strategic policies included in the Development Plan applying in the Neighbourhood Area and relevant to the Neighbourhood Plan (namely the Uttlesford Local Plan 2005) and serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

170. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable development; plan-making; and decision-making sections; annex 1 implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with promoting healthy and safe communities, and promoting sustainable transport, the policy is appropriate to be included in a ‘made’ neighbourhood plan. Having regard to the Guidance the policy is appropriate to be included in a ‘made’ neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 16:

In Policy FEL/SC6

- **replace text before the numbered points with “To be supported the development and expansion of Felsted Primary School on the existing site, as shown in Map 5, must be subject to a Transport Statement/Assessment which considers local traffic management including:”**
- **replace “new “with “safe and effective”**
- **replace part iii) with “Sufficient off-street parking for staff to avoid the necessity for staff to park on-street;”**
- **delete parts v), vi), and ix)**

Policy FEL/SC7 Felsted Primary School Site

171. This policy seeks to establish conditional support for housing development on the existing Primary School site following relocation of the school to an alternative site.

172. In a representation GO Planning Ltd state “*The requirement for 2-3-bedroom homes is not supported by the more recent housing needs for the District and should simply refer perhaps to the latest guidance.*” The Neighbourhood Plan is not required to respond to the needs of the wider District.
173. The terms “*downsizing opportunities*” and “*homes suitable for elderly people*” are imprecise. I have recommended a modification in these respects so that the policy “*is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals*” as required by paragraph 16d) of the Framework.
174. The Framework states local planning authorities cannot require a developer to engage with them before submitting a planning application but they should encourage applicants to take-up any pre-application services and also where they think it will be beneficial to encourage applicants, not already required to do so by law, to engage with the local community. The requirement for active consultation by applicants with the community and the Parish Council and provision of a development brief prior to any application being submitted does not have sufficient regard for national policy. I have recommended modification of the policy in this respect so that the policy has regard for national policy.
175. The policy is in general conformity with the strategic policies included in the Development Plan applying in the Neighbourhood Area and relevant to the Neighbourhood Plan (namely the Uttlesford Local Plan 2005) and serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.
176. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable development; plan-making; and decision-making sections; annex 1 implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with delivering a sufficient supply of homes, the policy is appropriate to be included in a ‘made’ neighbourhood plan. Having regard to the Guidance the policy is appropriate to be included in a ‘made’ neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 17:

In Policy FEL/SC7 replace all text after “mix of” with “dwelling types that reflects the latest assessment of local housing need applicable to Felsted parish.”

Adjust supporting text paragraph 5.3.22 to encourage rather than require community consultation in the preparation of development proposals.

Meeting Housing Needs

177. The Guidance states *“The National Planning Policy Framework expects most strategic policy-making authorities to set housing requirement figures for designated neighbourhood areas as part of their strategic policies. While there is no set method for doing this, the general policy making process already undertaken by local authorities can continue to be used to direct development requirements and balance needs and protections by taking into consideration relevant policies such as the spatial strategy, evidence such as the Housing and economic land availability assessment, and the characteristics of the neighbourhood area, including its population and role in providing services. In setting requirements for housing in designated neighbourhood areas, plan-making authorities should consider the areas or assets of particular importance (as set out in paragraph 11, footnote 6), which may restrict the scale, type or distribution of development in a neighbourhood plan area.”*⁴⁷
178. *“Neighbourhood plans are not obliged to contain policies addressing all types of development. However, where they do contain policies relevant to housing supply, these policies should take account of latest and up-to-date evidence of housing need. In particular, where a qualifying body is attempting to identify and meet housing need, a local planning authority should share relevant evidence on housing need gathered to support its own plan-making.”*⁴⁸
179. *“Where neighbourhood planning bodies have decided to make provision for housing in their plan, the housing requirement figure and its origin are expected to be set out in the neighbourhood plan as a basis for their housing policies and any allocations that they wish to make. Neighbourhood planning bodies are encouraged to plan to meet*

⁴⁷Planning Practice Guidance Paragraph: 101 Reference ID: 41-101-20190509 Revision date: 09 05 2019

⁴⁸ Planning Practice Guidance Paragraph: 040 Reference ID: 41-040-20160211 Revision date: 11 02 2016

their housing requirement, and where possible to exceed it. A sustainable choice of sites to accommodate housing will provide flexibility if circumstances change, and allows plans to remain up to date over a longer time scale. Where neighbourhood planning bodies intend to exceed their housing requirement figure, proactive engagement with their local planning authority can help to assess whether the scale of additional housing numbers is considered to be in general conformity with the strategic policies. For example, whether the scale of proposed increase has a detrimental impact on the strategic spatial strategy, or whether sufficient infrastructure is proposed to support the scale of development and whether it has a realistic prospect of being delivered in accordance with development plan policies on viability. Any neighbourhood plan policies on the size or type of housing required will need to be informed by the evidence prepared to support relevant strategic policies, supplemented where necessary by locally-produced information.”⁴⁹

180. *“The scope of neighbourhood plans is up to the neighbourhood planning body. Where strategic policies set out a housing requirement figure for a designated neighbourhood area, the neighbourhood planning body does not have to make specific provision for housing, or seek to allocate sites to accommodate the requirement (which may have already been done through the strategic policies or through non-strategic policies produced by the local planning authority). The strategic policies will, however, have established the scale of housing expected to take place in the neighbourhood area. Housing requirement figures for neighbourhood plan areas are not binding as neighbourhood planning groups are not required to plan for housing. However, there is an expectation that housing requirement figures will be set in strategic policies, or an indicative figure provided on request. Where the figure is set in strategic policies, this figure will not need retesting at examination of the neighbourhood plan. Where it is set as an indicative figure, it will need to be tested at examination.”⁵⁰*

181. *“Where an indicative housing requirement figure is requested by a neighbourhood planning body, the local planning authority can follow a similar process to that for providing a housing requirement figure. They can use the authority’s local housing need as a starting point, taking into consideration relevant policies such as an existing or emerging spatial strategy, alongside the characteristics of the neighbourhood plan area. Proactive engagement with neighbourhood*

⁴⁹ Planning Practice Guidance Paragraph: 103 Reference ID: 41-103-20190509 Revision date: 09 05 2019

⁵⁰ Planning Practice Guidance Paragraph: 104 Reference ID: 41-104-20190509 Revision date: 09 05 2019

*plan-making bodies is important as part of this process, in order for them to understand how the figures are reached. This is important to avoid disagreements at neighbourhood plan or local plan examinations, and minimise the risk of neighbourhood plan figures being superseded when new strategic policies are adopted”.*⁵¹

182. *“Where strategic policies do not already set out a requirement figure, the National Planning Policy Framework expects an indicative figure to be provided to neighbourhood planning bodies on request. However, if a local planning authority is unable to do this, then the neighbourhood planning body may exceptionally need to determine a housing requirement figure themselves, taking account of relevant policies, the existing and emerging spatial strategy, and characteristics of the neighbourhood area. The neighbourhood planning toolkit on housing needs assessment may be used for this purpose. Neighbourhood planning bodies will need to work proactively with the local planning authority through this process, and the figure will need to be tested at examination of the neighbourhood plan, as neighbourhood plans must be in general conformity with strategic policies of the development plan to meet the basic conditions.”*⁵²

183. *“If a local planning authority is also intending to allocate sites in the same neighbourhood area the local planning authority should avoid duplicating planning processes that will apply to the neighbourhood area. It should work constructively with a qualifying body to enable a neighbourhood plan to make timely progress. A local planning authority should share evidence with those preparing the neighbourhood plan, in order for example, that every effort can be made to meet identified local need through the neighbourhood planning process.”*⁵³

184. *“Although a draft neighbourhood plan or Order is not tested against the policies in an emerging local plan the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. For example, up-to-date housing need evidence is relevant to the question of whether a housing supply policy in a neighbourhood plan or Order contributes to the achievement of sustainable development. Where a neighbourhood plan is brought*

⁵¹ Planning Practice Guidance Paragraph: 102 Reference ID: 41-102-20190509 Revision date: 09 05 2019

⁵² Planning Practice Guidance Paragraph: 105 Reference ID: 41-105-20190509 Revision date: 09 05 2019

⁵³ Planning Practice Guidance Paragraph: 043 Reference ID: 41-043-20140306 Revision date: 06 03 2014

forward before an up-to-date local plan is in place the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in:

- the emerging neighbourhood plan*
- the emerging local plan (or spatial development strategy)*
- the adopted development plan*

with appropriate regard to national policy and guidance.

The local planning authority should take a proactive and positive approach, working collaboratively with a qualifying body particularly sharing evidence and seeking to resolve any issues to ensure the draft neighbourhood plan has the greatest chance of success at independent examination. The local planning authority should work with the qualifying body so that complementary neighbourhood and local plan policies are produced. It is important to minimise any conflicts between policies in the neighbourhood plan and those in the emerging local plan, including housing supply policies. This is because section 38(5) of the Planning and Compulsory Purchase Act 2004 requires that the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan. Strategic policies should set out a housing requirement figure for designated neighbourhood areas from their overall housing requirement (paragraph 65 of the revised National Planning Policy Framework). Where this is not possible the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body, which will need to be tested at the neighbourhood plan examination. Neighbourhood plans should consider providing indicative delivery timetables, and allocating reserve sites to ensure that emerging evidence of housing need is addressed. This can help minimise potential conflicts and ensure that policies in the neighbourhood plan are not overridden by a new local plan.”⁵⁴

185. *“A neighbourhood plan can allocate additional sites to those identified in an adopted plan so long as the neighbourhood plan meets the basic conditions.”⁵⁵ and “A neighbourhood plan can allocate additional sites to those in a local plan (or spatial development strategy) where this is supported by evidence to demonstrate need above that identified in the local plan or spatial development strategy. Neighbourhood plans should not re-allocate sites that are already allocated through these strategic plans. A neighbourhood plan can also propose allocating alternative sites to those in a local plan (or spatial development strategy), where alternative proposals for*

⁵⁴ Planning Practice Guidance Paragraph: 009 Reference ID: 41-009-20190509 Revision date: 09 05 2019

⁵⁵ Planning Practice Guidance Paragraph: 009 Reference ID: 67-009-20190722 Revision date: 22 07 2019

inclusion in the neighbourhood plan are not strategic, but a qualifying body should discuss with the local planning authority why it considers the allocations set out in the strategic policies are no longer appropriate. The resulting draft neighbourhood plan must meet the basic conditions if it is to proceed. National planning policy states that it should support the strategic development needs set out in strategic policies for the area, plan positively to support local development and should not promote less development than set out in the strategic policies (see paragraph 13 and paragraph 29 of the National Planning Policy Framework). Nor should it be used to constrain the delivery of a strategic site allocated for development in the local plan or spatial development strategy. Should there be a conflict between a policy in a neighbourhood plan and a policy in a local plan or spatial development strategy, section 38(5) of the Planning and Compulsory Purchase Act 2004 requires that the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan.”⁵⁶

186. Whilst it is not within my role to test the soundness of the Neighbourhood Plan it is necessary to consider whether the Plan meets the Basic Conditions in so far as it will not promote less development than set out in the strategic policies for the area, or undermine those strategic policies, as required by paragraph 29 of the Framework; and meets the requirements set out in the Guidance. Several policies of the Neighbourhood Plan, in particular Policies FEL/HN1, FEL/HN2, FEL/HN3, FEL/HN4, FEL/HN5, and FEL/HN6, are relevant to housing supply. Paragraphs 5.4.1, 5.4.3, and 5.4.4, of the Neighbourhood Plan confirm an intention of the Neighbourhood Plan policies is to meet housing needs. The Statement of Common Ground between the District Council and the Parish Council states the District Council “*had no mechanism to provide a housing number for specific villages such as Felsted*”, and with respect to the Regulation 19 Local Plan states that in total in all 19 Type A villages there will be up to 134 new homes in new allocations of 6 or more homes and excluding windfall sites. It is stated this is “*not a housing target for Type A villages, merely a reflection of the deliverable and developable sites which have been allocated in these villages.*”

187. The Neighbourhood Plan states at Paragraph 5.4.16 “*UDC have not provided a housing target at a neighbourhood-area level, and the SG therefore had to develop an appropriate methodology which is*

⁵⁶ Planning Practice Guidance Paragraph: 044 Reference ID: 41-044-20190509 Revision date: 09 05 2019

based on Planning Practice Guidance. This methodology also reflects local circumstances and the range of sites that may come forward as suggested by the Strategic Land Availability Assessment (SHLAA). The process of establishing a housing target for Felsted and the consequent site selection to meet this target is set out in the Sites Justification Evidence Base document.”

188. The spatial strategy of the emerging Local Plan states at paragraph 3.38 *“Type A Villages are listed in Table 2 below (Felsted is listed as one of 19 Type A Villages). These villages have a primary school and some local services, e.g. village hall, public house or shop. They act as a local service centre and are suitable for a scale of development that reinforces their role as a local centre. In total in all the Type A Villages there will be up to 134 new homes in new allocations for housing development in the Local Plan.”* The Statement of Common Ground clarifies *“This identifies allocated sites of 6 or more homes in Type A villages, and does not include sites that may come forward as windfall sites. It is not a housing target for Type A villages, merely a reflection of the deliverable and developable sites which have been allocated in these villages.”*

189. It is commendable that the District Council and the Steering Group, acting on behalf of the Parish Council, have been working positively together throughout the Neighbourhood Plan preparation process in respect of issues relating to the Felsted Neighbourhood Area. In response to my request for clarification the District and Parish Councils recognise the Statement of Common Ground prepared in May 2019 is now redundant having been overtaken by events in respect to the development of ULP/FEL/02 through the consent granted on appeal in August 2019. The Councils also acknowledge the Statement of Common Ground does not reflect the latest Planning Practice Guidance published after the statement was prepared. The Councils state *“The emerging Local Plan is likely to be adopted later than the Neighbourhood Plan. Given the emerging Local Plan timetable, following the Felsted NP being made UDC is prepared to submit a main modification of the removal of the Local Plan Bury Farm site allocation so as to complement and not supersede the NP allocations.”*

190. In response to my request for clarification the District and Parish Councils stated *“The growth range provided in the Sites Justification Report has been identified by examining various indicators (e.g. past completion records) to help inform an appropriate range of growth during the plan period 2018 to 2033. It also however identifies supply-*

side constraints and recommends that any growth target is plan-led. The emerging Local Plan does not provide an appropriate number for Felsted but the Felsted NP does. The Felsted NP plans for the delivery of 63 new homes on the allocated sites. The NP includes additional policies that would facilitate the delivery of other development: HN4 – appropriate development within the development envelope; HN5 – development outside the development envelope subject to restrictions e.g. rural exception sites etc; HN6 – single supplemental dwellings policy. A reasonable assumption of numbers that could come forward under these other policies is 30. This is based on past records of windfall development. The NP therefore provides for the delivery of approximately 93 homes which is appropriate given the range of 70 – 140 identified in the Sites Justification Report.”

191. The Preferred Sites Justification Report sets out the rationale for the housing numbers that the Neighbourhood Plan provides for. The Preferred Sites Justification Report includes sections relating to: understanding the development need; Local Plan requirements; past completions data in the parish; Ministry of Housing, Communities and Local Government Household projections; identifying an appropriate housing number for the Felsted NP; Felsted Neighbourhood Area demographics; local housing needs survey; and the role of the neighbourhood area in providing services. The report draws conclusions on the quantity of housing needed in Felsted Parish over the plan period, which is found to be in the range of 70 to 140 dwellings after taking completions into consideration. The lower end of the range relates to the level of specific provision made in the emerging Local Plan. In response to my request for clarification the District and Parish Councils state *“The emerging Local Plan proposes to allocate 70 dwellings for the Felsted on 2 sites (not including windfalls) and this should be regarded as what UDC considers an appropriate minimum for Felsted. The NP proposes to allocate 63 dwellings (not including windfalls) on two sites albeit one being an alternative site.”* The Preferred Sites Justification report also identifies that in addition to allocated sites that will provide approximately 63 new homes, there will be an assumed additional supply of 30 dwellings arising from windfall sites. In response to my request for clarification the District and Parish Councils have advised me that in August 2019 there were unimplemented housing commitments that will provide 91 dwellings as follows:

Application Ref	Address	No. of Dwellings	Comments
1. UTT/17/2397/FUL	Post Office Station	2	

	Road		
2. UTT/17/2628/FUL	Sparlings Farm Braitree Road	1	
3. UTT/16/1106/FUL	Andrews House Braitree Road	1	
4. UTT/18/0784/OP	Land East and North of Clifford Smith Drive	30	Allowed on Appeal
5. UTT/18/1011/OP	Land West of Maranello Watch House Green	28	Allowed on Appeal
6. UTT/17/1470/FUL	Orchard End Braitree Road	1	
7. UTT/17/2825/FUL	Fairfield Hartford End Felsted	1	
8. UTT/17/1787/FUL	Elms Farm Bartholomew Green Lane	2	
9. UTT/17/1432/OP	Edwards House Braitree Road	2	
10. UTT/17/1241/OP	Land Between Wytewais and Hawthorns Gransmore Green Lane	1	
11. UTT/16/3616/FUL	41 Evelyn Road Willows Green	3	
12. UTT/16/2348/FUL	Land At 15 Evelyn Road Willows Green	1	
13. UTT/17/1123/FUL	Brook Cottage Gransmore Green Gransmore Green Lane	3	
14. UTT/18/3038/FUL	Gate Cottage Cock Green Cock Green Road	1	
15. UTT/18/1022/FUL	Land Adj Aylands Bannister Green	2	
16. UTT/18/1340/OP	Land at Gransmore House Gransmore Green	1	
17. UTT/18/3019/FUL	Land at Thorpes Frenches Green	1	
18. UTT/17/0649/OP	Land Off Stevens Lane Felsted	8	Allowed on appeal
19. UTT/18/0849/FUL	Mill House Barn Mill Lane Hartford End	1	
20. UTT/18/1200/FUL	Wytewais Gransmore Green	1	

	Gransmore Green Lane		
Total		91	

These unimplemented planning commitments which are a matter of public record available for inspection on the statutory Planning Register include windfall supply up to August 2019. In the context of the Neighbourhood Area there is currently a significant committed supply of new dwellings. It is reasonable to assume there will be further windfall supply during the remainder of the Plan period up to 2033.

192. Allocated, committed, and future windfall housing provision together will significantly boost the supply of homes in the Neighbourhood Plan area. The level of provision will accommodate flexibility in the timing of delivery of any specific site and obviates any pressing need to identify reserve sites. In response to my request for clarification the District and Parish Councils state *“at the Local Plan level, the housing requirement is spread across all 19 Type A villages, Felsted is expected to take half of that requirement on its own due to the availability of sites in the village”*. I am satisfied the approach adopted to address housing need in the Neighbourhood Area is appropriate for the purpose of neighbourhood plan preparation and provides the necessary justification of those policies that are relevant to housing supply. The Neighbourhood Plan meets the Basic Conditions in so far as it will not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.

Policy FEL/HN1 Meeting Housing Needs

193. This policy seeks to allocate two sites for housing development and establish the expected timing of delivery.
194. In a representation Springfields Planning and Development, on behalf of Hill Rise Homes Limited state *“Policy FEL/HN1 allocates the Sunnybrook Farm site for 24 ‘units’, although ‘dwellings’ might be a better term to use. The policy goes on to state that ‘Proposals for allocated housing sites are expected to come forward within years 1 – 5 of the Plan period’. The imperative to proceed quickly is understood, due to the serious issues of congestion etc which are currently caused by school related on street parking. Indeed, our client expects that the*

site will be subject of a planning application within the next 6 months, with a view thereafter to early delivery. As stated at paragraph 5.4.22 of the FNP, 'the landowner at Sunnybrook Farm is...keen to see the development proceed quickly'. However, if unforeseen circumstances arise which delay either the submission of a planning application or actual delivery of the development beyond 5 years, the policy is not clear on the position if its 'expectations' are not met."

195. The representation of GO Planning Ltd states *"The highly restrictive Policy allocates two identified sites for development for up to 63 new homes. The Submission Plan does not allocate sufficient market housing sites to meet its own vision or assist the District with its current shortfall in 5 year housing supply as a type A Felsted could with a level of sustainable development and given its very strong housing market this would allow owners of larger homes to downsize within the Parish."*

196. The Guidance states *"A neighbourhood plan can allocate sites for development, including housing. A qualifying body should carry out an appraisal of options and an assessment of individual sites against clearly identified criteria. Guidance on assessing sites and on viability is available."*⁵⁷

197. I have, earlier in my report, concluded the Preferred Sites Justification Report, which sets out the rationale for the proposed housing allocations and how they will be delivered, and other evidence provide the necessary justification for the amount of housing development provided for in the Neighbourhood Plan. The Site Assessment Report sets out the method of residential development site assessment and the selection criteria used. The Felsted Neighbourhood Plan Viability Study concluded there is sufficient evidence that the residential allocations in the Neighbourhood Plan have the potential to be viable and stated a need to consider levels of affordable housing provision in the context of enabling development of neighbourhood facilities and infrastructure. The achievement of community objectives has been an important consideration in the site assessment and selection process. Such an approach is not inconsistent with meeting the Basic Conditions. I am satisfied the method of site selection and assessment deployed is appropriate to preparation of the Neighbourhood Plan and provides sufficient

⁵⁷ Planning Practice Guidance Paragraph: 042 Reference ID: 41-042-20170728 Revision date: 28 07 2017

evidence to support the residential allocations of the Neighbourhood Plan.

198. The specification of “*up to 63 units*”, “*(24 units)*” and “*(39 units)*” is overly prescriptive and has not been sufficiently justified. The specification “*up to*” with respect to total provision and of precise figures for each allocation site may prevent an otherwise sustainable development proposal. There is internal inconsistency within the policy. Two precise figures cannot sum to an “*up to*” total. There is also inconsistency with terminology used in Policies FEL/HN2 and FEL/HN3. I have recommended use of the word “*approximately*” in all three policies to achieve internal consistency and allow necessary flexibility in the determination of sustainable development proposals. The final sentence of the policy relies on the actions of third parties for its realisation, which it may not. The term “*are expected to*” does not provide a basis for the determination of planning applications. I have recommended a modification in these respects so that the policy has regard for national policy and “*is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals*” as required by paragraph 16d) of the Framework.

199. Policies FEL/HN2 and FEL/HN3 relate to each of the residential site allocations. I consider these policies later in my report. Policy FEL/HN1 is in general conformity with the strategic policies included in the Development Plan applying in the Neighbourhood Area and relevant to the Neighbourhood Plan (namely the Uttlesford Local Plan 2005) and serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

200. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable development; plan-making; and decision-making sections; annex 1 implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with delivering a sufficient supply of homes, the policy is appropriate to be included in a ‘made’ neighbourhood plan. Having regard to the Guidance the policy is appropriate to be included in a ‘made’ neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 18:

In Policy FEL/HN1

- **replace “up to” with “approximately”**
- **insert “approximately” before “24” and “39”**

- delete the final sentence, which should be transferred to section 4.5 of the Neighbourhood Plan and presented as a community action providing an indicative housing development site delivery timetable

Policy FEL/HN2 Land at Braintree Road (Sunnybrook Farm)

201. This policy seeks to allocate, subject to stated requirements, the Sunnybrook Farm site identified on Maps 6 and 7 for housing development of 24 units.

202. In a representation Springfields Planning and Development, on behalf of Hill Rise Homes Limited state “*Policy FEL/HN2 sets out the detailed policy allocation for 24 housing units ie ‘dwellings’ (NB see our comments above) at Sunnybrook Farm. The first sentence states that, The Plan allocates the Sunnybrook Farm Site as shown on Map 6 and Map 7 for housing development of 24 units. However, the Maps which show the area of FEL/HN2 allocation require some modification. The reason for our suggested modification is that Maps 6 and 7 do not properly reflect the area of the Block Plan (which was agreed with the Steering Group) and shown at FNP Section 6, Appendix 1. The Block Plan was prepared to show the required housing and parking/amenity areas. By way of background, the Block Plan was based on a provisional layout scheme with supporting text (attached as Appendix 1 to this letter) showing 24 dwellings and car park with drop off area. The layout plan was prepared for a public exhibition as part of the Regulation 14 Consultation exercise. Whilst the layout plan is not a blueprint, it shows the area of land which might reasonably be required to deliver the policy requirements of the allocation. The area of site allocation at Regulation 14 Consultation stage was also shown incorrectly and whilst this has been modified in the current Regulation 16 Consultation, it still appears incorrect, as it does not extend sufficiently far enough to the north-west area. The allocated area would then curtail room to provide several dwellings and gardens (plus boundary trees/hedges) which are potentially critical to enabling the delivery of the car park and housing allocation. We therefore suggest that the FEL/HN2 allocation more accurately reflects the northern (N)/north western (NW) extent of the Block Plan (and also the area of the provisional layout). Furthermore, the ‘curved’ boundaries of the allocated area as currently proposed are less easy to interpret and would benefit if they were of more linear shape and relate to physical features. To this extent we suggest that the adjacent woodland (to the south-west side) marks the SW boundary of the allocated area and*

that the western boundaries run parallel to the western field boundaries (with Chaffix Farm), running approximately NW then N, before returning along an internal field boundary to the north of the allocation area (marked on the OS base plan, running east-west) at Sunnybrook Farm. Our suggested modifications to Map 6 are shown on the plan at Appendix 2. This appendix also includes a Google overhead plan upon which the suggested allocation area is plotted so that the physical context in relation to features and boundaries can be understood. This amendment would aid clarity of the allocated area to meet NPPF Para 16 (d) ie contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals. Furthermore, the revision would ensure sufficient room is provided to deliver not just housing and a car park but significant landscaping, noting that the development will 'be well-screened with native hedgerows or tree screening to the western and northern boundaries to mitigate the visual impact of the development on the landscape' as per subsection (II) of the policy. The NW part of the site is envisaged to provide several 3 or 4 bed properties, balancing these against the requirements of the subsection (V) policy requirement to deliver "a significant proportion of starter homes and accessible homes that are suitable for the elderly". The starter units and homes for the elderly may attract insufficient revenues on their own in order to deliver the car park benefit. As such, it is important that the development is able to derive revenue from 3 and 4 bed properties and to do so it is reliant on the adequacy of the site area of the allocation. Our suggested revision to the area of the site allocation will provide sufficient design flexibility and ensure there is enough room to provide space for the required units, totalling 24 dwellings. Subsection (I) of Policy FEL/HN2 states a requirement to 'Include a new access road, a kiss and drop facility and significant off-road landscaped secure car parking provision for approximately 90 vehicles, including contingency provision pending future expansion of the Primary School'. In our discussions with the Steering Group it was understood that the 90 spaces car park would satisfy (ie be inclusive of) the 'contingency' element. However, the way the policy is worded is open to misinterpretation because it could alternatively be read that the contingency parking is required in addition to the 90 spaces, in which case the area of the allocation would not be sufficient. We therefore suggest the inspector makes an appropriate modification to the text of this part of the policy to clarify and reflect what we believe is intended ie the contingency parking is included as part of the 90 spaces."

203. The representation of GO Planning Ltd states “HN2 to the east of Felsted village adjoins in part Watch House Green hamlet but again significantly reduces the gap between the eastern edge of the village and the hamlet, which in turn provides for increased levels of coalescence. The western boundary of HN2 is considered arbitrary and any landscape buffer will take decades to provide a significant landscape buffer” and “The allocation of a site in a sustainable location which can also provide improved access and parking for the local primary school are supported. However, the issue of coalescence is a key concern highlighted in the consultation process and so it requires further consideration as to the deliverability of the policy. The reference to the land for the ‘kiss and drop’ area being conveyed to the Parish and an income stream being generated fails to recognise that Essex County Council as the Educational Services provider would not be in a position to fund such a revenue stream as the direct consequence would be a reduction to educational funds. The SHLAA assessment of the site considered it to be unsuitable. If pursued this site should provide for policy compliant affordable housing.”

204. The District Council state “Starter Homes – The regulations have not been issued therefore it is suggested to use the broader NPPF (Annex 2) definition of affordable homes which includes starter homes among other types of affordable housing. Use of the phrase affordable instead of starter homes will obviate the need to specify the housing mix criteria of the affordable housing element. Homes suitable for the elderly.....” –. How are ‘elderly people’ defined? Are they frail, house bound residents or fit retired people? Frail, house bound people will need help to live independently, is this practical with a limited bus service (not all care workers have cars). I think the definition of accessible properties should include specific details such as bungalows or properties that meet the building regulations M4 (cat 3) which are the accessible homes standard. This provides clarity. UDC accept that Policy HN2 (24 dwellings) is considered as enabling development that facilitates a major community benefit of addressing the significant problem of traffic congestion around the primary school. Affordable housing provision on this site will need to take account of the effect of viability of the development as a whole as has been explained in paragraph 5.4.37.”

205. In a representation Anglian Water confirm no objection to the principle of residential development of this site and support the incorporation of SuDS within the development. The representation of an individual objects to or requires clarification in respect of several

matters including justification for the development at Sunnybrook Farm and adequacy of the landscape buffer referred to in point iii of the policy. Essex County Council has recommended alternative wording in respect of transport matters. I have incorporated the amended wording in my recommended modification but have avoided use of the imprecise term “*maximise*” in favour of identification and pursuit of opportunities to promote walking, cycling and public transport as set out in paragraph 102 of the Framework.

206. A representation has raised the issue of coalescence of Felsted village and Watch House Green hamlet. I am satisfied this matter has been considered in the Site Assessment Report. The adequacy of landscaping is a matter that can be considered in the context of a planning application. The policy does not refer to the conveyancing and revenue opportunity matters described in supporting text

207. A representation proposes different boundaries for the site allocation, in part to follow Ordnance Survey lines to assist clarity, and in part to “*provide sufficient design flexibility and ensure there is enough room to provide space for the required units, totalling 24 dwellings.*” The representation states the area of the site allocation “*still appears incorrect, as it does not extend sufficiently far enough to the north-west area.*” I provided the Parish Council an opportunity to comment on the representations of other parties. The Parish Council did not comment on this matter, and in particular did not indicate any error had been made in defining the boundaries of the allocation. Map 7 which shows the allocation site, is very clearly drawn and presented at a large enough scale to enable accurate definition of the boundaries of the allocation. I have earlier in my report explained, that apart from the correction of errors, my role is limited to the recommendation of modifications that are necessary to meet the Basic Conditions and other requirements that I have identified. Whilst the representation includes an illustration of a possible development layout that requires additional land, I am satisfied the land included in the allocation is capable of development for the uses proposed. Alternative site boundaries are not necessary in this respect. The Felsted Neighbourhood Plan Viability Study indicates some flexibility in affordable housing requirements may be necessary in order to facilitate the delivery of neighbourhood infrastructure. This would be a matter for consideration in the preparation of detailed proposals and their determination. The allocation of additional land would represent a significant alteration of the Neighbourhood Plan that would warrant a return to an earlier stage of plan preparation so that the

Neighbourhood Plan area community, and other stakeholders, would have the opportunity to submit representations in respect of both the extent of additional allocation, and also a preferred location. It is not within my role to determine these matters on behalf of the local community and other stakeholders. I have, earlier in my report, explained my role is to determine whether or not the submitted Neighbourhood Plan meets the Basic Conditions and other requirements that I have identified.

208. The specification of 24 units is overly prescriptive and has not been sufficiently justified. A precise requirement may prevent an otherwise sustainable development proposal. I have recommended inclusion of the word “*approximately*”. The District and Parish Councils have clarified the requirement for 90 parking spaces results from discussions with the developers and is “*the maximum number of spaces within a development boundary that did not unduly impact on coalescence with the village.*” In response to my request for clarification the District Council and Parish Council have confirmed that the approximately 90 vehicle provision includes the contingency parking provision, adding the comment that the County Council has been unable to confirm longer term development plans for the school. The terms “*maximise land use*”, “*well-screened*”, and “*existing and future needs of our community*” are imprecise. In response to my request for clarification regarding the meaning of the term “*secure*” the Parish Council and District Council stated “*The car park will be owned by the Felsted Community Trust as an asset for the village, leased to the primary school for their use. The carpark is intended to be locked outside hours and similarly secured to allow safe use by pupils when not in use as a car park.*” The Glossary to the Framework states housing needs of older people can encompass accessible, adaptable general needs housing through to the full range of retirement and specialised housing for those with support or care needs. In response to my request for clarification the Parish Council and District Council have jointly confirmed the intention of the policy and stated “*Our objectives for the site is for there to be majority smaller homes and homes suitable for older people, single people and young people, subject to the outcome of housing needs surveys.*” It is necessary for the policy to avoid being overtaken by changed circumstances regarding housing need and supply during the plan period. The term “*provision of a development brief*” does not provide a basis for the determination of planning applications. The second sentence of the policy is without consequence. Realisation of the “*active consultation*” component of the policy is reliant on third parties. I have

recommended a modification in these respects so that the policy has regard for national policy and *“is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”* as required by paragraph 16d) of the Framework and has regard for national policy.

209. The policy is in general conformity with the strategic policies included in the Development Plan applying in the Neighbourhood Area and relevant to the Neighbourhood Plan (namely the Uttlesford Local Plan 2005) and serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

210. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable development; plan-making; and decision-making sections; annex 1 implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with: delivering a sufficient supply of homes; promoting healthy and safe communities; promoting sustainable transport; making effective use of land; and achieving well-designed places the policy is appropriate to be included in a ‘made’ neighbourhood plan. Having regard to the Guidance the policy is appropriate to be included in a ‘made’ neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 19:

In Policy FEL/HN2

- **before “24” insert “approximately”**
- **replace the second sentence before the colon with “To be supported development proposals must:”**
- **in part I replace “secure” with “lockable” and delete “and maximise land use”**
- **in part II delete “well-”**
- **commence part III and part IV with “Include”**
- **in part V replace the text after “housing” with “to meet the latest assessment of local housing need including a significant proportion of two- or three-bedroom accommodation suitable for young families, and homes that are suitable for older people (which can encompass accessible, adaptable general needs housing through to the full range of retirement and specialised housing for**

- those with support or care needs), having regard to the supply of such units at the time of application.”
- delete part VI
 - in part VII replace the full stop with a semi-colon
 - renumber part VII as VI
 - insert new parts:
 - “VII) be subject to a Transport Statement/Assessment in accordance with ECC Development Management Policies (2011) and Car Parking Standards;
 - VIII) identify and pursue opportunities to promote walking, cycling and public transport to improve accessibility and integration into the wider community and wider networks; and
 - IX) protect the public’s rights and ease of passage over the adjacent Public Footpath 12 (Felsted), ensuring it is maintained free and unobstructed at all times to ensure the continued safe passage of public on the definitive right of Way.”

Policy FEL/HN3 Land at Station Road (Bury Farm)

211. This policy seeks to allocate, subject to stated requirements, the Bury Farm site identified on Maps 6 and 8 for housing development of up to 39 units and for the development of a doctor’s surgery.
212. The District Council state *“UDC accept that that Policy HN3 (39 dwellings) is considered as enabling development that facilitates a major community benefit of the provision of a surgery. Affordable housing provision on this site will need to take account of the effect of viability of the development as a whole. A paragraph similar to 5.3.47 (5.4.37) should be added to the supporting text to this policy. Policy FEL/NH3 (point ii) Smaller homes for first time buyers will stay affordable if they are protected under affordable housing tenures, i.e. shared ownership etc. as per the NPPF. If they are market homes, they will become unaffordable at resales, especially if extensions have been built. (A Trust can protect them).”*
213. In a representation Anglian Water confirm no objection to the principle of residential development of this site. Essex County Council state *“This site falls within a Waste Consultation Area (WCA) associated with the safeguarded Felsted Waste Water Treatment Works (WWTW). A map showing the relationship between the site and the WWTW is attached as Appendix A. By virtue of the site being*

located within a WCA, it is subject to Policy S2 of the Essex and Southend-on-Sea Waste Local Plan. Whilst not prohibiting development, the policy seeks to ensure that any development within a WCA will not prohibit the continued operation of the safeguarded waste facility. I have, earlier in my report recommended insertion of a policy in the Neighbourhood Plan stating new development will only be supported where proposals demonstrate sufficient water reclamation capacity exists.

214. Essex County Council has recommended alternative wording in respect of transport matters. I have incorporated the amended wording in my recommended modification but have avoided use of the imprecise term “*maximise*” in favour of identification and pursuit of opportunities to promote walking, cycling and public transport as set out in paragraph 102 of the Framework.

215. The representation of GO Planning Ltd states “*This Plan (Map 6) shows the site HN3 to the west of Felsted only adjoins a very small section of the village development boundary. Whilst the build allocation is defined as only extending to align with the properties on the southern side of Station Road, the site represents a significant intrusion into the countryside on rising land, which narrows the effective gap to Flitch Green to the west*” and “*The promise of a funded doctor’s surgery providing a modern facility, ultimately serving 4,500 patients (70% from the Parish of Felsted) have provided for the support of the Steering Group to the site at Bury Farm. The potential to provide a new doctor’s surgery is to be applauded, but not when the site’s development would lead to such visual intrusion and the potential for increased coalescence with Flitch Green, a key objective of the Plan’s vision sought to avoid. Within the preamble to the Policy text at paragraph 5.4.45 it notes ‘the assessed housing need in the Parish having been met’. The overall viability of the proposals, including its requirements to facilitate the delivery of the GP Surgery will, therefore, as noted, need to take into account the level of housing contributions to be requested through a planning obligation. This is totally contrary to the District’s overarching policy objective to deliver much needed affordable housing. Given that the Housing Needs Survey was based on a very limited return and is now in excess of three years old, affordable housing and starter homes are likely a significant need within the Parish and District alike.*”

216. I am satisfied the site assessment has considered the landscape and coalescence of settlements implications of development of the site. The specification of “*up to 39 units*” is overly prescriptive and has

not been sufficiently justified. The specification “up to” may prevent an otherwise sustainable development proposal. I have recommended use of the word “approximately”. The second sentence of the policy is without consequence. The Glossary to the Framework states housing needs of older people can encompass accessible, adaptable general needs housing through to the full range of retirement and specialised housing for those with support or care needs. Whilst the policy does not make reference to affordable housing a note in supporting text as suggested by the District Council will assist in interpretation when other development plan policies relating to affordable housing provision are applied. In response to my request for clarification the Parish Council and District Council have jointly confirmed the intention of the policy and stated “*this part of the policy provides flexibility for the applicant of the site, and places a burden on the developer to demonstrate how the site meets local housing needs as part of the planning application*”. It is necessary for the policy to avoid being overtaken by changed circumstances regarding housing need and supply during the plan period. The scale of obligations must not undermine the deliverability of the plan, as required by paragraph 34 of the Framework, and must meet the tests set out in paragraph 56 of the Framework. The terms “adequate”, “high standard”, “suit the needs of the community”, and “high-quality” are imprecise. The term “provision of a development brief” does not provide a basis for the determination of planning applications. Realisation of the “active consultation” component of the policy is reliant on third parties. The term “gifted to the Parish” does not provide a basis for the determination of planning applications and has not been justified. I have recommended a modification in these respects so that the policy has regard for national policy and “*is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals*” as required by paragraph 16d) of the Framework.

217. The policy is in general conformity with the strategic policies included in the Development Plan applying in the Neighbourhood Area and relevant to the Neighbourhood Plan (namely the Uttlesford Local Plan 2005) and serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

218. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable development; plan-making; and decision-making sections; annex 1

implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with: delivering a sufficient supply of homes; promoting healthy and safe communities; promoting sustainable transport; making effective use of land; and achieving well-designed places, the policy is appropriate to be included in a 'made' neighbourhood plan. Having regard to the Guidance the policy is appropriate to be included in a 'made' neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 20:

In Policy FEL/HN3

- **replace “up to” with “approximately”**
- **replace the second sentence before the colon with “To be supported development proposals must:”**
- **delete part I c**
- **replace “to a high standard” with “so as to enhance the character and appearance of the area”**
- **in part II replace the text after “housing” with “to meet the latest assessment of local housing need including a significant proportion of two- or three-bedroom accommodation suitable for young families and older people, having regard to the supply of such units at the time of application”**
- **in part V delete “gifted to the Parish”**
- **in part VI after “hedgerows” delete “and”**
- **in part VII delete the final “and”**
- **in part VIII replace the full stop with “; and”**
- **delete the final sentence of the policy**
- **Insert new parts:**
 - “IX) be subject to a Transport Statement/Assessment in accordance with ECC Development Management Policies (2011) and Car Parking Standards; and**
 - X) identify and pursue opportunities to promote walking, cycling and public transport to improve accessibility and integration into the wider community and wider networks.”**

Add a paragraph of a similar nature to paragraph 5.4.37 to the supporting text

Policy FEL/HN4 Residential Development within Development Limits

219. This policy seeks to establish conditional support for residential development proposals within the Local Plan Village Development Limits (VDLs).
220. In a representation Essex County Council has recommended inclusion of an additional criterion relating to access and Transport Statement/Assessment. I have recommended modification of the policy in this respect so that the policy has regard for national policy as set out in paragraphs 108 and 111 of the Framework.
221. The representation of Springfields Planning and Development, on behalf of Mr David Payne includes extensive background submissions and concludes with the following suggestions *“As will be clear from the above commentary, the FNP in its current guise could not be said to have been prepared positively nor would it contribute to the achievement of sustainable development. This is because the Village Development Limits in Watch House Green do not include sustainable housing sites, including the FEL2 site which has been allowed at appeal. Sustainable development at this site would therefore be restricted and not supported by the FNP, such approach being contrary to the NPPF’s objectives. The reason for the Development Limits is to make a distinction between village built up areas (which the FEL2 site will become following the appeal decision) and countryside beyond. The FNP is not positively prepared to take account of the up to date and prevailing planning circumstances, these including the appeal scheme and an existing housing area constructed in recent years to the south of FEL2. The FNP does not explain why it replicates the 2005 Local Plan’s Development Limits or why it has not extended them to include existing and permitted housing in Watch House Green. There are no cogent reasons to exclude these existing and permitted housing areas from the Development Limits, indeed no justification is offered in the FNP for keeping Development Limits unaltered from the 2005 Local Plan. The approach of the FNP in this respect is therefore contrary to the Presumption in Favour of Sustainable Development. As a result, compliance with Basic Conditions (a) and (d) would not be achieved. To meet the Basic Conditions tests, we suggest that the FNP should be subject of Modifications before it proceeds to Referendum. The reliance on the outdated 2005 Local Plan Development Limits is misguided and unjustified given the ‘up to date’ circumstances. Accordingly, our client’s objection to the FNP would be removed through the following*

Modifications: (1) Amend the Village Development Limits for Watch House Green as currently shown on Map 12 to accurately include the FEL2 site (as allowed at appeal) and the Clifford Smith Drive/Porter Close development. A Plan showing a suggested modification to the Village Development Limits is attached at Appendix 11. This is based on the on line plan prepared by Uttlesford DC for their emerging Local Plan. We point out that the Development Limits on Map 12 are difficult to accurately interpret and would benefit from an improved scale or a separate plan extract for Watch House Green. Also the legend for 'HVC4: Village Development Limits' is shown as a black line which appears similar to the black line used on that plan showing the neighbourhood plan area. Some confusion may occur here. It is not necessary to show the appeal site at Clifford Smith Drive as an 'allocated' site for housing because the FNP does neither wish to, nor is compelled to make (other) housing allocations. However, the extension of the Development Limits should adequately address our concerns but it may be helpful for parishioners and users of the document if the FNP clarifies (either by text or plan annotation) why the Development Limits are shown as per our suggestion. The plan at Appendix 11 provides an example wording. (2) Amend the wording of Policy FEL/HN4 to delete the words 'Local Plan' in the first sentence, such that it reads, "Residential development proposals within the Village Development Limits (VDLs) will be supported subject to:..."(3) Make consequential amendments to text eg paragraph 5.4.55 to make it clear that the Village Development Limits for Watch House Green are not 'Local Plan' Village Development Limits, in order to ensure they take account of the up to date circumstances of built housing and allowed housing appeals outside of the Local Plan's Development Limits. Paragraph 5.4.24 is no longer fully relevant as it does not refer to the appeal site. A reference should be included to highlight that by including the site within the Village Development Limits it would allow a consideration to be given to shaping the eventual housing mix (supporting housing mix preferences identified in the FNP) pursuant to Policy FEL/HN4. Taking our suggestions forward and on the basis that only the Development Limits are to be enlarged in Watch House Green (to recognise the allowed housing appeal site) but without any specific housing allocation being made, further site assessments by the FNP should not be required. Other policies will cater for scrutiny of subsequent planning/reserved matters applications. Furthermore, should our suggestions be agreed to, the Inspector will need to consider the adequacy of the Strategic Environmental Assessment, especially regarding Blackwater Estuary Special Protection Area and Ramsar site. To meet Basic Conditions, the Neighbourhood Plan must

not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017. Assuming the Development Limits are extended as suggested but no additional site-specific housing allocation is made at the site east and north of Clifford Smith Drive, the HRA Screening and Appropriate Assessment May 2019 may be deemed sufficient, as it did not exclude 'in combination' effects arising from the FEL2 allocation. It will be also noted that the appeal inspector had also fully considered the HRA issue in allowing the appeal at the FEL2 site."

222. GO Planning Ltd states Village Development Limits (VDL) limits shown on Map 13 should be updated to reflect either extant permissions or built out developments. Springfields Planning and Development, on behalf of Hill Rise Homes Limited state "*Policy FEL/HN4 and FEL/HN5 provides the policy both within and outside 'Local Plan' Village Development Limits respectively. It is intended that the Local Plan Development Limits (as shown on FNP Map 12) are used but there appears to be little justification cited for this approach. The Uttlesford Local Plan was adopted in 2005 and the Development Limits it uses are out of date because housing allocations were only made to the period 2011. Updating of the Development Limits is long overdue, especially to comply with the NPPF's Presumption in Favour of Sustainable Development. In the case of Sunnybrook Farm, this site will be committed for development and as a result will eventually become part of the built-up area of Watch House Green. It is therefore entirely logical and in line with the NPPF's Presumption in Favour of Sustainable Development that such committed allocation should be included in the Village Development Limits. We suggest that Map 12 is modified accordingly. The Village Development Limits would then essentially encompass the area of the site allocation at Sunnybrook Farm. (NB A similar approach for consistency could apply to the Development Limits re Site Allocation HN3, the Bury Farm Site in Felsted). If the inspector agrees to our suggested modification, a consequential amendment would be to amend Policy HN5 by deleting subsection (V) 'Sites allocated in this plan (HN2, HN3)', the same being one of the allowable exceptions to residential development proposals outside Village Development Limits. The words 'Local Plan' Village Development Limits would then need to be deleted in Policies FEL/HN4 and FEL/HN5 and any related text, to reflect the fact that the FNP's Village Development Limits are not the same as those of the adopted (2005) Local Plan*".

223. I have earlier in my report explained the relationship between the Neighbourhood Plan and the emerging Local Plan and stated it is commendable that the District Council and the Steering Group, acting on behalf of the Parish Council, have been working positively together in respect of issues relating to the Felsted neighbourhood area. I have noted the Statement of Common Ground prepared by the District Council and the Parish Council on 1 May 2019 is now considered by the Councils to have been overtaken by events following the grant of outline planning permission on 20 June 2019 on appeal in respect of land east and north of Clifford Smith Drive, Watch House Green. (appeal reference APP/C1570/W/18/3210034).

224. The term “*Village Development Limits*” is imprecise. I have recommended the policy should make reference to maps where the Village Development Limits are defined. Whilst Map 13 provides an inset for Felsted Village, Map 12 is not at sufficient scale to identify other village development limits accurately. In response to my request for clarification the Parish Council and District Council have jointly sent me maps showing the Causeway End, Bannister Green, and Watch House Green Development Limits at a scale that allows the identification of boundaries of properties. These maps should be added to the maps of the Neighbourhood Plan. I have recommended a modification in these respects so that the policy “*is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals*” as required by paragraph 16d) of the Framework.

225. Whilst it is not within my role to test the soundness of the Neighbourhood Plan it is necessary to consider whether the Plan meets the Basic Conditions in so far as it will not promote less development than set out in the strategic policies for the area, or undermine those strategic policies, as required by paragraph 29 of the Framework, and meets the requirements set out in the Guidance. I have undertaken this consideration earlier in my report. I now consider issues relating to the precise alignment of the Village Development Limits (VDL).

226. Representations propose the Village Development Limits (VDL) should be extended to include sites allocated for residential development in the Neighbourhood Plan and a site granted planning permission. The emerging Local Plan proposes to amend the Village Development Limits to take account of proposed allocations and development. The District Council has stated “*Once the Felsted*

Neighbourhood Plan is made, a further modification to the ULP will be suggested to the Inspectors to amend the development limits to include new development. The reason for this approach in the emerging LP is that new development is part of a village. Residents in these properties will view themselves as part of the village, and will be covered by 'countryside policies' if the VDLs are not extended. UDC considers this not to be logical or equitable". The Steering Group has stated strong opposition to this in that "It provides developers with the opportunity to increase density within the VDL and offers developers an opportunity to constantly 'creep' the boundary with 'exception' housing. The community is against this. We have policies that support development within the Vdl's but those policies were developed with existing Vdl's in mind. Whilst we have had development foisted on us that we did not want, the density is relatively low and if this site becomes part of the VDL there is an open door for the developer to increase density." This is a matter that will be determined through the examination of the emerging Local Plan. It is anticipated the emerging Local Plan will become part of the Development Plan after the Neighbourhood Plan. Any conflict between the two plans "must be resolved in favour of the policy which is contained in the last document to become part of the development plan."⁵⁸

227. Village Development Limits can represent the dividing line between built areas and open countryside, and can follow clearly defined features such as walls, hedgerows or water courses. The definition of the boundary however does not have to relate to some observable land use difference or dividing feature. Village Development Limits do not have to reflect land ownership boundaries or the precise curtilages of properties. One approach is to exclude curtilages of properties which have the capacity to extend the built form of a settlement in areas where this is not considered desirable. Such areas could include whole properties or parts of large residential gardens. Village Development Limits do not have to include the full extent of settlements. The Village Development Limits proposed to be used in policies in the Neighbourhood Plan are long established and have been subject to community engagement and consultation during the plan preparation process. Whilst consideration has been given to the character of settlements and their development form, the Village Development Limits do not define the built-up areas of Felsted Parish. I am satisfied the Village Development Limits will guide development

⁵⁸ Planning Practice Guidance Paragraph: 044 Reference ID: 41-044-20190509 Revision date: 09 05 2019

to sustainable solutions. It is beyond my role to consider whether any alternative alignment of the Village Development Limits would offer a more sustainable solution.

228. Village Development Limits are used in the Neighbourhood Plan as a policy tool to define where plan policies are to apply, and in particular where new residential development proposals will be conditionally supported through Policy FEL/HN4, and where support is limited to residential development in specified circumstances through Policy FEL/HN5. Extant planning permissions and allocations can be included within the Village Development Limits but this is not necessary to meet the Basic Conditions. It would be beyond my role to recommend modification of the Neighbourhood Plan where this is not necessary to meet the Basic Conditions or other requirements that I have identified.

229. The policy is in general conformity with the strategic policies included in the Development Plan applying in the Neighbourhood Area and relevant to the Neighbourhood Plan (namely the Uttlesford Local Plan 2005) and serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

230. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable development; plan-making; and decision-making sections; annex 1 implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with: delivering a sufficient supply of homes; promoting sustainable transport; making effective use of land; achieving well-designed places; and conserving and enhancing the natural environment, the policy is appropriate to be included in a 'made' neighbourhood plan. Having regard to the Guidance the policy is appropriate to be included in a 'made' neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 21:

In Policy FEL/HN4

- **after “Limits” insert “shown on Maps 12 and 13”**
- **add an additional criterion “v) Demonstrating safe and suitable access, and being accompanied by a Transport Statement/Assessment, as appropriate, in accordance with the ECC Development Management Policies (2011).”**

As inserts to Map 12 present each of the Village Development Limits relating to Causeway End, Watch House Green, and Bannister Green on a map at a scale sufficient to identify individual property boundaries.

Policy FEL/HN5 Residential Development outside Development Limits

231. This policy seeks to establish that residential development proposals outside the Local Plan Village Development Limits will be supported under specified circumstances.
232. Essex County Council has recommended inclusion of an additional criterion relating to access and Transport Statement/Assessment. I have recommended modification of the policy in this latter respect so that the policy has regard for national policy as set out in paragraphs 108 and 111 of the Framework.
233. In a representation GO Planning Ltd state *“The reference to dwellings in line with Policy FEL/HN6 should be deleted. See objection to HN6 Policy below.”* GO Planning Ltd also states Village Development Limits (VDL) shown on Map 13 should be updated to reflect either extant permissions or built out developments. I have considered this latter issue earlier in my report when examining Policy FEL/ HN4.
234. The representation of an individual states a negatively worded policy would more accurately reflect their own, and many others in the community’s, wishes. The representation states use of the words “only” and “exceptional” would improve the positively worded policy.
235. In a representation Springfields Planning and Development, on behalf of Mr David Payne includes extensive background submissions and concludes with the following suggestions *“As will be clear from the above commentary, the FNP in its current guise could not be said to have been prepared positively nor would it contribute to the achievement of sustainable development. This is because the Village Development Limits in Watch House Green do not include sustainable housing sites, including the FEL2 site which has been allowed at appeal. Sustainable development at this site would therefore be restricted and not supported by the FNP, such approach being contrary to the NPPF’s objectives. The reason for the Development Limits is to make a distinction between village built up areas (which the FEL2 site will become following the appeal decision) and countryside*

beyond. The FNP is not positively prepared to take account of the up to date and prevailing planning circumstances, these including the appeal scheme and an existing housing area constructed in recent years to the south of FEL2. The FNP does not explain why it replicates the 2005 Local Plan's Development Limits or why it has not extended them to include existing and permitted housing in Watch House Green. There are no cogent reasons to exclude these existing and permitted housing areas from the Development Limits, indeed no justification is offered in the FNP for keeping Development Limits unaltered from the 2005 Local Plan. The approach of the FNP in this respect is therefore contrary to the Presumption In Favour of Sustainable Development. As a result, compliance with Basic Conditions (a) and (d) would not be achieved. To meet the Basic Conditions tests, we suggest that the FNP should be subject of Modifications before it proceeds to Referendum. The reliance on the outdated 2005 Local Plan Development Limits is misguided and unjustified given the 'up to date' circumstances. Accordingly, our client's objection to the FNP would be removed through the following Modifications: (1) Amend the Village Development Limits for Watch House Green as currently shown on Map 12 to accurately include the FEL2 site (as allowed at appeal) and the Clifford Smith Drive/Porter Close development. A Plan showing a suggested modification to the Village Development Limits is attached at Appendix 11. This is based on the on line plan prepared by Uttlesford DC for their emerging Local Plan. We point out that the Development Limits on Map 12 are difficult to accurately interpret and would benefit from an improved scale or a separate plan extract for Watch House Green. Also the legend for 'HVC4: Village Development Limits' is shown as a black line which appears similar to the black line used on that plan showing the neighbourhood plan area. Some confusion may occur here. It is not necessary to show the appeal site at Clifford Smith Drive as an 'allocated' site for housing because the FNP does neither wish to, nor is compelled to make (other) housing allocations. However, the extension of the Development Limits should adequately address our concerns but it may be helpful for parishioners and users of the document if the FNP clarifies (either by text or plan annotation) why the Development Limits are shown as per our suggestion. The plan at Appendix 11 provides an example wording. (2) Amend the wording of Policy FEL/HN4 to delete the words 'Local Plan' in the first sentence, such that it reads, "Residential development proposals within the Village Development Limits (VDLs) will be supported subject to:..."(3) Make consequential amendments to text eg paragraph 5.4.55 to make it clear that the Village Development Limits for Watch House Green are not 'Local Plan' Village

Development Limits, in order to ensure they take account of the up to date circumstances of built housing and allowed housing appeals outside of the Local Plan's Development Limits. Paragraph 5.4.24 is no longer fully relevant as it does not refer to the appeal site. A reference should be included to highlight that by including the site within the Village Development Limits it would allow a consideration to be given to shaping the eventual housing mix (supporting housing mix preferences identified in the FNP) pursuant to Policy FEL/HN4. Taking our suggestions forward and on the basis that only the Development Limits are to be enlarged in Watch House Green (to recognise the allowed housing appeal site) but without any specific housing allocation being made, further site assessments by the FNP should not be required. Other policies will cater for scrutiny of subsequent planning/reserved matters applications. Furthermore, should our suggestions be agreed to, the Inspector will need to consider the adequacy of the Strategic Environmental Assessment, especially regarding Blackwater Estuary Special Protection Area and Ramsar site. To meet Basic Conditions, the Neighbourhood Plan must not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017. Assuming the Development Limits are extended as suggested but no additional site-specific housing allocation is made at the site east and north of Clifford Smith Drive, the HRA Screening and Appropriate Assessment May 2019 may be deemed sufficient, as it did not exclude 'in combination' effects arising from the FEL2 allocation. It will be also noted that the appeal inspector had also fully considered the HRA issue in allowing the appeal at the FEL2 site."

236. In a representation Springfields Planning and Development, on behalf of Hill Rise Homes Limited state "*Policy FEL/HN4 and FEL/HN5 provides the policy both within and outside 'Local Plan' Village Development Limits respectively. It is intended that the Local Plan Development Limits (as shown on FNP Map 12) are used but there appears to be little justification cited for this approach. The Uttlesford Local Plan was adopted in 2005 and the Development Limits it uses are out of date because housing allocations were only made to the period 2011. Updating of the Development Limits is long overdue, especially to comply with the NPPF's Presumption in Favour of Sustainable Development. In the case of Sunnybrook Farm, this site will be committed for development and as a result will eventually become part of the built-up area of Watch House Green. It is therefore entirely logical and in line with the NPPF's Presumption in Favour of Sustainable Development that such committed allocation should be*

included in the Village Development Limits. We suggest that Map 12 is modified accordingly. The Village Development Limits would then essentially encompass the area of the site allocation at Sunnybrook Farm. (NB A similar approach for consistency could apply to the Development Limits re Site Allocation HN3, the Bury Farm Site in Felsted). If the inspector agrees to our suggested modification, a consequential amendment would be to amend Policy HN5 by deleting subsection (V) 'Sites allocated in this plan (HN2, HN3)', the same being one of the allowable exceptions to residential development proposals outside Village Development Limits. The words 'Local Plan' Village Development Limits would then need to be deleted in Policies FEL/HN4 and FEL/HN5 and any related text, to reflect the fact that the FNP's Village Development Limits are not the same as those of the adopted (2005) Local Plan".

237. Gladman Developments Ltd state *"This Policy identifies settlement boundaries for each village in the Parish and states that land outside of this defined area will be treated as countryside, where development will be carefully controlled to those essential for agricultural operations. Gladman object to the use of settlement boundaries if these preclude otherwise sustainable development from coming forward. The Framework is clear that sustainable development should proceed. Use of settlement limits to arbitrarily restrict suitable development from coming forward on the edge of settlements does not accord with the positive approach to growth required by the Framework and is contrary to basic condition (a) and (d). As currently drafted, this is considered to be an overly restrictive approach and provides no flexibility to reflect the circumstances upon which the FNP is being prepared. Greater flexibility is required in this policy and Gladman suggest that additional sites adjacent to the settlement boundary should be considered as appropriate. Gladman recommend that the above policy is modified so that it allows for a degree of flexibility. The following wording is put forward for consideration: 'When considering development proposals, the Neighbourhood Plan will take a positive approach to new development that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. Applications that accord with the policies of the Development Plan and the Neighbourhood Plan will be supported particularly where they provide: New homes including market and affordable housing; or Opportunities for new business facilities through new or expanded premises; or Infrastructure to ensure the continued vitality and viability of the neighbourhood area. Development adjacent to the existing settlement will be permitted*

provided that any adverse impacts do not significantly and demonstrably outweigh the benefits of development.’ Indeed, this approach was taken in the examination of the Godmanchester Neighbourhood Plan.” (Paragraph 4.12 of the Examiner’s Report is quoted).

238. Comments of the Parish Council on the Regulation 16 representations of other parties include *“A key point for the FNPSG is that removing settlement boundaries would lead to unwelcome uncertainty for residents, stakeholder and developers. It also would significantly undermine the ability to bring forward rural exception sites (sites on edge of settlement intended to deliver affordable housing for those with local connection) should there be a need identified by the Parish Council through a housing needs survey. Our position in respect of settlement boundaries will not restrict sustainable development from coming forward (i.e. meeting housing numbers)”* and *“By way of a summary position, the NPSG is concerned that a policy of continually increasing the settlement boundary allows infill development on sites where low density has been a determining factor in the original application. It creates greater risk of coalescence and restricts the creation of rural exception sites. There may also be further complications with regard to increasing the settlement site: Natural England - The HRA for the NP has been undertaken on the basis of including just one site in Felsted Parish which also falls within the zone of influence of the Blackwater Estuary European site. Community support for the plan - The community in Felsted feels under siege from developers. There is a real fear that the unique and historic nature of the parish with its individual fifteen hamlets/Greens is in danger of being lost through development. Were the NP to support any increase in the settlement limits it would be perceived as a betrayal of the community and contrary to the views expressed through consultations. We fear the Plan would be rejected.”*

239. The term *“Village Development Limits”* is imprecise. I have recommended the policy should make reference to maps where the Village Development Limits are defined. Whilst Map 13 provides an inset for Felsted Village Map 12 is not at sufficient scale to identify other village development limits accurately. In my recommendation relating to Policy FEL/HN4 I have proposed each of the Village Development Limits relating to Causeway End, Watch House Green, and Bannister Green is presented on a map at a scale sufficient to identify individual property boundaries so that the Neighbourhood Plan *“is clearly written and unambiguous, so it is evident how a decision*

maker should react to development proposals” as required by paragraph 16d) of the Framework. In my consideration of Policy FEL/HN4 I have considered whether or not the Village Development Limits should be adjusted to take account of proposed allocations and new development that has occurred. I have concluded adjustment of the Village Development Limits is not necessary to meet the Basic Conditions.

240. Paragraph 79 of the Framework states *“Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply: a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside; b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; c) the development would re-use redundant or disused buildings and enhance its immediate setting; d) the development would involve the subdivision of an existing residential dwelling; or e) the design is of exceptional quality, in that it: - is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.”* I have recommended modification of the policy in this respect so that the policy has regard for national policy.

241. The policy is in general conformity with the strategic policies included in the Development Plan applying in the Neighbourhood Area and relevant to the Neighbourhood Plan (namely the Uttlesford Local Plan 2005) and serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

242. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable development; plan-making; and decision-making sections; annex 1 implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with: delivering a sufficient supply of homes; promoting sustainable transport; making effective use of land; achieving well-designed places; and conserving and enhancing the natural environment, the policy is appropriate to be included in a ‘made’ neighbourhood plan. Having regard to the

Guidance the policy is appropriate to be included in a 'made' neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 22:

In Policy FEL/HN5

- after “proposals” insert “demonstrating safe and suitable access, and being accompanied by a Transport Statement/Assessment, as appropriate, in accordance with the ECC Development Management Policies (2011),”
- after “Limits” insert “shown on Maps 12 and 13”
- after “supported” insert “where one or more of the circumstances set out in paragraph 79 of the National Planning Policy Framework apply or”

As inserts to Map 12 present each of the Village Development Limits relating to Causeway End, Watch House Green, and Bannister Green on a map at a scale sufficient to identify individual property boundaries.

Policy FEL/HN6 Supplemental Dwellings

243. This policy seeks to establish that development proposals for a single supplemental dwelling wholly within the curtilage of an existing residential dwelling outside the Village Development Limits where permitted development rights for the primary dwelling and the supplemental dwelling have been surrendered, and subject to specified criteria.

244. The representation of GO Planning Ltd states “*The Policy is wholly inconsistent with the objective to maintain the intrinsic character of the countryside. The requirement for a time-based condition to seek to justify such a policy indicates the Policy is not supported by the NPPF 2019 and should be deleted. Other policies such as infill development and case by case arrangements would already provide for such personal circumstances to be considered. There is no need to positively support such an arrangement which would prove extremely difficult to control within the planning system*”. In a representation Essex County Council has recommended inclusion of an additional criterion relating to access. I have recommended modification of the policy in this latter respect so that the policy has regard for national policy as set out in paragraph 108 of the Framework.

245. I have earlier in my report concluded it is not necessary to adjust the Village Development Limits in order to meet the Basic Conditions. The term “*Village Development Limits*” is imprecise. I have recommended the policy should make reference to maps where the Village Development Limits are defined. I have recommended a modification in this respect so that the policy “*is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals*” as required by paragraph 16d) of the Framework.

246. Paragraph 79 of the Framework states planning policies should avoid the development of isolated homes in the countryside unless on or more stated circumstances apply. One of those circumstances is where the development would involve the subdivision of an existing residential dwelling. Whilst the development of a supplemental dwelling as described in the Neighbourhood Plan would not involve the subdivision of an existing residential dwelling it would amount to development within the curtilage of an existing residential dwelling. Paragraph 5.4.63 seeks to introduce a policy approach which it may not. In response to my request for clarification the District Council and Parish Council have jointly stated “*The period of 15 years was considered as a reasonable measure intended to avoid ‘artificial application’. However, the condition could be that it’s agreed in writing by the local authority on a case by case basis.*” The placing of a 15-year restriction on the separation for sale of the primary and supplemental dwellings has not been sufficiently justified. Planning policy can only be established through the policies of the Neighbourhood Plan. For the policy to have sufficient regard for national policy there must be a restriction, without time limit, on separation of the primary and supplemental dwellings. I have recommended modification of the policy in this respect so that the policy has regard for national policy.

247. The policy is in general conformity with the strategic policies included in the Development Plan applying in the Neighbourhood Area and relevant to the Neighbourhood Plan (namely the Uttlesford Local Plan 2005) and serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

248. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable development; plan-making; and decision-making sections; annex 1

implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with delivering a sufficient supply of homes and conserving and enhancing the natural environment, the policy is appropriate to be included in a 'made' neighbourhood plan. Having regard to the Guidance the policy is appropriate to be included in a 'made' neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 23:

In Policy FEL/HN6

- **replace “VDLs” with “Village Development Limits shown on Maps 12 and 13”**
- **add additional criterion “v) Is able to demonstrate safe and suitable access to the local highway network in accordance with the ECC Development Management Policies (2011);”**
- **add additional criterion “vi) Restrictions are in place that prevent the supplemental dwelling being severed from the primary dwelling.”**

Policy FEL/HN7 Housing Mix

249. This policy seeks to establish support for new housing development that provides a mix of house types and sizes to meet identified need in Felsted and is of specified types. The policy also seeks to establish that major proposals must be accompanied by an up-to-date housing needs assessment if a survey meeting specified criteria is not available.

250. In a representation the District Council state *“Paragraph 5.4.64 (page 56) – Clarity is needed on what is meant by “less well off?” Is it Median income in Uttlesford £24,000 or Average income of £36,000 or welfare recipients? Policy FEL/HN7 (page 57) – The regulations have not been issued for starter homes and it is suggested to use the definition of affordable homes as per the NPPF and state desire for small private homes (although shared ownership can meet that need and requires significantly less deposit).”* The GO Planning Ltd representation states *“The policy appears to duplicate site allocation policies and should refer to latest housing need requirements.”*

251. In response to my request for clarification the District Council and Parish council stated *“support will be given to proposals that meet identified needs. Not every site is expected to meet every need. However, each site can contribute to the overall housing mix in the*

parish. Proposals will be considered on a case by case basis and will take into account needs over time, the character of the location and other material considerations. The policy aims to support proposals that improve housing mix in Felsted to improve local sustainability and to allow residents to stay within the parish should their current property not meet their needs.”

252. The terms “lower cost”, “meet the needs of our younger population”; and “suitable for the elderly wishing to downsize” are imprecise. The Guidance states “Plan-making authorities should assess the need for housing of different groups and reflect this in planning policies. When producing policies to address the need of specific groups, plan-making authorities will need to consider how the needs of individual groups can be addressed having regard to deliverability.”⁵⁹ The annex 2: glossary to the Framework sets out a definition of affordable housing as including one or more of four types.

253. The Guidance states “Plan-making authorities should set clear policies to address the housing needs of groups with particular needs such as older and disabled people. These policies can set out how the plan-making authority will consider proposals for the different types of housing that these groups are likely to require. They could also provide indicative figures or a range for the number of units of specialist housing for older people needed across the plan area throughout the plan period.”⁶⁰ and “There are different types of specialist housing designed to meet the diverse needs of older people, which can include: Age-restricted general market housing: This type of housing is generally for people aged 55 and over and the active elderly. It may include some shared amenities such as communal gardens, but does not include support or care services. Retirement living or sheltered housing: This usually consists of purpose-built flats or bungalows with limited communal facilities such as a lounge, laundry room and guest room. It does not generally provide care services, but provides some support to enable residents to live independently. This can include 24-hour on-site assistance (alarm) and a warden or house manager. Extra care housing or housing-with-care: This usually consists of purpose-built or adapted flats or bungalows with a medium to high level of care available if required, through an onsite care agency registered through the Care Quality Commission (CQC). Residents are able to live independently with 24-hour access to support services and staff, and

⁵⁹ Planning Practice Guidance Paragraph: 001 Reference ID: 67-001-20190722 Revision date: 22 07 2019

⁶⁰ Planning Practice Guidance Paragraph: 006 Reference ID: 63-006-20190626 Revision: 26 June 2019

meals are also available. There are often extensive communal areas, such as space to socialise or a wellbeing centre. In some cases, these developments are known as retirement communities or villages - the intention is for residents to benefit from varying levels of care as time progresses. Residential care homes and nursing homes: These have individual rooms within a residential building and provide a high level of care meeting all activities of daily living. They do not usually include support services for independent living. This type of housing can also include dementia care homes. There is a significant amount of variability in the types of specialist housing for older people. The list above provides an indication of the different types of housing available, but is not definitive. Any single development may contain a range of different types of specialist housing.”⁶¹ and “Plans need to provide for specialist housing for older people where a need exists. Innovative and diverse housing models will need to be considered where appropriate. Many older people may not want or need specialist accommodation or care and may wish to stay or move to general housing that is already suitable, such as bungalows, or homes which can be adapted to meet a change in their needs. Plan-makers will therefore need to identify the role that general housing may play as part of their assessment. Plan-makers will need to consider the size, location and quality of dwellings needed in the future for older people in order to allow them to live independently and safely in their own home for as long as possible, or to move to more suitable accommodation if they so wish.”⁶²

254. The Glossary to the Framework states housing needs of older people can encompass accessible, adaptable general needs housing through to the full range of retirement and specialised housing for those with support or care needs. It is necessary for the policy to avoid being overtaken by changed circumstances regarding housing need and supply during the plan period. The term “*increased provision*” does not provide a basis for the determination of planning applications. The term “*in Felsted*” is imprecise. All policies of the Neighbourhood Plan relate to the Neighbourhood Area unless some lesser area is specified. Any requirement for the amount and type of affordable housing must not undermine the deliverability of the plan, as required by paragraph 34 of the Framework. I have recommended a modification in these respects so that the policy has regard for national policy and “*is clearly written and unambiguous, so it is evident how a*

⁶¹ Planning Practice Guidance Paragraph: 010 Reference ID: 63-010-20190626 Revision date: 26 June 2019

⁶² Planning Practice Guidance Paragraph: 012 Reference ID: 63-012-20190626 Revision date: 26 June 2019

decision maker should react to development proposals” as required by paragraph 16d) of the Framework.

255. The exemption of minor development from the requirement to be accompanied by an up to date housing needs assessment avoids a burdensome scale of obligations falling on smaller scale developments.

256. The policy is in general conformity with the strategic policies included in the Development Plan applying in the Neighbourhood Area and relevant to the Neighbourhood Plan (namely the Uttlesford Local Plan 2005) and serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

257. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable development; plan-making; and decision-making sections; annex 1 implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with delivering a sufficient supply of homes, the policy is appropriate to be included in a ‘made’ neighbourhood plan. Having regard to the Guidance the policy is appropriate to be included in a ‘made’ neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 24:

In Policy FEL/HN7

- **replace the first two paragraphs with “New housing development will be supported where it provides:**
 - **two-bedroom or three-bedroom accommodation suitable for young families; or**
 - **homes suitable for older people that can encompass accessible, adaptable general needs housing through to the full range of retirement and specialised housing for those with support or care needs; or**
 - **other types of accommodation identified in the latest assessment of local housing needs; and/or**
 - **affordable housing.”**
- **in the final paragraph replace “meeting” with “meet”**

Policy FEL/HN8 Habitats Regulations Assessment

258. This policy seeks to establish requirements relating to residential proposals that fall within the Blackwater Estuary SPA and Ramsar site Zone of Influence.
259. In a representation Natural England state *“We note the inclusion of policy FEL/HN8 which refers to the recreational disturbance impacts felt within the Essex Coast designated sites. Natural England commented on this policy wording within our response reference 281604, however the suggested alterations to this wording do not appear to have been forthcoming. Whilst the aims of this policy are supported, it would be advised, as previously suggested, for this wording to be future-proofed. It would be advised for this to refer to the ‘Essex Coast RAMS Zone of Influence’, as is detailed in the supporting Essex Coast RAMS ‘Habitats Regulations Assessment Strategy Document’. Natural England would recommend this policy wording be amended.”*
260. In commenting on the Regulation 16 representations the Parish Council has stated *“Policy wording has been revised as follows in consultation and agreement with UDC and Natural England. All residential development within the zones of influence of European Sites will be required to make a financial contribution towards mitigation measures, as detailed in the Essex Coast RAMS, to avoid adverse in-combination recreational disturbance effects on European sites. In the interim period, before the Essex Coast RAMS is completed, all residential development within the zones of influence will need to deliver all measures identified (including strategic) measures through project level HRAs, or, otherwise, to mitigation and recreational disturbance impacts in compliance with the Habitats Regulations and Habitats Directive.”* I am satisfied this proposed wording addresses the issues raised by Natural England and will ensure the policy has regard for national policy. I have recommended a modification in this respect.
261. The policy is in general conformity with the strategic policies included in the Development Plan applying in the Neighbourhood Area and relevant to the Neighbourhood Plan (namely the Uttlesford Local Plan 2005) and serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

262. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable development; plan-making; and decision-making sections; annex 1 implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with conserving and enhancing the natural environment, the policy is appropriate to be included in a 'made' neighbourhood plan. Having regard to the Guidance the policy is appropriate to be included in a 'made' neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 25:

Replace Policy FEL/HN8 with “All residential development within the zones of influence of European Sites will be required to make a financial contribution towards mitigation measures, as detailed in the Essex Coast RAMS, to avoid adverse in-combination recreational disturbance effects on European sites. In the interim period, before the Essex Coast RAMS is completed, all residential development within the zones of influence will need to deliver all measures identified (including strategic) measures through project level HRAs, or, otherwise, to mitigation and recreational disturbance impacts in compliance with the Habitats Regulations and Habitats Directive.”

Integrity, Character and Heritage

Policy FEL/ICH1 High Quality Design

263. This policy seeks to establish design principles for all development proposals.

264. In a representation GO Planning Ltd state “*The requirement for countryside locations that all new build proposals should be accompanied by a landscape and visual impact assessment are considered disproportionate and should be on a case by case basis.*”

265. The policy includes the requirement for a landscape and visual impact assessment to accompany all new build proposals outside the defined development limits. The Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO) sets out what is required from applicants when submitting planning applications. The 'Guidance on Information Requirements

and Validation’ document published by the Department for Communities and Local Government Department (DCLG) in 2010 provides more information on the mandatory national information requirements and states that a valid planning application should include *‘information to accompany the application as specified by the local planning authority on their local list of information requirements’*. The use of local lists of information was again promoted in the Framework requiring that local lists be reviewed on a frequent basis to ensure that they remain *‘relevant, necessary and material’*. The DMPO states that validation requirements imposed by local planning authorities should only be those set out on a local list which has been published within 2 years before the planning application is made to ensure information requirements are robust and justified on recent research. The Growth and Infrastructure Act 2013 makes clear that local planning authority information requirements must be reasonable having regard to the nature and scale of the proposed development and the information required must be a material consideration in the determination of the application. The policy is seeking to establish information requirements in support of planning applications. This is a function that must be achieved through inclusion in the District Council Local Area Planning Applications Requirements List that is subject to modification during the Plan period. I have made a recommendation of modification in this respect so that the policy has sufficient regard for national policy

266. The policy is without consequence. The term *“where appropriate”* introduces uncertainty and does not provide a basis for the determination of planning applications. I have recommended a modification in these respects so that the policy *“is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”* as required by paragraph 16d) of the Framework. I have also recommended insertion of the text relating to electric vehicle charging recommended to be transferred from policy FEL/HVC4 so that it applies throughout the Neighbourhood Area.

267. Local planning authorities may use nationally recognised optional technical standards where there is evidence to show these are required. However, Neighbourhood Plans may not be used to apply these.⁶³ The Written Ministerial Statement to Parliament of the Secretary of State (CLG) on 25 March 2015 included the following: *“From the date the Deregulation Bill 2015 is given Royal Assent, local planning authorities and qualifying bodies preparing neighbourhood*

⁶³ <https://www.gov.uk/guidance/housing-optional-technical-standards>

plans should not set in their emerging Local Plans, neighbourhood plans, or supplementary planning documents, any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings". I have recommended modification of the policy in this respect so that the policy has regard for national policy.

268. The policy is in general conformity with the strategic policies included in the Development Plan applying in the Neighbourhood Area and relevant to the Neighbourhood Plan (namely the Uttlesford Local Plan 2005) and serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

269. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable development; plan-making; and decision-making sections; annex 1 implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with achieving well-designed places, the policy is appropriate to be included in a 'made' neighbourhood plan. Having regard to the Guidance the policy is appropriate to be included in a 'made' neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 26:

In Policy FEL/ICH1

- **commence the policy with "To be supported" and replace "should" with "must"**
- **delete ", where appropriate,"**
- **at the end of the 3rd bullet point insert "and"**
- **replace "; and" at the end of the 4th bullet point with a full stop**
- **convert the 5th bullet point to a free-standing paragraph, and replace "Following" with "Development proposals that follow", and conclude the paragraph with "will be supported"**
- **insert as a free-standing paragraph before "For countryside locations" the text relating to electric vehicle charging recommended to be transferred from policy FEL/HVC4**
- **delete "shall be accompanied by a landscape and visual impact assessment and appropriate landscape mitigation" and insert "must not harm their landscape setting"**

Policy FEL/ICH2 Heritage Assets

270. This policy seeks to establish criteria for support of development affecting designated and non-designated heritage assets.
271. In a representation GO Planning Ltd state *“The Policy is not considered to comply with the NPPF 2019. It should refer to less than substantial harm not ‘any harm’ as noted.”*
272. Paragraphs 193 to 202 of the Framework set out a clear policy approach to the consideration of potential impacts on heritage assets. Policy FEL/ICH2 does not serve a clear purpose by providing an additional level of detail or distinct local approach to that set out in national policy. I have recommended the policy is deleted as it does not *“serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant)”* as required by paragraph 165 f) of the Framework.

Recommended modification 27: Delete Policy FEL/ICH2 and supporting text

Policy FEL/ICH3 Signage Pollution

273. This policy seeks to establish criteria for support of proposals for signage
274. The term *“sensitively designed”* is imprecise and does not provide a basis for the determination of proposals. I have recommended a modification in this respect so that the policy *“is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”* as required by paragraph 16d) of the Framework.
275. The policy is in general conformity with the strategic policies included in the Development Plan applying in the Neighbourhood Area and relevant to the Neighbourhood Plan (namely the Uttlesford Local Plan 2005) and serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.
276. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable development; plan-making; and decision-making sections; annex 1

implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with achieving well-designed places, and conserving and enhancing the historic environment, the policy is appropriate to be included in a 'made' neighbourhood plan. Having regard to the Guidance the policy is appropriate to be included in a 'made' neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

**Recommended modification 28:
In Policy FEL/ICH3 delete "Sensitively designed"**

Policy FEL/ICH4 Light Pollution

277. This policy seeks to limit the impact of overhead cables and light pollution from artificial externally visible light sources.
278. The representation of GO Planning Ltd states "*The policy should consider development proposals which provide for existing overhead cables to be removed as a positive benefit.*" It is beyond my role to recommend additional policy matters are addressed. In a representation the District Council state "*It should be noted that Development Management has no control over overhead cables but can condition light sources to a certain degree.*" In commenting on the Regulation 16 representations the Parish Council has stated this point is noted.
279. The Guidance states a policy in a Neighbourhood Plan should be supported by appropriate evidence. I have recommended the supporting text to the policy should include reference to overhead cables. The Felsted Conservation Area Character Appraisal 2012 and the Felsted Heritage and Character Assessment 2017 have identified overhead cables as an existing visual amenity issue. It is appropriate that further overhead cables requiring planning permission should not be supported where they will adversely affect visual amenity. The term "*artificial externally visible light sources*" is imprecise. The term "*limit the impact*" is ambiguous and does not provide a basis for the determination of planning applications. I have recommended a modification in these respects so that the policy has regard for national policy and "*is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals*" as required by paragraph 16d) of the Framework.

280. The policy is in general conformity with the strategic policies included in the Development Plan applying in the Neighbourhood Area and relevant to the Neighbourhood Plan (namely the Uttlesford Local Plan 2005) and serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

281. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable development; plan-making; and decision-making sections; annex 1 implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with achieving well-designed places, and conserving and enhancing the natural environment, the policy is appropriate to be included in a 'made' neighbourhood plan. Having regard to the Guidance the policy is appropriate to be included in a 'made' neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 29:

Replace Policy FEL/ICH4 with "To be supported planning proposals:

- **must not introduce overhead cables that will have an adverse effect on visual amenity; and**
- **only include external lighting that is essential, and include measures to avoid light spillage beyond the application site."**

Supporting text in paragraph 5.5.14 should be extended to make reference to the identification of overhead cables as an issue in the Felsted Conservation Area Character Appraisal 2012 and in the Felsted Heritage and Character Assessment 2017.

Policy FEL/ICH5 Avoiding Coalescence

282. This policy seeks to establish that development that would result in, or increase the risk of, identified instances of coalescence will not be supported.

283. In a representation CPRE Essex state "*Avoidance of coalescence is a key issue in North Essex, given the high level of development currently being proposed through the Local Plans. This includes the proposed "garden communities" in Uttlesford, Braintree,*

Colchester and Chelmsford and their impact on the existing settlement pattern. As a result, policy FEL/ICH 5 is really important and needs to be a priority theme in the Neighbourhood Plan.”

284. The representation of GO Planning Ltd states “*The policy is considered overly restrictive and does not comply with the NPPF 2019.*” Gladman Developments Ltd state “*Whilst Gladman acknowledge that preventing coalescence can assist in maintaining unique and separate identities of existing settlements, the policy is ambiguous and appears to be an attempt to preclude any development whatsoever from coming forward in the gap between the built-up areas. In this regard there appears to be no supporting evidence to support this element of the policy. Whilst Map 9 shows the character areas, there is no description or map of the extent of land proposed to be protected, nor the limits on the scale of development therein, other than the hatching demarcating one of the areas protected by the ‘Avoiding Coalescence’ policy. This simply forms a line drawn 200 metres inside the Parish boundary, with the exception of the northernmost limits where the line sits 200 metres south of the A120 and protects all land between the line and the Parish boundary. The resulting “no-man’s-land” therefore protects a large arbitrary zone, regardless of its landscape merits, built-form, or whether there is in fact a gap to protect in any given area. Any development on the edge of a settlement will inevitably close the gap slightly between hamlets. However, a more nuanced approach needs to be established to avoid a blanket ban on all development, which would essentially form a new green belt policy, being introduced by the back door. There is no justification within the FNP for the additional protection of land between the neighbouring settlements of Felsted, Banister Green, Causeway Green and the other hamlets. Correspondingly, there is no matching policy in the Uttlesford Local Plan. There is also no evidence base to inform the extent of the Green Gap proposed and no assessment of land parcels between hamlets, nor an evaluation of their relative performance in preventing coalescence. Furthermore, the areas described contain existing farmsteads with significant levels of built development, as well as outlying hamlets, collections of dwellings and individual households. Great Notley, meanwhile, is separated from the Parish settlements by the A131 and Great Notley Country Park. Any development proposed within these areas should be assessed on its own merits, depending on landscape impact. The imposition of Policy FEL/ICH5 would effectively create a lesser form of Green Belt by the back door. Uttlesford found no justification for protecting the*

gaps between the settlements which are proposed in the FNP and therefore, this Policy is in conflict with basic condition (e)."

285. In response to my request for clarification regarding the existence of evidence that supports the precise boundaries of the cross hatched area on Map 9 the District Council and Parish Council has jointly responded *"Coalescence has been an issue for local residents throughout the preparation of the plan. There are two main concerns. Firstly, that coalescence within the Parish would threaten and undermine the character of the individual greens within Felsted. Secondly, that the risk of coalescence with nearby parishes could undermine altogether Felsted as a place with a discrete identity. In particular, there has been concern regarding potential future expansion of Braintree to the east and of Little Dunmow to the west. The growth of both of these settlements could harm local character and identity. This is highlighted throughout the Felsted Heritage and Character Assessment (2017) and also in the consultation statement material. A central theme of the early consultation process focussed on Parish Integrity. The examiner is referred in particular to Sections 3.1, 3.2, 3.5, 3.10 and 5 of the Consultation Statement, and Appendices 2, 3, 5 and 7 of the Consultation Statement. With regard to the specific boundary of ICH5, a buffering approach was taken to provide consistency throughout the neighbourhood area. In the Heritage and Character Assessment, areas of open countryside surrounding the parish and in between the individual settlements within the parish are highlighted as being at risk or sensitive to change."*

286. The Guidance states a policy in a Neighbourhood Plan should be supported by appropriate evidence. The cross hatched areas identified on Map 9 have not been sufficiently justified. I have recommended this element of the policy is deleted. Policy FEL/HN5 of the Neighbourhood Plan will apply in those areas. The term *"or increase the risk of"* does not provide a basis for the determination of planning applications. I have recommended a modification in this respect so that the policy *"is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals"* as required by paragraph 16d) of the Framework.

287. A policy defining an area where no development is to be permitted would be seeking to establish a regime that is more restrictive than even that applying in designated Green Belt. Such an approach would not have sufficient regard for national policy for it to be appropriate. Whilst the resistance of all forms of development in a defined area of open countryside would not have sufficient regard for

national policy the resistance of coalescence of settlements can be a legitimate objective of land use policy. Preventing two settlements from coalescing is not the same as preventing any development between them. I have recommended a modification of the policy such that development that visually significantly diminishes the openness of the gap between identified settlements, as viewed from publically accessible locations, will not be supported. As recommended to be modified the policy would be compatible with Policy FEL/HN5 which identifies circumstances where residential development outside the Village Development Limits identified on Maps 12 and 13 will be supported. The recommended modification would have regard for those elements of the Framework that establish a presumption in favour of sustainable development; and those elements that specifically recognise the importance of economic growth in rural areas; and that state that there are special circumstances where isolated homes in the countryside will be acceptable. The Felsted Heritage and Character Assessment document identifies the areas of open countryside, which prevent the coalescence of historic settlements as being particularly sensitive to change. Responses at Regulation 14 stage of Plan preparation provide further evidence that the undeveloped rural landscape between settlements is a valued landscape. Having regard for national policy, Policy FEL/ICH5 as recommended to be modified, is appropriate.

288. The policy is in general conformity with the strategic policies included in the Development Plan applying in the Neighbourhood Area and relevant to the Neighbourhood Plan (namely the Uttlesford Local Plan 2005) and serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

289. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable development; plan-making; and decision-making sections; annex 1 implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with achieving well-designed places, and conserving and enhancing the natural environment, the policy is appropriate to be included in a 'made' neighbourhood plan. Having regard to the Guidance the policy is appropriate to be included in a 'made' neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 30:

Replace Policy FEL/ICH5 with “Development proposals that, as viewed from publically accessible locations, will visually significantly diminish the openness of the gap:

- between Felsted village and the hamlets of the Neighbourhood Area (Bannister Green; Bartholomew Green; Causeway End; Cobblers Green; Cock Green; Crix Green; Frenches Green; Gransmore Green; Hartford End; Molehill Green; Prior’s Green; Pye’s Green; Thistley Green; Watch House Green; Willows Green); or
- between the hamlets of the Neighbourhood Area; or
- between the hamlets of the Neighbourhood Area and settlements in adjoining parishes

will not be supported.”

Delete the cross hatched area and reference to Policy FEL/ICH5 from Map 9

Supporting the Rural Economy

Policy FEL/RE1 Start Up and Small Businesses

290. This policy seeks to establish conditional support for the development of start-up and small business enterprises in identified locations.

291. The representation of GO Planning Ltd states “*The policy is considered overly restrictive in that it refers to no adverse impacts on residential amenity. There should be no material impact, otherwise the support for the rural economy will be very limited indeed.*” I have recommended a modification with regard to this element of the policy.

292. The Guidance states a policy in a Neighbourhood Plan should be supported by appropriate evidence. No justification is provided in respect of communications infrastructure. I have recommended this element of the policy is deleted. The term “*where the road and communications infrastructure can support the size and additional volume of the business traffic*” is imprecise and does not provide a basis for the determination of planning applications. I have recommended a modification in this respect so that the policy “*is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals*” as required by paragraph 16d) of the Framework.

293. The policy is in general conformity with the strategic policies included in the Development Plan applying in the Neighbourhood Area and relevant to the Neighbourhood Plan (namely the Uttlesford Local Plan 2005) and serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.
294. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable development; plan-making; and decision-making sections; annex 1 implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with building a strong, competitive economy, the policy is appropriate to be included in a 'made' neighbourhood plan. Having regard to the Guidance the policy is appropriate to be included in a 'made' neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 31:

In Policy FEL/RE1 replace “the road and communications infrastructure can support the size and additional volume of business traffic and there being no” with “it is demonstrated safe access can be achieved, and severe congestion will not be caused, and there will be no significant”

Policy FEL/RE2 Loss of Employment Uses

295. This policy seeks to establish change of use of business premises will not be supported except in stated circumstances.
296. The representation of GO Planning Ltd states “*The policy is considered overly restrictive.*” In a representation Essex County Council “*supports reference to requiring active marketing of an existing employment site for no less than 12 months prior to it being released for an alternative use. However, ECC recommends the policy is enhanced to include a requirement for independent assessments to be undertaken to determine that the site is no longer viable for employment use. This would also ensure that the FNP is consistent with the Uttlesford Local Plan, in particular Appendix 5 section 42.8 which states that “The marketing should be supplemented by an independent assessment that the use is unlikely to be economically viable in the foreseeable future. The assessment should be*

undertaken by a reputable and suitably experienced company to be determined by the Council in agreement with the applicant and to be funded by the applicant.” I have, earlier in my report explained the relationship between the Neighbourhood Plan and the emerging Local Plan.

297. The term “*from estate agents*” has not been sufficiently justified. In response to my request for clarification in this respect the District and Parish Councils have jointly stated “*We do not consider it necessarily a requirement for the evidence to come from estate agents. Our intention is to ensure that there is evidence from a reputable and reliable source that verifies a significant period of marketing has shown there is no longer a demand for the premises in business use. It is acknowledged that the case officer for the proposed change of use would make a judgement on the evidence from the applicant to demonstrate this.*” I have recommended a modification in this respect so that the policy has regard for national policy and “*is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals*” as required by paragraph 16d) of the Framework.

298. The policy is in general conformity with the strategic policies included in the Development Plan applying in the Neighbourhood Area and relevant to the Neighbourhood Plan (namely the Uttlesford Local Plan 2005) and serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

299. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable development; plan-making; and decision-making sections; annex 1 implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with building a strong, competitive economy the policy is appropriate to be included in a ‘made’ neighbourhood plan. Having regard to the Guidance the policy is appropriate to be included in a ‘made’ neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

**Recommended modification 32:
In Policy FEL/RE2 delete “from estate agents”**

Policy FEL/RE3 Re-use of Rural Buildings

300. This policy seeks to establish conditional support for development proposals for the reuse of rural buildings that create new employment opportunities or prevent the loss of existing employment opportunities.
301. In a representation CPRE Essex state *“this section is underplayed and ambiguous. The reuse of under-used agricultural buildings for new commercial enterprises is an important contribution to farm diversification and supporting the rural economy. More prominence should be given to the policy and it should be made clear whether it relates to farm (and other existing commercial buildings) rather than rural buildings in general (which includes inappropriate types, such as residential properties).”* The representation of GO Planning Ltd states *“The policy should make reference to residential use also.”* Reference to or exclusion of buildings in certain land uses is not necessary to meet the Basic Conditions.
302. The term *“No adverse impacts on residential amenity”* is imprecise. I have recommended a modification with regard to this element of the policy. The term *“where the road and communications infrastructure can support the size and additional volume of the business traffic”* is imprecise and does not provide a basis for the determination of planning applications. I have recommended a modification in this respect so that the policy *“is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”* as required by paragraph 16d) of the Framework.
303. The policy is in general conformity with the strategic policies included in the Development Plan applying in the Neighbourhood Area and relevant to the Neighbourhood Plan (namely the Uttlesford Local Plan 2005) and serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.
304. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable development; plan-making; and decision-making sections; annex 1 implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with building a strong, competitive economy the policy is appropriate to be included in a

'made' neighbourhood plan. Having regard to the Guidance the policy is appropriate to be included in a 'made' neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 33:

In Policy FEL/RE3 replace “the road and communications infrastructure can support the size and additional volume of business traffic and there being no” with “it is demonstrated safe access can be achieved, and severe congestion will not be caused, and there will be no significant”

Policy FEL/RE4 Home Working

305. This policy seeks to establish conditional support for development that enables home working.

306. The policy is in general conformity with the strategic policies included in the Development Plan applying in the Neighbourhood Area and relevant to the Neighbourhood Plan (namely the Uttlesford Local Plan 2005) and serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

307. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable development; plan-making; and decision-making sections; annex 1 implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with delivering a strong, competitive economy, the policy is appropriate to be included in a 'made' neighbourhood plan. Having regard to the Guidance the policy is appropriate to be included in a 'made' neighbourhood plan. This policy meets the Basic Conditions.

Countryside and Wildlife

Policy FEL/CW1 Landscape and Countryside Character

308. This policy seeks to protect the countryside, with development that adversely affects the landscape character not being supported unless mitigation measures minimise the impact.

309. In a representation GO Planning Ltd state “*The policy is not considered to comply with the NPPF 2019*” without explanation.

310. The terms “*important views and vistas*”; “*traditional open spaces*”; “*minimise*”; and “*appropriate*” are imprecise. The reference to coalescence and to open spaces introduce unnecessary and confusing duplication of Policies FEL/ICH5 and FEL/CW4 respectively. In response to my request for clarification in this respect the District Council and Parish Council have jointly confirmed it is intended that the term “important views and vistas” should refer to the important long distance, short range and glimpsed views, identified in the Felsted Heritage and Character Assessment Report 2017. I have recommended a modification in these respects so that the policy “*is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals*” as required by paragraph 16d) of the Framework.

311. The policy is in general conformity with the strategic policies included in the Development Plan applying in the Neighbourhood Area and relevant to the Neighbourhood Plan (namely the Uttlesford Local Plan 2005) and serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

312. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable development; plan-making; and decision-making sections; annex 1 implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with enhancing the natural environment, the policy is appropriate to be included in a ‘made’ neighbourhood plan. Having regard to the Guidance the policy is appropriate to be included in a ‘made’ neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 34:

Replace Policy FEL/CW1 with “To be supported development proposals must protect and enhance the landscape of the character area in which they are situated, and must not significantly harm the important long distance, short range and glimpsed views, identified in the Felsted Heritage and Character Assessment Report 2017.”

Policy FEL/CW2 Nature Area including Felsted Fen

313. This policy seeks to protect the designated Felsted Fen Local Wildlife Site from development, with the exception of development supported by Policy FEL/VA4.
314. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable development; plan-making; and decision-making sections; annex 1 implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with conserving and enhancing the natural environment, the policy is appropriate to be included in a 'made' neighbourhood plan. Having regard to the Guidance the policy is appropriate to be included in a 'made' neighbourhood plan. This policy meets the Basic Conditions.

Policy FEL/CW3 Footpaths, Bridleways and Cycleways

315. This policy seeks to protect public rights of way from adverse visual impact of development, and supports enhancement or extension of the public right of way network.
316. In a representation GO Planning Ltd state "*The policy is not considered to comply with the NPPF 2019*", without explanation. In a representation Essex County Council has recommended additional text however this is not necessary to meet the Basic Conditions.
317. The stopping up or diversion of highways is achieved through Orders using Sections 247 and 248 of the Town and Country Planning Act 1990 and applications made under Section 253 as amended by the Growth and Infrastructure Act 2013. A Neighbourhood Plan policy is not able to vary the legal process in this respect, and any duplication is unnecessary.
318. The policy is in general conformity with the strategic policies included in the Development Plan applying in the Neighbourhood Area and relevant to the Neighbourhood Plan (namely the Uttlesford Local Plan 2005) and serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.
319. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable

development; plan-making; and decision-making sections; annex 1 implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with promoting sustainable transport, the policy is appropriate to be included in a 'made' neighbourhood plan. Having regard to the Guidance the policy is appropriate to be included in a 'made' neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

**Recommended modification 35:
In Policy FEL/CW3 delete the final sentence**

Policy FEL/CW4 Green Infrastructure

320. This policy seeks to establish conditional support for development proposals that extend or enhance Green Infrastructure Networks.
321. In a representation Essex County Council has recommended amended and additional text however modification in these respects is not necessary to meet the Basic Conditions.
322. In a representation Natural England state *“Furthermore Natural England notes that no general biodiversity policy has been included within the plan. Whilst aspects relating to the natural environment have been considered within other policies, Natural England would strongly advise specific biodiversity policy wording considering the protection and enhancement of the natural environment in a strategic manner. We support the aims and intentions of Policy FEL/CW4 relating to Green Infrastructure and in line with our comments above on biodiversity, suggest that this policy could be broadened to include this requirement.”*
323. In commenting on the Regulation 16 representations the Parish Council has stated *“Biodiversity policy wording has been added and the policy broadened in consultation and agreement with UDC and Natural England. Development proposals should protect, and where possible, enhance the natural environment. All proposals should seek to deliver measurable net biodiversity gain, in addition to protecting existing habitats and species. Proposals should seek to avoid any significant impacts on the natural environment. If avoidance isn't possible proposals which significantly affect, or have the potential to significantly affect, the natural environment should demonstrate that impacts on biodiversity, including flora and fauna, and local wildlife*

(including wildlife habitats), will be adequately mitigated and where this is not possible compensated. Development proposals that meet other NP policies will be supported where they: Protect and enhance existing green spaces and/or create new green/open spaces; Improve the connectivity between wildlife areas and green spaces through green corridors and/or improvements to the Public, Rights of Way, and cycle and footpath networks; Enhance the visual characteristics and biodiversity of green spaces in close proximity to the development; Ensure their landscape schemes, layouts, access and public open space provision and other amenity requirements contribute to the connectivity, maintenance and improvement of the GI Network; Meet the Accessible Natural Greenspace Standards wherever possible and what they can do to address any local deficiency in provision of green space; Take into consideration the principles of Sustainable Urban Drainage (SUDs) and natural flood management, which will enhance biodiversity and ecosystems; or Consider the multi-functional use of local green spaces as part of the Green Infrastructure (GI) network. Development proposals which are likely to have a negative impact on biodiversity, flora and fauna and local wildlife (including wildlife habitats) will only be permitted where the benefits of the development clearly outweigh any negative impacts to the nature conservation value of the feature or to its contribution to wider biodiversity objectives. Developments that are likely to have an adverse impact, either alone or in-combination, on a Special Protection Area, Special Area of Conservation, and / or Ramsar site must satisfy the requirements of the Habitats Regulations, determining site specific impacts and avoiding or mitigating against impacts where identified.” I am satisfied this revised wording will address the points made by Natural England and ensure the policy has regard for national policy. It is however unnecessary and confusing to include the term *“that meet other NP policies”* as the policies of the Neighbourhood Plan should be read as a whole. I have recommended a modification in this respect.

324. It is confusing and unnecessary for one policy to include the term *“within the Neighbourhood Area”* as all the policies of the Neighbourhood Plan apply throughout the Neighbourhood Area unless a lesser area is specified. The term *“Public, Rights of Way, and cycle and footpath networks”* is ambiguous. The terms *“wherever possible”*, *“what they can do”*, *“consider”* and *“take into consideration”* do not provide a basis for the determination of planning applications. The term *“local green spaces”* has a particular meaning in terms of paragraphs 99 and 100 of the Framework and should not be applied otherwise. I have recommended a modification in these respects so

that the policy has regard for national policy and “*is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals*” as required by paragraph 16d) of the Framework.

325. The requirement “*meet the Accessible Natural Greenspace Standards*” must not undermine the deliverability of the plan, as required by paragraph 34 of the Framework, and must meet the tests set out in paragraph 56 of the Framework. The application of Accessible Natural Greenspace Standards for towns and cities to the rural context of the Neighbourhood Plan area has not been justified. I have recommended modification of the policy in this respect so that the policy has regard for national policy.

326. The policy is in general conformity with the strategic policies included in the Development Plan applying in the Neighbourhood Area and relevant to the Neighbourhood Plan (namely the Uttlesford Local Plan 2005) and serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.

327. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the introduction; achieving sustainable development; plan-making; and decision-making sections; annex 1 implementation; and annex 2 glossary of the Framework, and the components of the Framework concerned with promoting healthy and safe communities, and conserving and enhancing the natural environment, policy is appropriate to be included in a ‘made’ neighbourhood plan. Having regard to the Guidance the policy is appropriate to be included in a ‘made’ neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 36:

Replace Policy FEL/CW4 with “Development proposals should protect, and where possible enhance the natural environment. All proposals should seek to deliver measurable net biodiversity gain, in addition to protecting existing habitats and species. Proposals should seek to avoid any significant impacts on the natural environment. If avoidance isn’t possible proposals which significantly affect, or have the potential to significantly affect, the natural environment should demonstrate that impacts on biodiversity, including flora and fauna, and local wildlife (including wildlife habitats), will be adequately mitigated and

where this is not possible compensated. Development proposals will be supported where they:

- Protect and enhance existing green spaces and/or create new green/open spaces;
- Improve the connectivity between wildlife areas and green spaces through green corridors and/or improvements to the active travel networks;
- Enhance the visual characteristics and biodiversity of green spaces in close proximity to the development;
- Ensure their landscape schemes, layouts, access and public open space provision and other amenity requirements contribute to the connectivity, maintenance and improvement of the GI Network;
- Meet the latest Accessible Natural Greenspace Standards of Natural England so far as they are applicable to a rural village location, and subject to viability;
- Adopt the principles of Sustainable Urban Drainage (SUDs) and natural flood management, which will enhance biodiversity and ecosystems; or
- Enhance the multi-functional use of open spaces as part of the Green Infrastructure (GI) network.

Development proposals that are likely to have a negative impact on biodiversity, flora and fauna and local wildlife (including wildlife habitats) will only be permitted where the benefits of the development clearly outweigh any negative impacts to the nature conservation value of the feature or to its contribution to wider biodiversity objectives. Developments that are likely to have an adverse impact, either alone or in-combination, on a Special Protection Area, Special Area of Conservation, and / or Ramsar site must satisfy the requirements of the Habitats Regulations, determining site specific impacts and avoiding or mitigating against impacts where identified.”

Summary and Referendum

328. I have recommended 36 modifications to the Submission Version Plan. I have also made a recommendation of modification in the Annex below.

329. I am satisfied that the Neighbourhood Plan⁶⁴:

- is compatible with the Convention Rights, and would remain compatible if modified in accordance with my recommendations; and
- subject to the modifications I have recommended, meets all the Statutory Requirements set out in paragraph 8(1) of schedule 4B of the Parish and Country Planning Act 1990 and meets the Basic Conditions:
 - having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan;
 - the making of the neighbourhood plan contributes to the achievement of sustainable development;
 - the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
 - does not breach, and is otherwise compatible with, EU obligations; and would continue to not breach and be otherwise compatible with EU obligations if modified in accordance with my recommendations; and
 - 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 2017.⁶⁵

I recommend to Uttlesford District Council that the Felsted Neighbourhood Development Plan for the plan period up to 2033 should, subject to the modifications I have put forward, be submitted to referendum.

⁶⁴ The definition of plans and programmes in Article 2(a) of EU Directive 2001/42 includes any modifications to them

⁶⁵ This basic condition arises from the coming into force, on 28 December 2018, of the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018 whereby the Neighbourhood Planning Regulations 2012 (5) are amended

330. I am required to consider whether the referendum area should extend beyond the Neighbourhood Plan area and if to be extended, the nature of that extension.⁶⁶ I have seen nothing to suggest that the policies of the Plan will have “*a substantial, direct and demonstrable impact beyond the neighbourhood area*”⁶⁷. I have seen nothing to suggest the referendum area should be extended for any other reason. I conclude the referendum area should not be extended beyond the designated Neighbourhood Area.

I recommend that the Neighbourhood Plan should proceed to a referendum based on the area that was designated by Uttlesford District Council as a Neighbourhood Area on 4 December 2014.

Annex: Minor Corrections to the Neighbourhood Plan

331. A number of consequential modifications to the general text, and in particular the text supporting the policies of the Neighbourhood Plan will be necessary as a result of recommended modifications relating to policies.

332. In commenting on the representation of an individual relating to paragraph 5.4.34 of the Neighbourhood Plan the Parish Council has proposed a replacement paragraph to read “*Properly secured to avoid inappropriate use, the site also offers an opportunity for a safe and secure recreational area for use by the primary school. The car park will serve as an additional recreational facility primarily for the children but also for the wider community at school led events.*”

333. I recommend minor change in these respects and in other instances only in so far as it is necessary to correct an error or where it is necessary so that the Neighbourhood Plan “*is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals*” as required by paragraph 16d) of the Framework.

**Recommended modification 37:
Modify general text to achieve consistency with the modified policies, and to correct identified errors including those arising from updates. Renumber parts of policies arising from deletions.**

⁶⁶ Paragraph 8(1)(d) Schedule 4B Town and Country Planning Act 1990

⁶⁷ Planning Practice Guidance Paragraph 059 Reference ID: 41-059-20140306 Revision 06 03 2014

I have noted the intention to add page numbers to the contents page of the Neighbourhood Plan. Whilst I agree this will assist users, I am unable to recommend a modification of this nature which would be beyond my remit.

Chris Collison
Planning and Management Ltd
collisonchris@aol.com
29 September 2019
REPORT ENDS

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APPENDIX 2 MASTER SCHEDULE Felsted Neighbourhood Plan –Schedule of Examiner’s Recommendations

DOCUMENT PAGE/POLICY	EXAMINERS RECOMMENDATION	EXAMINER’S REASON	OFFICER RECOMMENDATION AND REASON
Policy FEL/INFI – Flood Risk	<p>Modification 1: Page 36 Insert additional policy FEL/INF1 “New development will only be supported where proposals demonstrate sufficient water reclamation capacity exists, and that fluvial flooding will not result.”</p>	The Felsted Neighbourhood Plans needs to address matters of water recycling capacity and fluvial flood risk from unmodelled watercourses so that Neighbourhood Plan has regard to national policy.	Yes – to ensure that the Neighbourhood Plan has regard to national policy.
Protecting the Historic Village Centre			
Policy FEL/HVC1 - Historic Village Centre NP – Page 31	<p>Modification 2: In Policy FEL/HVC1 Pages 37/38</p> <ul style="list-style-type: none"> • in the second paragraph before “Development proposals” insert “To be supported”; replace “should” with “must”; and delete “a good” and “sensitive and” • commence the third paragraph with “To be supported”; after “within the” insert “Historic Village Centre”; and delete “that” • replace (i) with “safe access, and that off-street parking provision will be sufficient to avoid additional on-street parking;” • replace (ii) with “the proposal will not result in severe traffic congestion; and” • replace (iii) with “the proposal will not adversely affect residential amenity through noise, fumes, smells, or disturbance.” 	<p>The terms “<i>should</i>” and “<i>can be</i>” do not provide a basis for the determination of planning applications. The criteria in the second and third paragraphs of the policy are presented without purpose. The terms “<i>good</i>”, “<i>sensitive</i>”, “<i>impinging on</i>”, “<i>help alleviate</i>”, and “<i>unacceptable</i>” are imprecise.</p> <p>The requirement “<i>will help alleviate existing traffic congestion</i>” does not meet the tests set out in paragraph 56 of the Framework.</p>	Yes –ensures clarity and regard for national policy.

<p>Policy FEL/HVC2 – Existing Village Shop and Post Office NP – Page 32</p>	<p>Modification 3: In Policy FEL/HVC2 Pages 39/40</p> <ul style="list-style-type: none"> • replace “sustainable, accessible location which includes adequate car parking” with “to a location no less accessible to users and which will not necessitate on-street car parking” • replace the third paragraph with “Proposals must be subject to a Transport Statement/Assessment in accordance with ECC Development Management Policies (2011) to demonstrate that they will not exacerbate existing traffic congestion and parking issues at this location.” 	<p>Essex County Council recommends reference to cycle parking and requirement for Transport Statement/Assessment. Paragraph 104 of the Framework states planning policies should provide for cycle parking. Paragraph 109 of the Framework states “Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”. Paragraph 111 of the Framework refers to transport statements and transport assessments</p>	<p>Yes –ensures clarity and regard for national policy.</p>
<p>Policy FEL/HVC3 – Royal British Legion Site NP – Page 33</p>	<p>Modification 4: In Policy FEL/HVC3 Page 41 In Policy FEL/HVC3</p> <ul style="list-style-type: none"> • replace “Proposals are sought which” with “To be supported proposals relating to the existing RBL site must” • commence point iv) with “Subject to viability considerations” • add point “v) include public cycle parking facilities 	<p>Policy has to have regard for national policy with regard to provision of cycle parking.</p> <p>Policy should not undermine deliverability due to development contributions.</p> <p>The term “for the village centre” regarded as</p>	<p>Yes – To ensure policy has regard to national policy in respect of provision of cycle parking; provide clarity to decision maker; and to ensure that the policy terminology is justified.</p>

		unnecessary and not sufficiently justified.	
Policy FEL/HVC4 – Additional Car Parking in the Village Centre NP – Page 34	Modification 5: In Policy FEL/HVC4 Page 43 In Policy FEL/HVC4 replace “welcomed” with “supported” add a further bullet point “include cycle parking in accordance with the most up to date parking standards of the highway authority.” transfer the final sentence to become a free-standing sentence after the paragraph relating to energy hierarchy in Policy FEL/ICH1	Terms used in policy i.e. “appropriate” is imprecise and another term “welcomed” not a basis for determining planning applications.	Yes – provides clarity to policy and unambiguity to decision maker.
Policy FEL/HVC5 – Managing Congestion at the T Junction in Felsted Village NP – Page 34	Modification 6: In Policy FEL/HVC5 Page 44 <ul style="list-style-type: none"> • In Policy FEL/HVC5 after “must be” replace the text before the numbered points with “subject to a Transport Statement/Assessment in accordance with ECC Development Management Policies (2011) to demonstrate how walking, cycling and passenger transport will be promoted and adverse impact on the existing conditions on the local highway network will be avoided:” 	In commenting on the Regulation 16 representations the Parish Council has proposed the Policy wording is revised in accordance with the recommendation of Essex County Council but use of terms such as “maximised” and “minimised” have been avoided from the Essex County Council wording as they do not provide a basis for determination of planning proposals.	Yes – provides clarity for decision maker and has regard for national policy.
Village Amenities			
Policy FEL/HVA1 – Doctors’ Surgery NP – Page 36	Modification 7: In Policy FEL/HVA1 Page 45	Use of imprecise term and inclusion of a sentence without consequence making the policy not clear and ambiguous.	Yes – Provides clarity and renders the policy clearly written and unambiguous.

	<ul style="list-style-type: none"> In Policy FEL/VA1 commence the final sentence with “To be supported” and replace “include adequate off” with “will not necessitate on” 		
Policy FEL/HVA2 – Memorial Hall NP – Page 37	Modification 8: In Policy FEL/HVA2 Page 45 <ul style="list-style-type: none"> In Policy FEL/VA2 replace the final sentence with “To be supported development or redevelopment proposals must not prevent future achievement of vehicular access to the recreational area to the rear of the site where additional car and cycle parking facilities may be provided.” 	NPPF requires planning policies to provide cycle parking facilities. The last sentence in the policy did not meet NPPF test paragraph 56 regarding planning obligations.	Yes – Policy has regard for national policy and is clear and unambiguous.
Policy FEL/HVA3 – Infrastructure Priorities NP – Page 38	Modification 9: In Policy FEL/HVA3 Page 48 <ul style="list-style-type: none"> In Policy FEL/VA3 replace the second sentence before the bullet points with “Use of developer contributions able to be locally determined will be directed to any of the following priorities:” 	Clarification on that most developer contributions are subject to strict limitations on use and are tied to specific purposes, for example through Section 106 agreements, some funds may become available during the plan period the use of which can be locally determined, for example the neighbourhood portion of Community Infrastructure Levy.	Yes – modification ensures policy has regard for national policy.
Policy FEL/HVA4 – Burial Ground NP – Page 38	Modification 10: In Policy FEL/HVA4 Page 50 <ul style="list-style-type: none"> In Policy FEL/VA4 replace “adequate and sympathetically designed” with “off- street” after “visitors” insert “so that on-street parking 	Policy is imprecise and is not clearly written as required by the NPPF paragraph 16d.	Yes – Policy is clear and unambiguous and has regard for national policy and NPPF para 16d.

	is not necessary”		
Policy FEL/HVA5 – Recreational and Play Facilities NP – Page 38	Modification 11: In Policy FEL/HVA5 Page 50/51 In Policy FEL/VA5 <ul style="list-style-type: none"> • after “equivalent” insert “or better” • delete “in an acceptable location” • after “Area” insert “in no less convenient location for users” 	Policy is imprecise and is not clearly written as required by NPPF paragraph 16d.	Yes – Policy is clear and unambiguous and has regard for national policy and NPPF para 16d.
Developing Our Schools			
Policy FEL/SCI – Supporting our Schools NP – Page 40	Modification 12: In Policy FEL/SC1 Page 52 In Policy FEL/SC1 <ul style="list-style-type: none"> • after “following” insert “school related” and delete “by the schools” • in the first bullet point delete “and, other than those specifically supported in SC5” and replace the colon and points 1 and 2 with “not result in severe congestion or additional on-street parking.” • in the second bullet point replace “sympathetically designed,” with “designed to” • in the third bullet point delete “sympathetically designed” and delete “and include effective and deliverable traffic management schemes” • replace the final sentence with “Development proposals that will result in additional on-street parking will not be supported. 	The Policy as written is confusing, does not meet the test for obligations set out in NPPF par 56 and some terms are imprecise, other terms are not sufficiently justified and other terms do not provide a basis for the determination of planning applications.	Yes – to ensure the policy has regard for national policy and is clear and unambiguous.

<p>Policy FEL/SC2 – Felsted School NP – Page 40</p>	<p>Modification 13: In Policy FEL/SC2 Page 53</p> <ul style="list-style-type: none"> • In Policy FEL/SC2 delete “Subject to SC1,” 	<p>Unnecessary and confusing for the policy to state “Subject to SC1) as the Neighbourhood Plan should be read as a whole.</p>	<p>Yes – to provide clarity and unambiguity as required by NPPF para 16d.</p>
<p>Policy FEL/SC3 – Felsted School Follyfield Site NP – Page 41</p>	<p>Modification 14: In Policy FEL/SC3 Page 54</p> <ul style="list-style-type: none"> • Replace Policy FEL/SC3 with “To be supported any scheme to redevelop Felsted School’s Follyfield site (as shown on Map 4) must be subject to a Transport Statement/Assessment and provide a safe and suitable access and conform with the latest parking standards of the highway authority.” 	<p>The policy is without consequence and overly prescriptive without adequate justification.</p>	<p>Yes – Provides clarity and unambiguous for a decision maker in reacting to a development proposal.</p>
<p>Policy FEL/SC5 – Felsted School - Modernisation NP – Page 42</p>	<p>Modification 15: In Policy FEL/SC5 Page 56</p> <p>In Policy FEL/SC5</p> <ul style="list-style-type: none"> • delete “Notwithstanding the general conditionality of SC1” • replace “are of sympathetic design and of an appropriate scale” with “reflect the character and appearance of the setting” 	<p>Unnecessary and confusing for the policy to state “<i>Notwithstanding the general conditionality of SC1</i>” as the policies of the Neighbourhood Plan should be read together. The term “sympathetic design and an appropriate scale” is imprecise.</p>	<p>Yes – to ensure the policy is clearly written and unambiguous to a decision maker as required by NPPF para 16d.</p>
<p>Policy FEL/SC6 – Felsted Primary School Expansion NP – Page 43</p>	<p>Modification 16: In Policy FEL/SC6 Page 56</p> <p>In Policy FEL/SC6</p> <ul style="list-style-type: none"> • replace text before the numbered points with “To be supported the development and expansion of Felsted Primary School on the existing site, as shown in Map 5, must be subject to a Transport 	<p>The terms “<i>adequate</i>” and “<i>modal shift through travel planning</i>” are imprecise. The requirement for a new access has not been sufficiently justified. The term “<i>potentially including</i>” does not provide a basis for the determination of</p>	<p>Yes – to ensure the policy is clearly written and unambiguous to a decision maker as required by NPPF para 16d.</p>

	<p>Statement/Assessment which considers local traffic management including:</p> <ul style="list-style-type: none"> • replace “new “with “safe and effective” • replace part iii) with “Sufficient off-street parking for staff to avoid the necessity for staff to park on-street;” • delete parts v), vi), and ix) 	<p>planning applications. Implementation of enhanced parking restrictions, and measures to achieve speed reduction, are dependent on a third party for realisation.</p>	
<p>Policy FEL/SC7 – Felsted Primary School Expansion NP – Page 43</p>	<p>Modification 17: In Policy FEL/SC7 Page 59</p> <p>In Policy FEL/SC7 replace all text after “mix of” with “dwelling types that reflects the latest assessment of local housing need applicable to Felsted parish.”</p>	<p>The terms “<i>downsizing opportunities</i>” and “<i>homes suitable for elderly people</i>” are imprecise.</p> <p>The requirement for active consultation by applicants with the community and the Parish Council and provision of a development brief prior to any application being submitted does not have sufficient regard for national policy.</p>	<p>Yes – to ensure the policy is clearly written and unambiguous to a decision maker as required by NPPF para 16d.</p>
<p>Meeting Housing Needs</p>			

<p>In Policy FEL/HN1 – Meeting Housing Needs NP – Page 47</p>	<p>Modification 18: In Policy FEL/HN1 Page 69/70</p> <p>In Policy FEL/HN1</p> <ul style="list-style-type: none"> • replace “up to” with “approximately” • insert “approximately” before “24” and “39” • delete the final sentence, which should be transferred to section 	<p>The specification of “<i>up to 63 units</i>”, “<i>(24 units)</i>” and “<i>(39 units)</i>” is overly prescriptive and has not been sufficiently justified. The specification “<i>up to</i>” with respect to total provision and of precise figures for each allocation site may prevent an otherwise sustainable development proposal. There is internal inconsistency within the policy. Two precise figures cannot sum to an “<i>up to</i>” total. There is also inconsistency with terminology used in Policies FEL/HN2 and FEL/HN3.</p>	<p>Yes – to provide consistency in terminology for Policies FEL/HN1, FEL/HN2 and HN3 and allow necessary flexibility in the determination of sustainable development proposals.</p>
<p>In Policy FEL/HN2 – The Sunnybrook Farm Site in Braintree Road. SHLAA Site 20FEL15 NP Page 50</p>	<p>Modification 19: In Policy FEL/HN2 Page 75/76</p> <p>In Policy FEL/HN2</p> <ul style="list-style-type: none"> • before “24” insert “approximately” • replace the second sentence before the colon with “To be supported development proposals must:” • in part i replace “secure” with “lockable” and delete “and maximise land use” • in part ii delete “well-” • commence part iii and part iv with “Include” • in part v replace the text after “housing” with “to meet the latest assessment of local housing 	<p>The specification of 24 units is overly prescriptive and has not been sufficiently justified. A precise requirement may prevent an otherwise sustainable development proposal.</p> <p>The terms “<i>maximise land use</i>”, “<i>well-screened</i>”, and “<i>existing and future needs of our community</i>” are imprecise. In</p>	<p>Yes – to allow necessary flexibility in the determination of sustainable development proposals and to ensure the policy is clearly written and unambiguous to a decision maker as required by NPPF para 16d.</p>

	<p>need including a significant proportion of two- or three-bedroom accommodation suitable for young families, and homes that are suitable for older people (which can encompass accessible, adaptable general needs housing through to the full range of retirement and specialised housing for those with support or care needs), having regard to the supply of such units at the time of application.”</p> <ul style="list-style-type: none"> • delete part vi • insert new criterion i) – iii) and re-order accordingly to read: “i) be subject to a Transport Statement/Assessment in accordance with ECC Development Management Policies (2011) and Car Parking Standards; ii) identify and pursue opportunities to promote walking, cycling and public transport to improve accessibility and integration into the wider community and wider networks; iii) protect the public’s rights and ease of passage over the adjacent Public Footpath 12 (Felsted), ensuring it is maintained free and unobstructed at all times to ensure the continued safe passage of public on the definitive right of way;” 		
<p>In Policy FEL/HN3 – Land in Station Road to the west of Bury Farm. SHLAA Site 01FEL15 NP – Page 53</p>	<p>Modification 20: Page 79 In Policy FEL/HN3</p> <ul style="list-style-type: none"> • replace “up to” with “approximately” • replace the second sentence before the colon with “To be supported development proposals must:” • delete part I c 	<p>The specification of “<i>up to 39 units</i>” is overly prescriptive and has not been sufficiently justified. The specification “<i>up to</i>” may prevent an otherwise sustainable development proposal.</p>	<p>Yes – to ensure the policy is clearly written and unambiguous to a decision maker as required by NPPF para 16d.</p>

	<ul style="list-style-type: none"> • replace “to a high standard” with “so as to enhance the character and appearance of the area” • in part II replace the text after “housing” with “to meet the latest assessment of local housing need including a significant proportion of two- or three-bedroom accommodation suitable for young families and older people, having regard to the supply of such units at the time of application” • in part V delete “gifted to the Parish” • in part VI after “hedgerows” delete “and” • in part VII delete the final “and” • delete the final sentence of the policy • Insert new parts: IX) be subject to a Transport Statement/Assessment in accordance with ECC Development Management Policies (2011) and Car Parking Standards; and X) identify and pursue opportunities to promote walking, cycling and public transport to improve accessibility and integration into the wider community and wider networks.” 	<p>The second sentence of the policy is without consequence.</p> <p>It is necessary for the policy to avoid being overtaken by changed circumstances regarding housing need and supply during the plan period. The scale of obligations must not undermine the deliverability of the plan, as required by paragraph 34 of the Framework, and must meet the tests set out in paragraph 56 of the Framework. The terms “adequate”, “high standard”, “suit the needs of the community”, and “high-quality” are imprecise. The term “provision of a development brief” does not provide a basis for the determination of planning applications. Realisation of the “active consultation” component of the policy is reliant on third parties. The term “gifted to the Parish” does not provide a basis for the determination of planning applications and has not been justified.</p>	
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<p>In Policy FEL/HN4 – Residential Development within the Development Limits NP – Page 54</p>	<p>Modification 21: In Policy FEL/HN4 Pages 85/86</p> <p>In Policy FEL/HN4</p> <ul style="list-style-type: none"> • after “Limits” insert “shown on Maps 12 and 13” • add an additional criterion “v) Demonstrating safe and suitable access, and being accompanied by a Transport Statement/Assessment, as appropriate, in accordance with the ECC Development Management Policies (2011).” 	<p>The term “<i>Village Development Limits</i>” is imprecise and the policy should make reference to maps where the Village Development Limits are defined but Map 12 is not at sufficient scale to identify other village development limits accurately.</p>	<p>Yes – Provides clarity by presenting Village Development Limits of Causeway End, Bannister Green, and Watch House Green on a map at a scale sufficient to identify individual property boundaries so that the Neighbourhood Plan has regard for national policy.</p>
<p>In Policy FEL/HN5 – Residential Development Proposals outside the Village Development Limits NP – Page 54</p>	<p>Modification 22: In Policy FEL/HN5 Pages 92</p> <p>In Policy FEL/HN5</p> <ul style="list-style-type: none"> • after “proposals” insert “demonstrating safe and suitable access, and being accompanied by a Transport Statement/Assessment, as appropriate, in accordance with the ECC Development Management Policies (2011),” • after “Limits” insert “shown on Maps 12 and 13” • after “supported” insert “where one or more of the circumstances set out in paragraph 79 of the National Planning Policy Framework apply or” 	<p>Map 13 provides an inset for Felsted Village but Map 12 is not at sufficient scale to identify other village development limits accurately. Each of the Village Development Limits relating to Causeway End, Watch House Green, and Bannister Green is presented on a map at a scale sufficient to identify individual property boundaries so that the Neighbourhood Plan “is clearly written and</p>	<p>Yes – Provides clarity by presenting Village Development Limits of Causeway End, Bannister Green, and Watch House Green on a map at a scale sufficient to identify individual property boundaries so that the Neighbourhood Plan has regard for national policy.</p>

		unambiguous, so it is evident how a decision maker should react to development proposals”	
In Policy FEL/HN6 – Supplemental Dwellings NP – Page 55	<p>Modification 23: In Policy FEL/HN6 Pages 94</p> <p>In Policy FEL/HN6</p> <ul style="list-style-type: none"> • replace “VDLs” with “Village Development Limits shown on Maps 12 and 13” • add additional criterion “v) Is able to demonstrate safe and suitable access to the local highway network in accordance with the ECC Development Management Policies (2011);” • add additional criterion “vi) Restrictions are in place that prevent the supplemental dwelling being severed from the primary dwelling.” 	<p>The term “Village Development Limits” is imprecise and the policy should make reference to maps where the Village Development Limits are defined.</p> <p>Include an additional criterion relating to access.</p> <p>The placing of a 15-year restriction on the separation for sale of the primary and supplemental dwellings has not been sufficiently justified. For the policy to have sufficient regard for national policy there must be a restriction, without time limit, on separation of the primary and supplemental dwellings.</p>	<p>Yes – Provides clarity by reference to Village Development Limits as shown on Maps 12 & 13.</p> <p>An additional criterion relating to access and the restriction without a time limit on separation of primary and supplemental dwellings ensures that the policy has regard for national policy.</p>
In Policy FEL/HN7 – Housing Mix NP – Page 57	<p>Modification 24: In Policy FEL/HN7 Pages 97</p> <p>In Policy FEL/HN7</p>	Any requirement for the amount and type of affordable housing must not undermine the deliverability of the plan,	Yes – provides clarity and the policy has regard for national policy.

	<ul style="list-style-type: none"> • replace the first two paragraphs with “New housing development will be supported where it provides: <ul style="list-style-type: none"> - two-bedroom or three-bedroom accommodation suitable for young families; or - homes suitable for older people that can encompass accessible, adaptable general needs housing through to the full range of retirement and specialised housing for those with support or care needs; or - other types of accommodation identified in the latest assessment of local housing needs; and/or - affordable housing.” • in the final paragraph replace “meeting” with “meet” 	<p>as required by paragraph 34 of the Framework.</p>	
<p>In Policy FEL/HN8 – Habitats Regulations Assessment Screening (HRA) NP – Page 58</p>	<p>Modification 25: In Policy FEL/HN8 Pages 99</p> <p>Recommended modification 25: Replace Policy FEL/HN8 with “All residential development within the zones of influence of European Sites will be required to make a financial contribution towards mitigation measures, as detailed in the Essex Coast RAMS, to avoid adverse in-combination recreational disturbance effects on European sites. In the interim period, before the Essex Coast RAMS is completed, all residential development within the zones of influence will need to deliver all measures identified (including strategic) measures through project level HRAs, or, otherwise,</p>	<p>Replacement of Policy FEL/HN8 with policy wording provided by Natural England.</p>	<p>Yes – Revised wording ensures policy has regard for national policy.</p>

	to mitigation and recreational disturbance impacts in compliance with the Habitats Regulations and Habitats Directive.”		
Integrity, Character and Heritage			
Policy FEL/ICH1 – High Quality Design and Energy Efficiency NP – Page 60	Modification 26: In Policy FEL/ICH1 Pages 101 In Policy FEL/ICH1 <ul style="list-style-type: none"> • commence the policy with “To be supported” and replace “should” with “must” • delete “, where appropriate,” • at the end of the 3rd bullet point insert “and” • replace “; and” at the end of the 4th bullet point with a full stop • convert the 5th bullet point to a free-standing paragraph, and replace “Following” with “Development proposals that follow”, and conclude the paragraph with “will be supported” • insert as a free-standing paragraph before “For countryside locations” • delete “shall be accompanied by a landscape and visual impact assessment and appropriate landscape mitigation” and insert “must not harm their landscape setting” 	<p>The policy is seeking to establish information requirements in support of planning applications. This is a function that must be achieved through inclusion in the District Council Local Area Planning Applications Requirements List that is subject to modification during the Plan period.</p> <p>Local planning authorities may use nationally recognised optional technical standards where there is evidence to show these are required. However, Neighbourhood Plans may not be used to apply these.⁶³</p>	Yes – Policy has regard to national policy.
Policy FEL/ICH2 – Heritage Assets NP – Page 61	Modification 27: In Policy FEL/ICH2 Pages 102 Recommended modification 27: Delete Policy FEL/ICH2 and supporting text	Policy FEL/ICH2 does not serve a clear purpose by providing an additional level of detail or distinct local approach to that set out in national policy. I	Yes – Policy is a duplication of national policy and does not serve any purpose.

<p>Policy FEL/ICH3 – Signage and Light Pollution NP – Page 61 Examiner Rep Policy FEL/ICH3– Signage and Light Pollution</p>	<p>Modification 28: In Policy FEL/ICH3 Pages 103</p> <p>Recommended modification 28: In Policy FEL/ICH3 delete “Sensitively designed”</p>	<p>The term “sensitively designed” is imprecise and does not provide a basis for the determination of proposals.</p>	<p>Yes – The modification renders the clearly written and unambiguous and has regard for national policy.</p>
<p>Policy FEL/ICH4 - Signage and Light Pollution NP – Page 61 Examiner Rep Policy FEL/ICH3– Signage and Light Pollution</p>	<p>Modification 29: In Policy FEL/ICH4 Page 104</p> <p>Replace Policy FEL/ICH4 with “To be supported planning proposals:</p> <ul style="list-style-type: none"> • must not introduce overhead cables that will have an adverse effect on visual amenity; and • only include external lighting that is essential, and include measures to avoid light spillage beyond the application site.” 	<p>The term “artificial externally visible light sources” is imprecise. The term “limit the impact” is ambiguous and does not provide a basis for the determination of planning applications.</p>	<p>Yes – Policy is now clearly written and unambiguous and has regard for national policy.</p>

<p>Policy FEL/ICH5 – Avoiding Coalescence NP – Page 62</p>	<p>Recommended modification 30: Page 108 Replace Policy FEL/ICH5 with “Development proposals that, as viewed from publically accessible locations, will visually significantly diminish the openness of the gap:</p> <ul style="list-style-type: none"> • between Felsted village and the hamlets of the Neighbourhood Area (Bannister Green; Bartholomew Green; Causeway End; Cobblers Green; Cock Green; Crix Green; Frenches Green; Gransmore Green; Hartford End; Molehill Green; Prior’s Green; Pye’s Green; Thistley Green; Watch House Green; Willows Green); or • between the hamlets of the Neighbourhood Area; or • between the hamlets of the Neighbourhood Area and settlements in adjoining parishes will not be supported.” 	<p>The Guidance states a policy in a Neighbourhood Plan should be supported by appropriate evidence. The cross hatched areas identified on Map 9 have not been sufficiently justified.</p> <p>A policy defining an area where no development is to be permitted would be seeking to establish a regime that is more restrictive than even that applying in designated Green Belt. Such an approach would not have sufficient regard for national policy for it to be appropriate. Whilst the resistance of all forms of development in a defined area of open countryside would not have sufficient regard for national policy the resistance of coalescence of settlements can be a legitimate objective of land use policy. Preventing two settlements from coalescing is not the same as preventing any development between them.</p>	<p>Yes – The recommended modification will have regard to those elements of the NPPF that establish a presumption in favour of sustainable development ; and those elements that specifically recognise the importance of economic growth in rural areas; and that state that there are special circumstances where isolated homes in the countryside will be acceptable.</p>
Supporting the Rural Economy			
<p>Policy FEL/RE1–Start-up and Small Businesses</p>	<p>Recommended modification 31: Page 109</p>	<p>The Guidance states a policy in a Neighbourhood Plan should be supported by appropriate</p>	<p>Yes – The modification renders the policy is clearly written and unambiguous</p>

<p>NP – Page 63</p>	<p>In Policy FEL/RE1 replace “the road and communications infrastructure can support the size and additional volume of business traffic and there being no” with “it is demonstrated safe access can be achieved, and severe congestion will not be caused, and there will be no significant”</p>	<p>evidence. No justification is provided in respect of communications infrastructure.</p> <p>The term “where the road and communications infrastructure can support the size and additional volume of the business traffic” is imprecise and does not provide a basis for the determination of planning applications.</p>	<p>and has regard for national policy.</p>
<p>Policy FEL/RE2– Loss of Employment Uses NP – Page 64</p>	<p>Recommended modification 32: Page 110 In Policy FEL/RE2 delete “from estate agents”</p>	<p>The term “from estate agents” has not been sufficiently justified.</p>	<p>Yes – The modification renders the policy is clearly written and unambiguous and has regard for national policy.</p>
<p>Policy FEL/RE3 – Re-use of Rural Buildings NP – Page 64</p>	<p>Recommended modification 33: Page 112 In Policy FEL/RE3 replace “the road and communications infrastructure can support the size and additional volume of business traffic and there being no” with “it is demonstrated safe access can be achieved, and severe congestion will not be caused, and there will be no significant”</p>	<p>The term “No adverse impacts on residential amenity” is imprecise.</p> <p>The term “where the road and communications infrastructure can support the size and additional volume of the business traffic” is imprecise and does not provide a basis for the determination of planning applications.</p>	<p>Yes – The modification renders the policy is clearly written and unambiguous and has regard for national policy.</p>

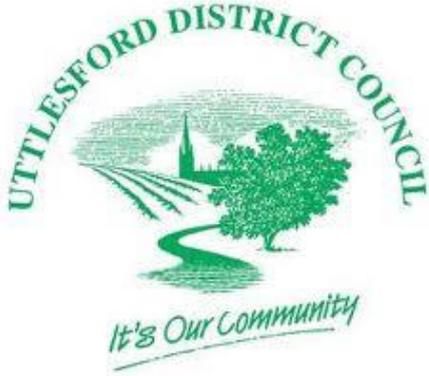
Protecting the Countryside and Wildlife			
Policy FEL/CW1 – Landscape and Countryside Character NP – Page 66	Recommended modification 34: Page 113 Replace Policy FEL/CW1 with “To be supported development proposals must protect and enhance the landscape of the character area in which they are situated, and must not significantly harm the important long distance, short range and glimpsed views, identified in the Felsted Heritage and Character Assessment Report 2017.”	The terms “important views and vistas”; “traditional open spaces”; “minimise”; and “appropriate” are imprecise. The reference to coalescence and to open spaces introduces unnecessary and confusing duplication of Policies FEL/ICH5 and FEL/CW4 respectively.	Yes – The modification renders the policy is clearly written and unambiguous and has regard for national policy.
Policy FEL/CW3 – Footpaths, Bridleways and Cycleways NP – Page 67	Recommended modification 35: Page 115 In Policy FEL/CW3 delete the final sentence	The stopping up or diversion of highways is achieved through Orders using Sections 247 and 248 of the Town and Country Planning Act 1990 and applications made under Section 253 as amended by the Growth and Infrastructure Act 2013. A Neighbourhood Plan policy is not able to vary the legal process in this respect, and any duplication is unnecessary.	Yes – The deletion of the final sentence avoids duplication and ensures the policy is in general conformity with strategic polices in Uttlesford Local Plan 2005.
Policy FEL/CW4 – Green Infrastructure NP – Page 68	Recommended modification 36: Page 117/118 Replace Policy FEL/CW4 with “Development proposals should protect, and where possible	It is unnecessary and confusing to include the term “that meet other NP policies” as the policies of the Neighbourhood Plan should be read as a whole.	Yes – The revised wording addresses the points made by Natural England ensures the policy is in general conformity with strategic polices in Uttlesford Local

	<p>enhance the natural environment. All proposals should seek to deliver measurable net biodiversity gain, in addition to protecting existing habitats and species. Proposals should seek to avoid any significant impacts on the natural environment. If avoidance isn't possible proposals which significantly affect, or have the potential to significantly affect, the natural environment should demonstrate that impacts on biodiversity, including flora and fauna, and local wildlife (including wildlife habitats), will be adequately mitigated and where this is not possible compensated. Development proposals will be supported where they:</p> <ul style="list-style-type: none"> • Protect and enhance existing green spaces and/or create new green/open spaces; • Improve the connectivity between wildlife areas and green spaces through green corridors and/or improvements to the active travel networks; • Enhance the visual characteristics and biodiversity of green spaces in close proximity to the development; • Ensure their landscape schemes, layouts, access and public open space provision and other amenity requirements contribute to the connectivity, maintenance and improvement of the GI Network; • Meet the latest Accessible Natural Greenspace Standards of Natural England so far as they are 	<p>It is confusing and unnecessary for one policy to include the term “within the Neighbourhood Area” as all the policies of the Neighbourhood Plan apply throughout the Neighbourhood Area unless a lesser area is specified.</p> <p>The term “Public, Rights of Way, and cycle and footpath networks” is ambiguous.</p> <p>The terms “wherever possible”, “what they can do”, “consider” and “take into consideration” do not provide a basis for the determination of planning applications.</p> <p>The term “local green spaces” has a particular meaning in terms of paragraphs 99 and 100 of the Framework and should not be applied otherwise.</p> <p>The requirement “meet the Accessible Natural Greenspace Standards” must not undermine the deliverability of</p>	<p>Plan 2005 as well as having regard for national policy.</p>
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	<p>applicable to a rural village location, and subject to viability;</p> <ul style="list-style-type: none"> • Adopt the principles of Sustainable Urban Drainage (SUDs) and natural flood management, which will enhance biodiversity and ecosystems; or • Enhance the multi-functional use of open spaces as part of the Green Infrastructure (GI) network. <p>Development proposals that are likely to have a negative impact on biodiversity, flora and fauna and local wildlife (including wildlife habitats) will only be permitted where the benefits of the development clearly outweigh any negative impacts to the nature conservation value of the feature or to its contribution to wider biodiversity objectives.</p> <p>Developments that are likely to have an adverse impact, either alone or in-combination, on a Special Protection Area, Special Area of Conservation, and / or Ramsar site must satisfy the requirements of the Habitats Regulations, determining site specific impacts and avoiding or mitigating against impacts where identified.”</p>	<p>the plan, as required by paragraph 34 of the Framework, and must meet the tests set out in paragraph 56 of the Framework.</p> <p>The application of Accessible Natural Greenspace Standards for towns and cities to the rural context of the Neighbourhood Plan area has not been justified.</p>	
Annex: Minor Corrections to the Neighbourhood Plan			
	<p>Recommended modification 37: Page 120 Modify general text to achieve consistency with the modified policies, and to correct identified errors</p>	<p>Modify general text to achieve consistency with the modified policies, and to correct identified errors including those arising from</p>	<p>Yes – To achieve legibility of the Neighbourhood Plan as a whole.</p>

	including those arising from updates. Renumber parts of policies arising from deletions.	updates. Renumber parts of policies arising from deletions.	
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12 June 2019

Neighbourhood Development Plan submitted for Felsted

The Felsted Neighbourhood Plan Group has submitted a proposed Neighbourhood Development Plan for the parish to Uttlesford District Council.

It is the third parish in the District to reach this crucial stage and, if an independent examiner believes it meets the necessary criteria, the Neighbourhood Development Plan will go to parish referendum. The final stage is formal adoption by the District Council.

The Neighbourhood Plan contains a set of policies that seek to guide development in the Felsted parish. The policies cover a range of topics, such as protection of the environment and general development control issues as well as site allocations.

The Neighbourhood Plan, its statutory supporting documents and a response form are available on the District Council website at www.uttlesford.gov.uk/felstednp and at the District Council's offices in Saffron Walden.

The submission documents are subject to a six-week consultation period before they can be submitted for examination. The deadline for comments is **5 pm on Wednesday, 24 July 2019**.

Representations can be submitted by email to planningpolicy@uttlesford.gov.uk or by post to: Uttlesford District Council, London Road, Saffron Walden, Essex CB11 4ER.

Under the Localism Act communities have been given the chance to help shape the way their areas grow and develop, and a Neighbourhood Plan is a mechanism to do this.

A Neighbourhood Plan must look at the use of land, and can influence development. It cannot be used to restrict or prevent development.

ENDS

NOTES

For more details on this media release please contact the Communications Team on 01799 510442 or media@uttlesford.gov.uk

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Committee:	Cabinet	Date:	Tuesday 26 November 2019
Title:	North Essex Economic Strategy		
Portfolio Holder:	Councillor John Lodge, Leader of the Council		
Report Author:	Gordon Glenday, Assistant Director – Planning gglenday@uttlesford.gov.uk	Key decision:	Yes

Summary

The North Essex Economic Strategy (NEES) 2040 has been developed through a partnership of Braintree District, Colchester Borough, Essex County, Tendring District and Uttlesford District Councils.

The partners recognise that the challenges and opportunities affecting North Essex will best be addressed through a collaborative approach to achieving inclusive and sustainable economic growth. The shared ambition is to promote, plan and deliver sustainable, strategic growth at scale and over the long-term; providing the housing, employment, necessary supporting infrastructure and innovations required to ensure the best outcomes for current and future communities of North Essex.

The Strategy provides a platform for strategic intervention at a scale which will achieve transformation in the overall economic prosperity of the North Essex area (and compliments local economic activity which the partners deliver). The partnership between the 5 Councils is set within a structure which brings the required leadership from Members and senior officers together with technical input from economic growth teams. The North Essex Economic Board, made up of Portfolio Holders from each the Partners, has led the development of the Strategy.

The ideas and priorities set out in the North Essex Economic Strategy will contribute to both the Essex Prosperity Prospectus and South East Local Enterprise Partnership (SELEP) Local Industrial Strategy. The Strategy will also form the basis for continued promotion of North Essex to Government, key national agencies and industry.

The Strategy has been articulated through an overall Vision and 4 related Missions:

The Vision:

“North Essex is a high-value, productive and sustainable economy. People choose to live and work locally, in new and established communities that are well connected and inspire innovation and creativity”

The Missions:

1. Driving innovation and technology adoption
2. Developing a skilled and resilient workforce
3. Creating a network of distinctive and cohesive places

4. Growing a greener, more sustainable economy

Alongside this Strategy a rolling ‘action plan’ will be developed, owned by the North Essex Economic Board, through which business cases for interventions can be identified, scoped and further developed. This will enable the Board to consider options in relation to each proposed action, identify lead partners and consider potential risks, with a view to working collectively on shared objectives. The action plan will be subject to annual review and will be monitored and updated over the initial five years of this Strategy.

Recommendations

It is recommended that Cabinet:

- a) approves the North Essex Economic Strategy (see Appendix);
- b) notes that strategy’s priorities will contribute to the Essex Prosperity Prospectus and the SELEP Local Industrial Strategy;
- c) notes the partnership structures which are in place to facilitate the strategy;
- d) notes that an Action Plan will be developed to guide delivery of key actions; and
- e) notes that a process for reporting progress will be established by the partners.

Financial Implications

There are no financial implications at present. In due course there will be a requirement for Partners to consider funding options for projects to be developed and delivered as part of the Action Plan. This will include consideration of external funding opportunities (e.g. the Government’s Shared Prosperity Fund).

Risk will be assessed at individual project level and addressed at that stage.

Background Papers

None.

Impact

Communication/Consultation	N/A
Community Safety	N/A
Equalities	N/A
Health and Safety	N/A
Human Rights/Legal	N/A

Implications	
Sustainability	N/A
Ward-specific impacts	All
Workforce/Workplace	N/A

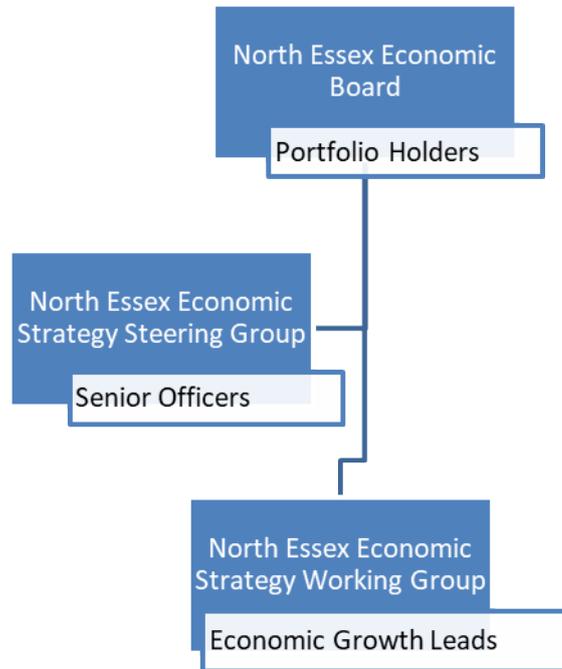
Situation

Context

- 1) In 2017 Government launched its Industrial Strategy aimed at boosting UK productivity by focusing on five key foundations; ideas, people, infrastructure, the business environment and places. The Industrial strategy also identified four 'grand challenges' which the UK will need to address over the coming decades, related to our ageing population, the growing importance of artificial intelligence and the data-driven economy, the need for a new model of environmentally-sustainable 'clean growth' and the changing nature of mobility and transport.
- 2) Further details on the Government's Industrial Strategy can be accessed via the following link:
<https://www.gov.uk/government/topical-events/the-uks-industrial-strategy>
- 3) In 2018 Government mandated that every Local Enterprise Partnership should produce a Local Industrial Strategy (LIS). The Government is therefore working with the South East Local Enterprise partnership to prepare its LIS, setting out how it will contribute to productivity growth and respond to the 'grand challenges', and to inform the LEP's approach to any future local growth funding.
- 4) In order to inform and influence the development of the SELEP LIS, work is underway to prepare a Prosperity Prospectus for Essex to set out Essex's ambitions for long-term sustainable and inclusive prosperity and to outline where we must act in the next two or three years to achieve this.

North Essex Approach

- 5) The North Essex Economic Strategy (NEES) has been developed through a partnership of Braintree District, Colchester Borough, Essex County, Tendring District and Uttlesford District Councils.
- 6) The NEES provides a platform for strategic intervention at a scale which will achieve transformation in the overall economic prosperity of the North Essex area (and compliments local economic activity which the partners deliver).
- 7) The partnership between the 5 partner Councils is set within a structure which brings the required leadership from Members and senior officers together with technical input from economic growth teams as outlined below:



- 8) The North Essex Economic Strategy drives forward the aspirations of the North Essex Economic Board, its political leaders and individual Local Authorities to come together and drive forward a collective long-term ambition for economic growth across North Essex.
- 9) The ideas and priorities set out in the North Essex Economic Strategy will contribute to both the Essex Prosperity Prospectus and SELEP Local Industrial Strategy. The Strategy will also form the basis for continued promotion of North Essex to Government, key national agencies and industry.

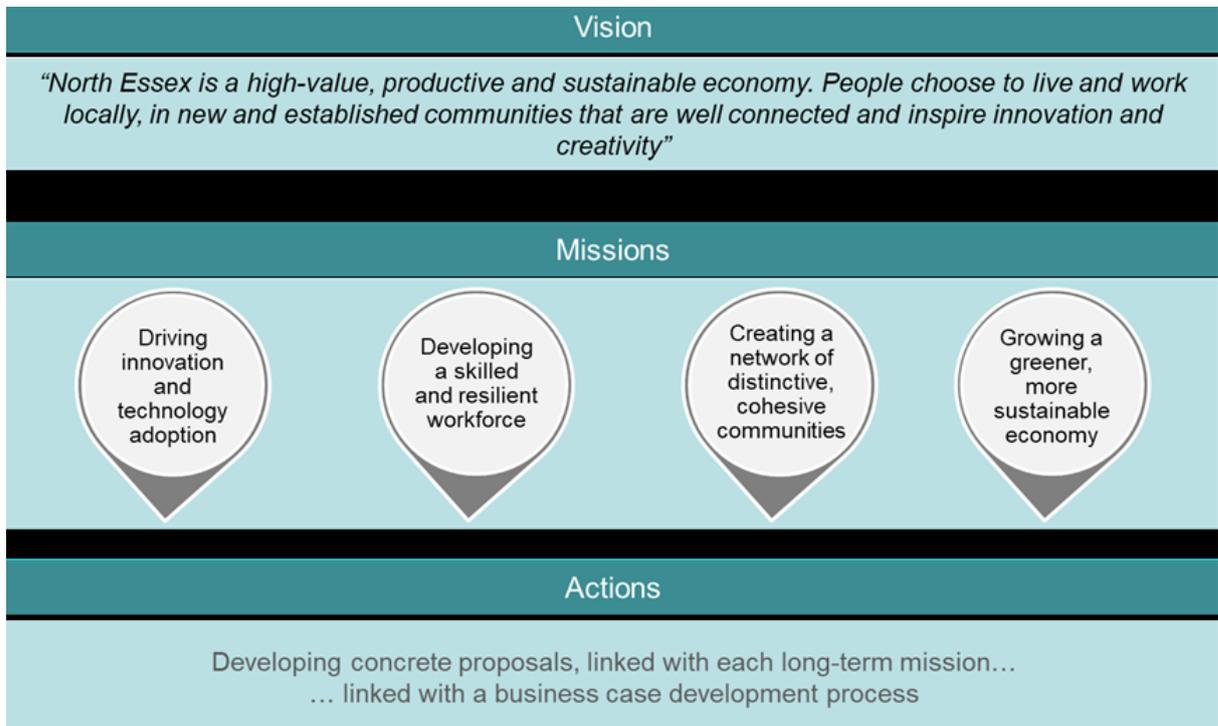
North Essex Economic Strategy

- 10) The strategy has been developed with the ambition to achieve transformational in the North Essex by 2040, in recognition that the inherent challenges and opportunities can only be fully addressed through a sustained focus over that time frame.
- 11) Although this Strategy takes a long-term view, actions taken in the shorter term will shape the direction of future growth. Much is happening already as ‘business as usual’, for example, in land use and infrastructure planning, and the Strategy does not duplicate this. But within a dynamic, changing economy, there should be opportunities to develop new solutions to the challenges faced, and to test out new ideas.
- 12) Therefore the Strategy highlights a series of key ‘areas for action’ over the next five years, setting out a framework through which the partners to progress initiatives that will make a difference across the whole of the area.
- 13) The Strategy has been articulated through an overall Vision and 4 related Missions:

14) The Vision set out in the Strategy is:

“North Essex is a high-value, productive and sustainable economy. People choose to live and work locally, in new and established communities that are well connected and inspire innovation and creativity”

15) To deliver the vision four key ‘missions’ have been identified that will be the focus the partner’s shared activity over the next five years, with each mission providing a framework to consider, and drive forward, new ideas and solutions:



Mission 1: Driving innovation and technology adoption

16) Our vision seeks an economy that is ‘high value and productive’. To support this, we will develop opportunities for innovative businesses to grow, technology clusters to emerge and for all businesses to take advantage of measures to increase technology adoption and drive forward productivity.

Mission 2: Developing a skilled and resilient workforce

17) From an economy-wide perspective, a skilled workforce is essential to productivity growth. From an individual perspective, the ability to adapt and develop new skills is essential in driving opportunity, better pay and progression in work. Looking ahead to 2040, we aim to develop a workforce – of all ages and in all communities – able to contribute fully to North Essex’s growth opportunities.

Mission 3: Creating a network of distinctive and cohesive places

18) North Essex is a diverse place, with strong local identities and a strong 'quality of life' offer. We want to preserve and enhance this, celebrating our unique local characteristics while ensuring that all our towns and communities contribute to and benefit from economic growth within a complementary 'network' of places. This will mean investing to reduce local disparities and strengthening our internal connections and our links with our neighbours, so that people and businesses can access new opportunities

Mission 4: Growing a greener, more sustainable economy

19) Over the long term, we want to ensure that North Essex is a leading example of sustainable development – within existing communities, through our ambitious proposals for new Garden Communities and through lower carbon, innovative businesses.

Delivery

20) The partners recognise that the economic challenges and opportunities affecting respective areas will best be addressed through a collaborative approach to achieving inclusive and sustainable economic growth. The shared ambition is to promote, plan and deliver sustainable, strategic growth at scale and over the long-term; providing the housing, employment, necessary supporting infrastructure and innovations required to ensure the best outcomes for current and future communities of North Essex.

21) Alongside this Strategy a rolling 'action plan' will be developed, owned by the North Essex Economic Board, through which business cases for interventions can be identified, scoped and further developed. This will enable the Board to consider options in relation to each proposed action, identify lead partners and consider potential risks, with a view to working collectively on shared objectives. The action plan will be subject to annual review and will be monitored and updated over the initial five years of this Strategy.

22) The partnership structure will evolve following approval of the Strategy and this will be in the context of the following key considerations:

- Potential expansion of the North Essex Economic Board to include key stakeholders and business leaders;
- Engagement at national and regional level to promote and lobby for North Essex;
- Effective delivery of the strategy's Action Plan through joint working;
- Identification of Success Measures.

Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
The Strategy isn't approved by all partner authorities and so Uttlesford and North Essex loses the opportunity to develop a coordinated strategy to influence development and investment in the region	1	3	Ensure that all partners are clear on the joint benefits of developing and implementing the Strategy and its associated Action Plan effectively.

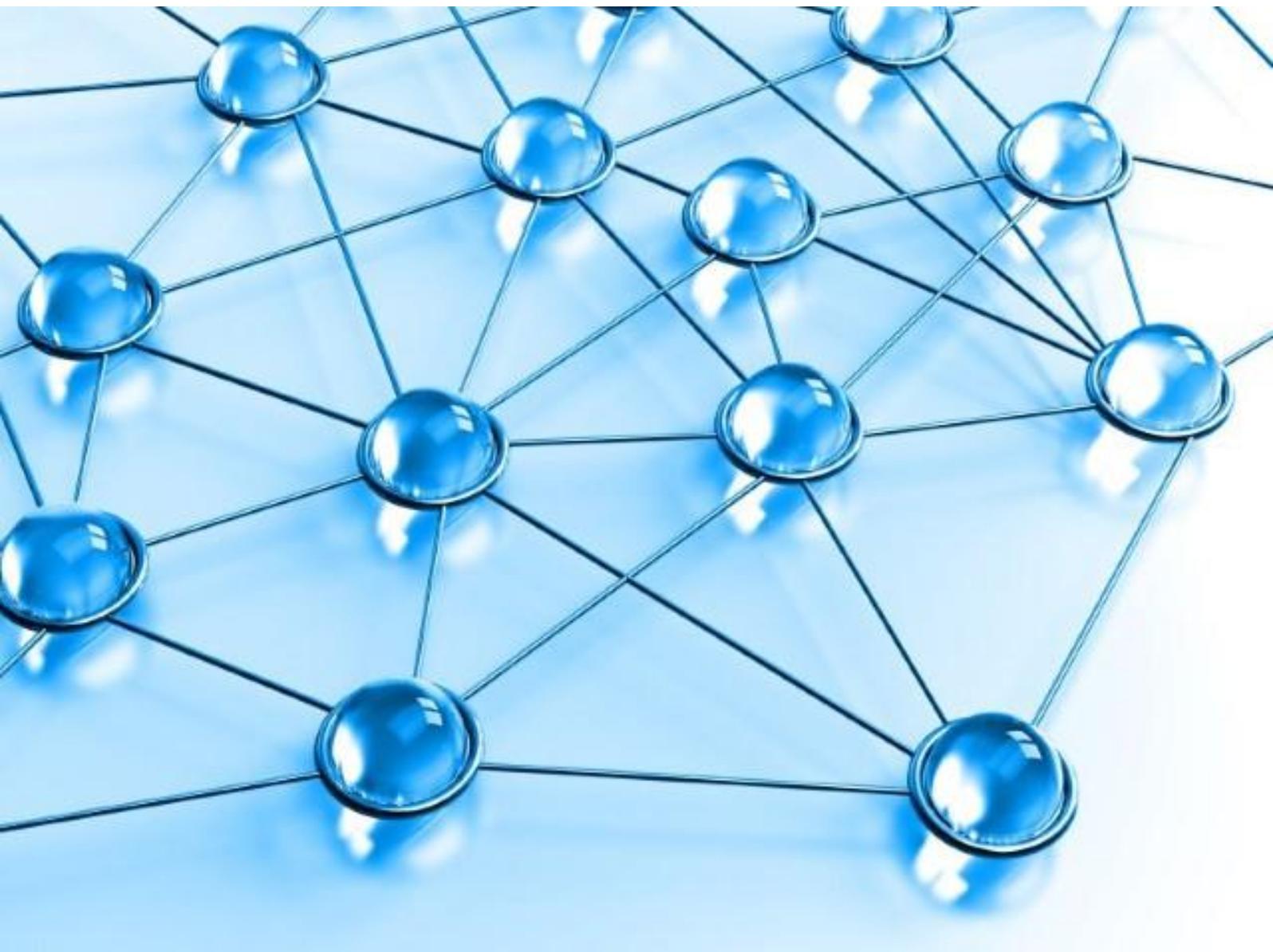
- 1 = Little or no risk or impact
- 2 = Some risk or impact – action may be necessary.
- 3 = Significant risk or impact – action required
- 4 = Near certainty of risk occurring, catastrophic effect or failure of project.

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North Essex Economic Strategy

Final Draft

October 2019



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Note on the Final Draft Strategy

This draft Strategy was considered by the North Essex Economic Board in September 2019, and has been updated in the light of feedback from the Board.

It is envisaged that the final version will be designed for publication (with enhanced maps and graphics, etc., which will be finalised once the Strategy content has been agreed).

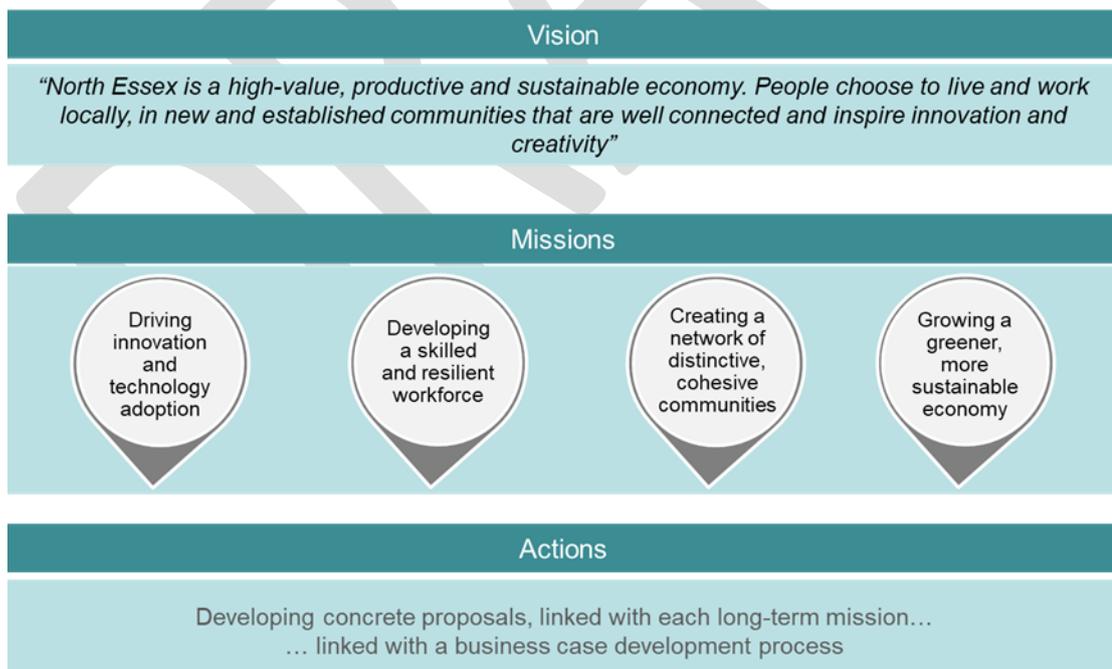
Executive Summary

Introduction

1. Welcome to the **North Essex Economic Strategy**. Looking forward to 2040, this Strategy sets out our shared ambitions for long-term, sustainable and inclusive prosperity – and outlines where we must act in the next five years to help realise them.
2. Our Strategy is prepared in the context of:
 - **Rapid population growth:** In the 20 years to 2018, our population expanded by almost 20% to 580,000. Looking to the future, some 50,000 new homes are planned across North Essex between 2016 and 2036, some of which will be delivered through our new Garden Communities.
 - **Rapid economic change,** as the growing importance of artificial intelligence and the data-driven economy, the need ‘cleaner growth’ and demographic change lead to new goods and services (and the skills, infrastructure and technologies that will be needed to create them), while disrupting existing jobs and business models.

Our vision and missions

3. Over the next twenty years, we have an opportunity to capture the potential of growth and economic change to create an increasingly productive economy in which everyone has a stake:



Mission 1: Driving innovation and technology adoption

4. **Looking forward to 2040,** to support an economy that is ‘high value and productive’, we will develop opportunities for innovative businesses to grow, technology clusters to emerge and

for all businesses to take advantage of measures to increase technology adoption and drive forward productivity.

5. **Over the next five years**, we will build a closer relationship between innovative businesses, their supply chain and the knowledge base. This will seek to maximise the potential of our 'leading edge' research base (especially associated with the University of Essex), increasing interaction between the universities and our SME base; strengthen supply chain links and business-to-business relationships within North Essex; and ensure that those high-value businesses with the ability and appetite to expand have the physical capacity to do so. We will also seek to drive new inward investment alongside indigenous growth, where it will deliver quality, sustainable employment, encourage innovation, and support supply chain opportunities

Mission 2: Developing a skilled and resilient workforce

6. **Looking forward to 2040**, we aim to develop a workforce – of all ages and in all communities – able to contribute fully to North Essex's growth opportunities.
7. **Over the next five years**, working together with existing institutions and partnerships, we will seek to increase the supply of industry-relevant qualifications and develop new solutions to drive greater employer participation in the skills system. In the light of the new economic opportunities emerging through technological change, we will also seek to increase awareness of the career and employment opportunities that are available in North Essex – and which could become available in the future. Linked with this, we will support those who are already in the labour market to access new skills and adapt to changing technologies and working practices.

Mission 3: Creating a network of distinctive, cohesive communities

8. **Looking forward to 2040**, we will preserve and enhance North Essex's unique local identities and diversity, while ensuring that all our towns and communities contribute to and benefit from economic growth within a complementary 'network' of distinctive and creative places.
9. **Over the next five years**, we will drive forward a long-term, coordinated transport strategy, working closely with Transport East, accompanied by measures to increase sustainable transport options and support the further deployment of high-speed digital connectivity. At the same time, we will **invest in the infrastructure to support distinctive, adaptable and creative places**, exploring opportunities to better embed 'anchor institutions', especially within our coastal towns.

Mission 4: Growing a greener, more sustainable economy

10. **Looking forward to 2040**, we will ensure that North Essex is a leading example of sustainable development – within existing communities, through our ambitious proposals for new Garden Communities and through lower carbon, innovative businesses.
11. **Over the next five years**, we will support the development of new industries associated with the transition to a more energy-efficient, lower carbon economy (building on our strengths in the coastal energy industry). We will continue to progress our ambitious proposals for new

Garden Communities, ensuring that long-term sustainable development is planned from the start, and we will seek to incentivise the development and use of sustainable materials within the construction and development process.

Delivering the Strategy

12. Our Strategy sets out an ambitious programme. Delivery will mean close partnership working among all those with a stake in North Essex's future prosperity, including business, the local authorities and our universities and educational institutions. Some measures will also need the support of central Government and, within the overall framework that we have outlined, the Strategy will need to be flexible to adapt to changing opportunities over time.
13. The North Essex Economic Board will ensure strategic oversight, developing a rolling action plan and driving the development of business cases for specific interventions. But this Strategy is just the start. In North Essex, we have the opportunity for a more sustainable, better quality model of economic growth, and the ambition to achieve it. We will now work creatively and in partnership to deliver.

1. Introduction

Welcome to the North Essex Economic Strategy. Looking forward to 2040, this document sets out our ambitions for long-term sustainable and inclusive prosperity – and, at a time of rapid growth and technology change, outlines where we must act in the next two to three years to realise them.

A new economic strategy for North Essex

- 1.1 Stretching from Stansted Airport and the M11 in the west, via Braintree and Colchester to Clacton and Harwich in the east, North Essex is a diverse and outward-facing economy – both internationally and relation to the rest of the Greater South East. Looking to the next twenty years and beyond, the North Essex Economic Board¹ has prepared this Economic Strategy to help us take action now to ensure that we make the most of the opportunities that are ahead of us.

Figure 1-1: North Essex in context



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¹ The North Essex Economic Board is a partnership between Essex County Council and the district authorities in Braintree, Colchester, Tendring and Uttlesford to promote economic growth, working together with business.

The long run: Our growth ambitions

- 1.2 This Strategy is developed in the context of rapid growth. In the 20 years to 2018, our population expanded by almost 20% to 580,000: as Chapter 2 demonstrates, this has been accompanied by rates of housing delivery consistently higher than the national average. Looking to the future, some 50,000 new homes are planned across the four districts between 2016 and 2036². Some of these will be delivered through our emerging proposals for new Garden Communities, which will be built out over a longer, 50 year period.
- 1.3 Alongside *population* growth, we are ambitious for *economic* growth (for example, the Garden Communities aspire to create one job for every home - a high rate of job creation, but one which we must achieve if we are to deliver sustainable, local employment). But we don't just want increased job numbers: we need to take advantage of rapidly changing technology to ensure that future employment is resilient, adaptable and increasingly productive. That means growing local business opportunities, investing in our 'knowledge base' and developing a diverse and highly skilled workforce – both for future residents and our existing communities.

The short run: Five years forward

- 1.4 Although this Strategy takes a long-term view, the actions that we take in the shorter term will shape the direction of future growth. Much is happening already as 'business as usual', for example, in land use and infrastructure planning, and this Strategy does not duplicate this. But within a dynamic, changing economy, there should be opportunities to develop new solutions to the challenges we face, and to test out new ideas. So within the Strategy, we highlight a series of key 'areas for action' over the next five years, setting out a framework through which the North Essex Economic Board can work with partners to progress initiatives that will make a difference across the whole of the area.

The changing strategic context

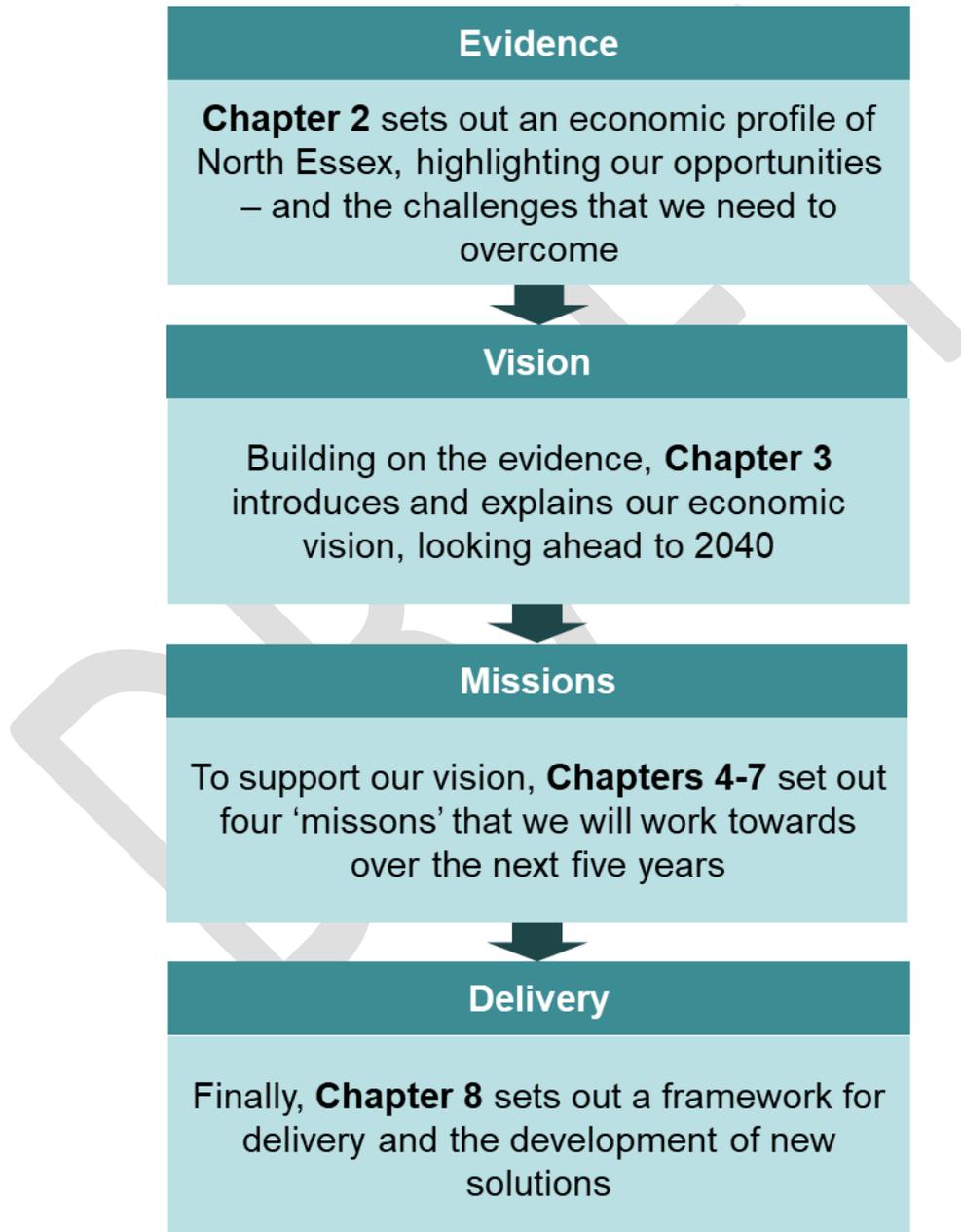
- 1.5 We have prepared this Strategy at a time of considerable macro-economic and policy uncertainty, not least related to Britain's exit from the European Union. Locally, we will need to adapt to changing patterns of global trade and fluctuations in national and international economic performance as they evolve.
- 1.6 But over a longer horizon, the opportunities and challenges presented by technological and demographic change become clearer. The Government's *Industrial Strategy*, published in 2017, identified four 'grand challenges' which the UK will need to address over the coming decades, related to our ageing population, the growing importance of artificial intelligence and the data-driven economy, the need for a new model of environmentally-sustainable 'clean growth' and the changing nature of mobility and transport. All of these are leading to demand for new goods and services (and the skills, infrastructure and technologies that will be needed to create them), while disrupting existing jobs and business models. Capturing the potential and driving forward productivity, while ensuring that everyone has a stake in future economic growth is a challenge for all local economies, North Essex included.

² 2016-36, based on Local Planning Authorities' housing supply trajectories. Essex County Council (2017), *Greater Essex Growth and Infrastructure Framework*

- 1.7 In this context, the Government is working with local enterprise partnerships across England to prepare *Local Industrial Strategies*, setting out how each area will contribute to productivity growth and respond to the ‘grand challenges’, and potentially acting as a basis for prioritising activity under the forthcoming Shared Prosperity Fund. Work is underway to prepare Local Industrial Strategies for Essex and the wider South East LEP region, to which the ideas and priorities set out in this Strategy will contribute.

Strategy structure

- 1.8 The remainder of this Strategy is structured in four main sections:



2. North Essex: A picture of the economy

With a strong university presence, international connectivity and a good quality of life, the towns and communities of North Essex are well positioned to benefit from rapid growth. But to achieve our potential, we must ensure that our infrastructure, workforce and businesses are resilient, innovative and adaptable. This chapter sketches a picture of the North Essex economy and its opportunities

Diverse places, outward connections: The geography of North Essex

- 2.1 With a population of around 580,000, North Essex extends for some sixty miles from east to west, along the 'A120 Corridor' linking Stansted and the M11 with Harwich. No single centre dominates: while Colchester is the largest urban area, Braintree, Clacton-on-Sea, Harwich and Saffron Walden are all important centres of population, alongside a large rural hinterland.

North Essex is an area of considerable diversity....

- 2.2 Historically, our main settlements have had distinctive roles: the seaside resorts of Clacton and Frinton, the port at Harwich, Braintree as an important manufacturing base, and Colchester as a military centre and (in recent decades) a growing university town and regional service centre. The distinct heritage of our main towns is important, both in relation to their strong local identities and the economic opportunities that each enjoy.

We're a vital international gateway...

- 2.3 Two important international gateways anchor each end of the A120 Corridor. In the west, just off the M11, Stansted Airport is the UK's fourth busiest passenger airport, handling some 25 million passengers in 2017 (as well as a large freight operation). In the east, Harwich International Port offers passenger links to Holland, as well as freight activity, and has more recently become an important centre for the offshore wind industry.

... with important links to the rest of the Greater South East

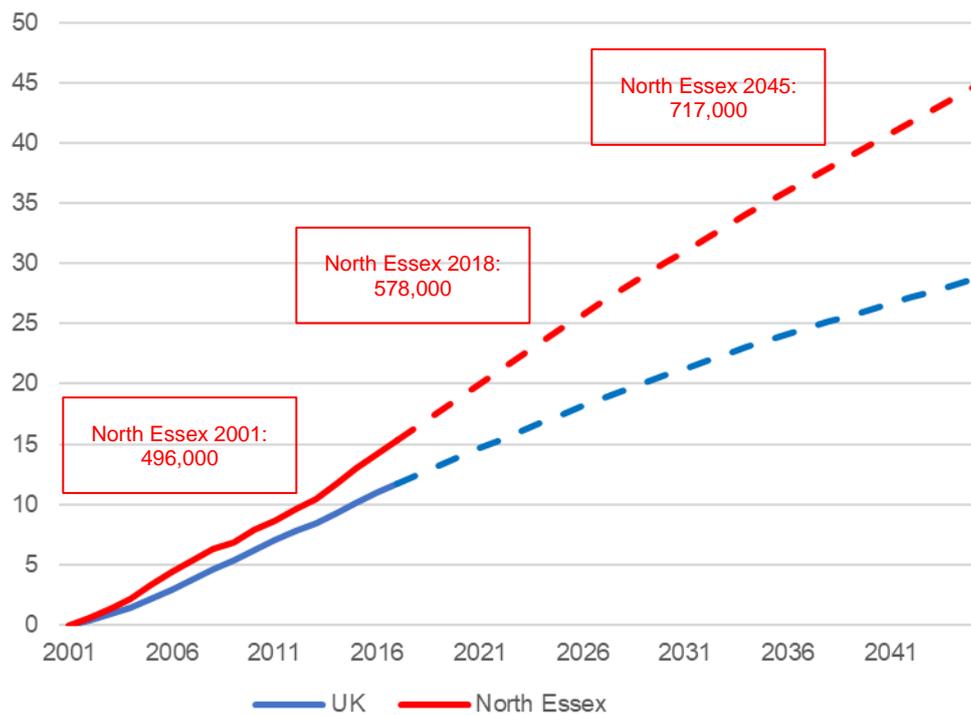
- 2.4 As well as the east-west A120, North Essex is served by two other nationally important transport 'corridors': the A12/ Great Eastern Main Line corridor from London to Norwich via Chelmsford and Colchester, and the M11/ West Anglia line from London to Cambridge via Stansted. Consequently, travel flows from North Essex to other parts of Essex and the rest of the Greater South East are significant: Chelmsford (for example) is the most important commuter destination for residents of Braintree, while Harlow and parts of Hertfordshire along the M11 Corridor are important in Uttlesford – and London is a vital commuter destination and market for businesses across North Essex. The key point is that North Essex – overall – is not self-contained and homogeneous: it is outward-facing and diverse.

Rapid growth

In population and housing...

- 2.5 Despite this diversity, North Essex shares a common growth agenda. For the past 20 years, our population has risen faster than the national average (between 1997 and 2017, the population of the area grew by around 20%, compared with a 13% increase nationally – and a 15% increase across Essex as a whole). The working age population has also grown at a much faster rate than the rest of the country.

Figure 2-1: Population growth 2001-45 (2001=0)



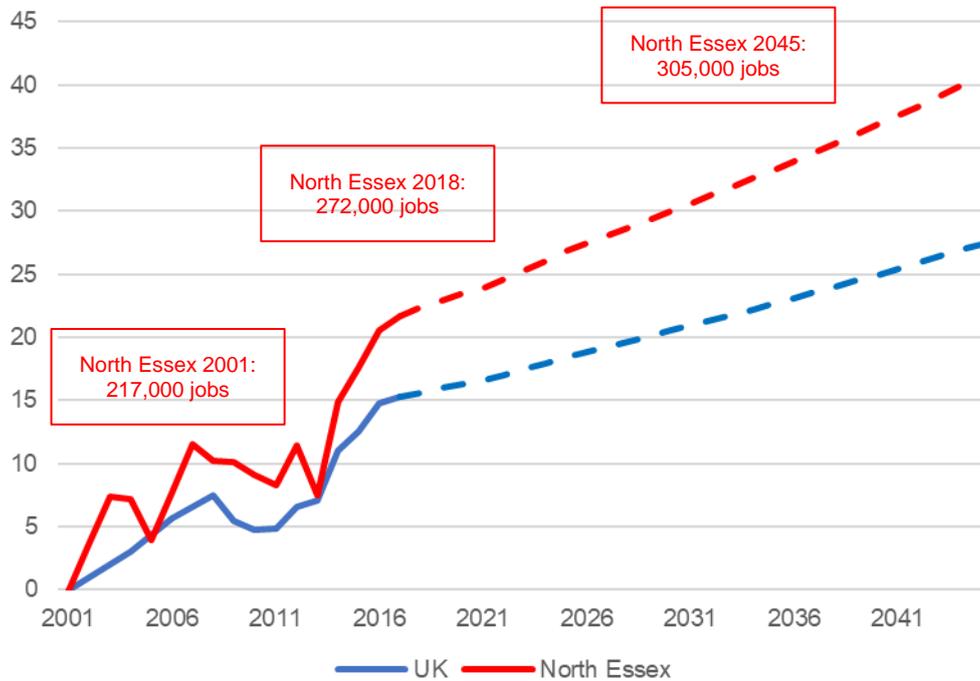
Source: Cambridge Econometrics, East of England Forecasting Model

- 2.6 Looking to the future, population growth is expected to remain high, with a projected increase of 24% between 2018 and 2045 (some 139,000 additional residents). To put this into context, this is the equivalent to the population of an additional town somewhat larger than the Colchester urban area today.
- 2.7 North Essex has responded positively to the growth agenda, with housing growth supporting a rising population. Over the past decade, the pace of housing completions has been strong: over 18,000 new homes were built in the four districts in the ten years to 2018/19 (almost half of all new homes built in Essex as a whole, with delivery in Colchester stronger than in any other Essex district). Over the long term, the North Essex authorities' shared approach to the development of the proposed new Garden Communities provides a coordinated response to meeting future housing needs (alongside the expansion of existing communities), with a commitment to new employment growth to match housing expansion.

... and in employment

2.8 There are currently around 272,000 jobs in North Essex. Generally, employment growth has been somewhat stronger than the national average in recent years, reflecting population growth, and is projected to expand:

Figure 2-2: Jobs growth, 2001-45 (2001=0)



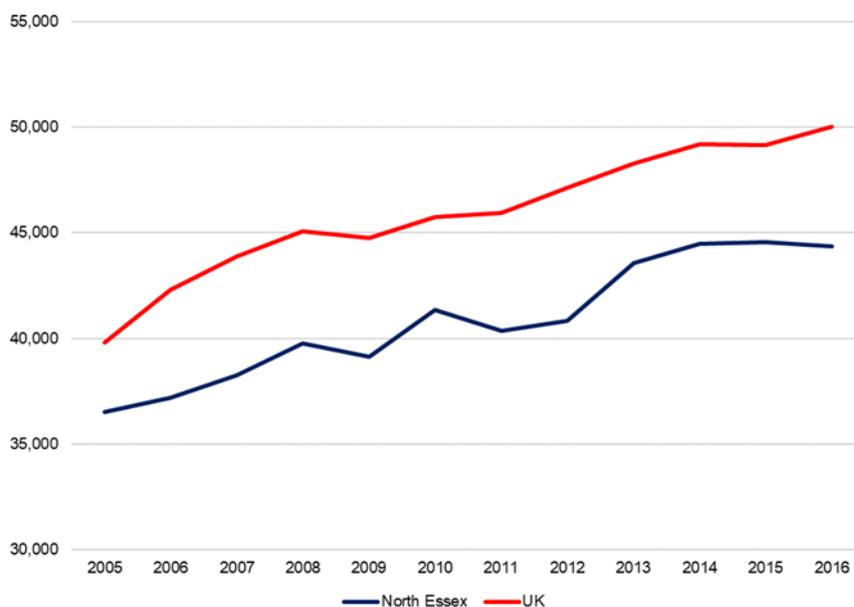
Source: Cambridge Econometrics, East of England Forecasting Model

Productivity challenges

2.9 The UK faces a ‘productivity challenge’: while employment rebounded rapidly from the Great Recession, Britain’s productivity (relative to that of its competitors in Europe and North America) has largely failed to grow. Addressing this is a major focus of the Government’s Industrial Strategy.

2.10 In North Essex, productivity (measured as GVA per filled job) was around £44,000 in 2016, and has lagged the UK average for several years (with some indication of a recent widening of the gap), as Figure illustrates:

Figure 2-3: Productivity (GVA per filled job, £)



Source: SQW estimates

2.11 This ‘productivity deficit’ is broadly in line with that of the South East LEP as a whole. But it does present a risk to the aspiration set out in the Introduction for an economy that is “adaptable, resilient and increasingly productive”. A number of factors underpin our productivity challenge:

- Within the context of a diverse sectoral profile, we have **relatively modest representation in higher-value sectors**. This is not universal (professional and scientific employment is relatively high in Colchester and Uttlesford, for instance), but *in general*, the area’s current sectoral base is oriented to ‘less productive’ activities. Potentially, this suggests a need to support more ‘knowledge intensive’ activity through indigenous growth and external investment, *as well as* raising productivity (for example through increased uptake of new technology) in the wider business base). This should help North Essex businesses to compete in wider markets: while local export data are limited, there is evidence that innovation and technology adoption correlate with a greater propensity to export³.
- **Relatively weak workforce skills**. Around 33% of the North Essex workforce are qualified to NVQ 4 or higher, compared with about 39% in Great Britain as a whole – and some 24,000 people (7% of the working age population) lack any formal qualifications. While recent years have seen improvements, the skills profile tends to change slowly (as new entrants to the labour market gradually replace those who leave). In the context of a need to adapt to new technologies and a wider range of lifetime careers, improving access to re-skilling will be important, alongside support for people in education.
- **Outflows of more highly skilled workers to job opportunities elsewhere**. Overall, there is a net commuting outflow from North Essex, reflecting higher wages that can be commanded in London and other parts of the South East. This proximity to higher-

³ House of Lords Select Committee on SMEs (2013), Roads to Success: SME export performance

value employment is a benefit to local residents (and to firms in the London supply chain), and improved connectivity and changing working practices should develop them further. But supporting the growth of more knowledge intensive activities should help to provide a greater choice of employment opportunities locally.

- **Some sharp spatial inequalities.** Aggregating up to North Essex as a whole obscures quite substantial divergences between different parts of the area. For example, the average NVQ 4+ qualifications rate quoted above hides a range at district level from 44% (in Uttlesford) to 22% (in Tendring), a pattern which is repeated across multiple indicators and reflects North Essex's spatial diversity. Achieving sustainable growth means improving outcomes in all communities, looking beyond the aggregate measure.

Key assets

2.12 While the 'productivity challenge' (which in reality is a series of structural challenges faced by much of the UK) is real, North Essex can draw on a range of important assets, including:

- **Our large and growing SME base.** There are around 23,000 businesses in North Essex. The great majority of these (almost exactly mirroring the national average) are micro businesses, employing fewer than ten people, although our stock of small and medium-sized enterprises is growing as well. Survival rates are good, and while North Essex lacks some of the larger 'anchor' employers that are an important feature elsewhere (such as the large manufacturing businesses in South Essex), there are strengths in a diverse and resilient business base
- **Our higher education infrastructure.** Within North Essex, this includes the University of Essex, as well as University Centre Colchester. In the wider hinterland, Anglia Ruskin and the University of Suffolk are nearby – as are the major centres of higher education in London and Cambridge. The University of Essex has world-leading strengths in computer science, informatics and the application of data, all of which are especially relevant to the growth of North Essex's technology capabilities, and there is a growing relationship between the regional business base.
- **Recent investment in skills,** linked with North Essex's key sector growth opportunities. Examples of innovative provision include Colchester Institute's STEM Innovation Centre at Braintree and the Stansted Airport College, discussed further in Chapter 6.
- **Investment in emerging areas of business activity,** some of which remain relatively small on a North Essex-wide scale, but which are important locally and have strong prospects for growth. Examples include the development of the offshore renewables sector in Tendring, life sciences associated with Chesterford Research Park in Uttlesford (with strong links to the Cambridge/ M11 economy), the digital media industry in Colchester and the continued growth of the advanced manufacturing sector in Braintree.

- **Major infrastructure as an economic anchor**, as well as a driver of connectivity. Around 12,000 people work at Stansted Airport for example; over time, the Airport also has the potential to drive wider location decisions.
- **Proximity to London and the rest of the Greater South East.** Typically seen as a labour market opportunity (North Essex residents commuting to London), travel patterns across the South East are increasingly complex, supported by more flexible working opportunities...
- and linked with this, the **'quality of place' and quality of life that North Essex offers**, in terms of its natural and built environment, access to services and (in some parts of the area) relative affordability. Maintaining and enhancing this asset is vital in the context of growth and the services and infrastructure that will be required to support it

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3. Our vision to 2040

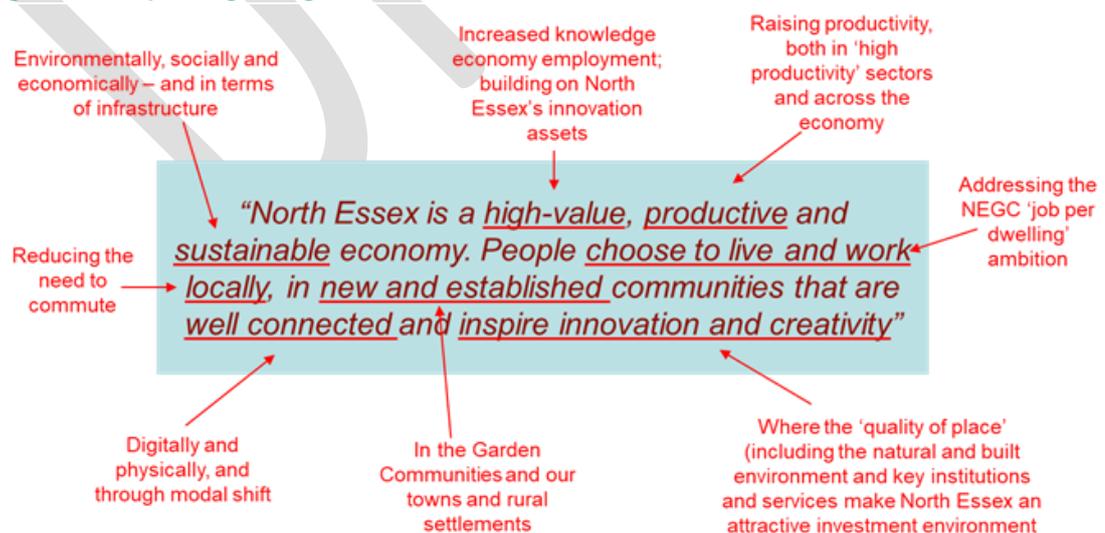
From the evidence to a vision...

- 3.1 The evidence tells us that North Essex has significant opportunities: we have a growing workforce and a growing employment base, we have increasingly important innovation assets and we are part of one of Europe's most dynamic regions. There is much to be ambitious about.
- 3.2 But we have some challenges too: like the rest of the UK, we will only achieve greater prosperity in the long run if we increase productivity – and we will only be successful if the benefits of greater prosperity are shared across North Essex.
- 3.3 Looking to the future, our vision for 2040 is that:

“North Essex is a high-value, productive and sustainable economy. People choose to live and work locally, in new and established communities that are well connected and inspire innovation and creativity”

- 3.4 This vision is realistic – but it is also challenging.
- 3.5 As the diagram opposite demonstrates, it demands action on a number of fronts, linked with increasing the resilience and ‘knowledge content’ of our employment base, developing a skilled workforce that can take advantage of and drive these opportunities, and ensuring that all communities across North Essex can enjoy the benefits of a more sustainable, more productive economy.
- 3.6 Over the coming years, achieving the vision will be the objective of the North Essex Economic Board:

Figure 3-1: Unpacking the agenda

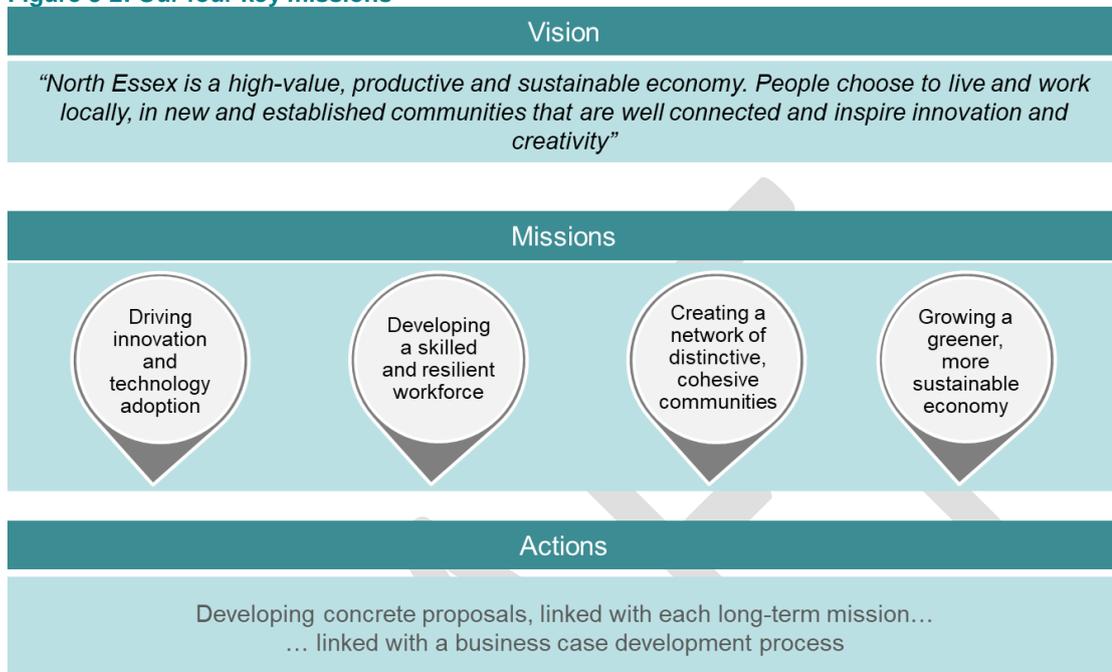


Source: SQW

Delivering the vision: Our four key missions

- 3.7 To deliver the vision, we have identified four key ‘missions’ that will be the focus of our shared activity over the next five years, with each mission providing a framework to consider - and drive forward – new ideas and solutions:

Figure 3-2: Our four key missions



Source: SQW

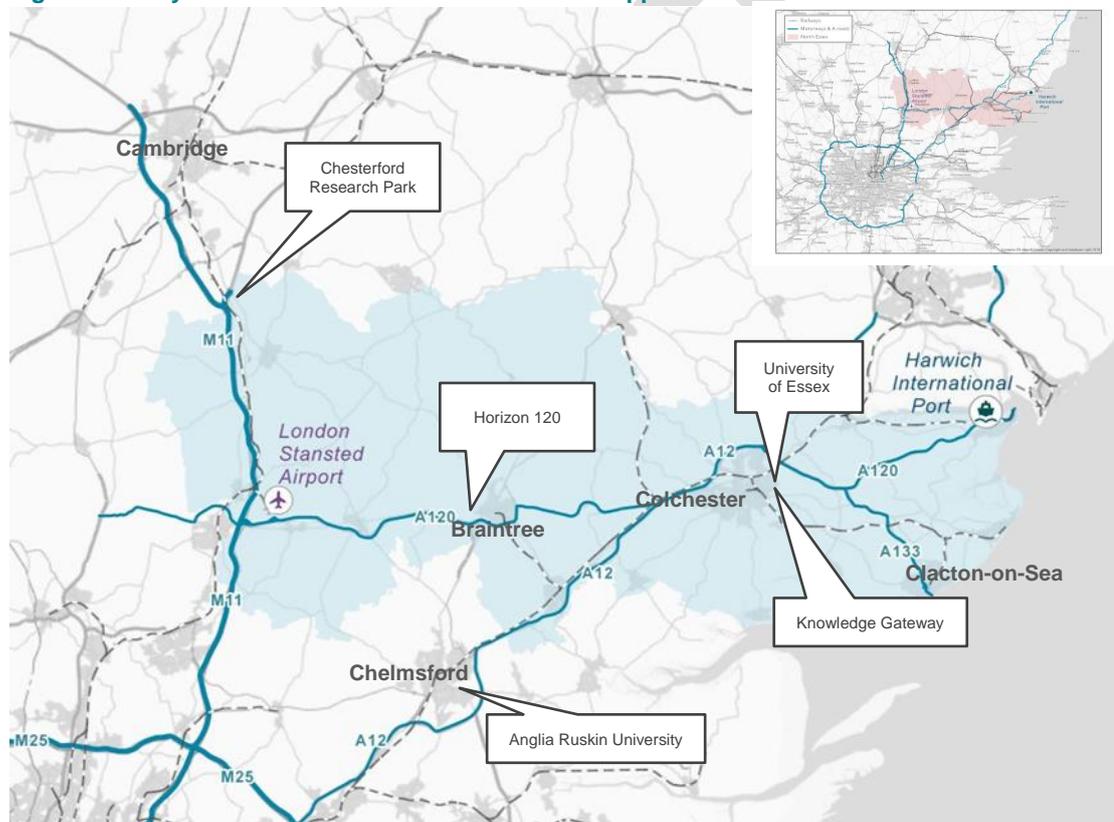
- 3.8 The following chapters explain each mission, setting out the assets and opportunities that underpin it, the challenges we need to address and the potential solutions that we will seek to progress.

4. Mission 1: Driving innovation and technology adoption

Our mission

Our vision seeks an economy that is 'high value and productive'. To support this, we will develop opportunities for innovative businesses to grow, technology clusters to emerge and for all businesses to take advantage of measures to increase technology adoption and drive forward productivity.

Figure 4-1: Key innovation and business assets and opportunities



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The situation today: Challenges, assets and opportunities

- 4.1 Digital technology is transforming the economy. The exploitation of complex data is leading to new products and services, challenging traditional sectoral definitions, and there are few industries that will not be impacted by automation and digital enabling technologies. This presents an opportunity for those firms and institutions that can develop and commercialise new solutions at the 'leading edge' of technology, and for those that can adopt new systems and adapt to change. But it is also a challenge to those that lack the capacity to evolve⁴.

⁴ See for example the report of the *Made Smarter* review, chaired by Jurgen Maier (2017)

4.2 In North Essex, we significant potential:

- **The University of Essex is a significant, and growing asset.** With world-class capabilities in advanced data science (discussed in the case study below), biological sciences and economics and finance, the University is a ‘top 20’ research institution, with global and national research connections, as well as business links in Essex. The University has invested substantially in commercialisation in recent years, including through the development of the Knowledge Gateway on its Colchester campus and the opening in 2019 of a new 38,000 sq ft Innovation Centre.
Data science at the University of Essex
The University of Essex is a leading centre of excellence in analytics and data science, including artificial intelligence and machine learning. Essex was one of the UK’s first universities to house a central research activity in artificial intelligence, and currently hosts the UK Data Service’s national SecureLab.
The University has a strong record of translating advanced computational methods to economic challenges and opportunities ranging from the use of data in policing and public services to Colchester’s award-winning Games Hub for creative start-ups.
- Alongside this, there are **public sector-driven opportunities to trial new technologies and develop new solutions:** the Anglian Test Bed Alliance for example actively seeks to work with innovators to find solutions to increase patient independence. Such initiatives are expanding as cost pressures on the health system, and the need to develop new approaches, rise. The North Essex local authorities are also investing in new digital technology to drive efficiencies and better service outcomes – potentially creating new opportunities for local businesses.
- **There are some growing concentrations of high value commercial activity.** Within North Essex itself, these include Chesterford Research Park, home to a cluster of life science businesses; as well as the growth of the ‘digital tech’ sector in Colchester. Links with neighbouring areas are also important: within the wider hinterland, there are major clusters of advanced technology-related activity (and associated support infrastructure) in London and Cambridge, and evidence of an emerging cluster of businesses linked with the semiconductor industry at Chelmsford.
Chesterford Research Park
With over 60 years’ history of scientific research activity, Chesterford Research Park is a centre for life science and technology R&D, accommodating global businesses such as AstraZeneca and Charles River, as well as start-up and expanding firms.
Chesterford Research Park continues to expand as part of a network of science parks to the south of Cambridge, demonstrating the value of connections to North Essex’s neighbouring centres.
- Supporting this, there has been recent investment in the wider **innovation infrastructure**, including the new Innovation Centre at the University of Essex and the forthcoming development of the Horizon 120 business and innovation park at Braintree.
- More broadly, **new technology is reducing barriers to entry** for innovation in (some) sectors, as the costs of small scale production fall and the ability to work ‘anywhere’ grows.

- 4.3 Looking ahead to the next 20 years, our strategy aims to grow these strengths and ensure that they benefit the wider North Essex economy. In particular, there is a growing recognition of the need to promote 'new to the firm' process innovation within the wider stock of SMEs. The Government's *Made Smarter* review highlighted the extent to which the UK's productivity deficit is influenced by a lack of capacity for technology adoption (partly linked with management skills and time, as well as uncertainty regarding risks and benefits). There should be scope to use North Essex's expert assets to drive adoption amongst the wider SME base.
- 4.4 However, **we need to do more to unlock this potential**, and there is evidence that in North Essex, the 'innovation ecosystem' is somewhat under-developed. We have an entrepreneurial economy and a growing business base, but it is dispersed sectorally and spatially. There is also a relative lack of scale, with few leading firms driving local supply chains. On conventional measures of 'innovation', North Essex performs relatively poorly: patent registrations are relatively low, and recent analysis of the take-up of Innovate UK grants showed that North Essex was some way behind the rest of the country⁵.
- 4.5 **Our growth opportunities are also limited by capacity constraints**, both in terms of transport connectivity (discussed in Mission 3) and access to land. recent research has highlighted the challenge that a general lack of 'grow-on' space presents to businesses once they have reached a stage at which they need to expand. Changing market demand (especially occupier desire for greater flexibility), combined with high build costs and land values, has led to a situation in which *"grow-on space does not deliver sufficient returns for developers to be interested in providing this type of space"*, highlighting a need for public sector intervention⁶.

Solutions and actions

- 4.6 Overcoming these barriers will be key to raising long-term productivity in the context of our rapid population growth. Over the next five years, **we will build a closer relationship between innovative businesses, their supply chain and the knowledge base**, as part of an effort to drive up over time the share of higher-value, knowledge-intensive employment. In particular, we will:
- **Maximise the economic potential of our leading-edge research base**, working with the University of Essex and with partners within and beyond North Essex to build our areas of comparative advantage
 - Building on this, **increase interaction between the universities and our SME base**, encouraging and supporting the process of knowledge transfer and supporting the **increased adoption of new technologies and processes** among our SMEs
 - **Strengthen supply chain links between major businesses and SMEs**. As part of this, we will seek to identify clusters of higher-value activity (for example, linked with the expansion of advanced data science). This will include efforts to develop links

⁵ SQW/ Haven Gateway Partnership (2017), *Growth Sectors and Innovation in the Haven Gateway*; SQW/ SELEP (2018), *Economic Strategy Statement: Evidence Base*

⁶ SQW/ BBP/ Essex County Council (2016), *Grow-on Space Feasibility Study*

beyond North Essex (for example with the growing quantum science cluster around Chelmsford) as well as within the area.

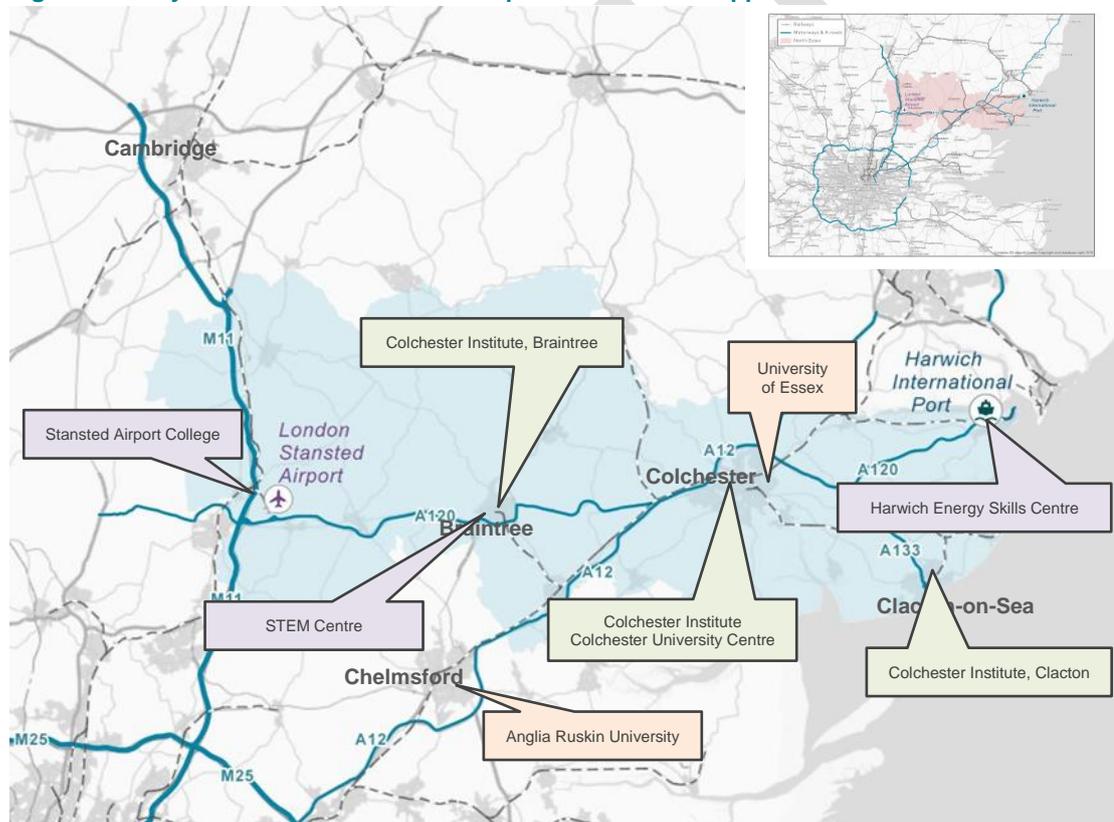
- **Build business-to-business relationships**, increasing interaction between SMEs and larger businesses across North Essex. As part of this, we will explore opportunities for a business-led 'peer-to-peer' support offer to best meet sector or specialist needs
- **Work across the public sector to identify the economic opportunities associated with service transformation**, enabling local universities, colleges and businesses to help design solutions
- **Ensure that high-value businesses with the ability to expand have the physical capacity to do so**. As part of this, we will investigate the potential for acquiring sites and premises where this could support economic growth and deliver a commercial return.
- **Drive new inward investment alongside indigenous growth**, where it will deliver quality, sustainable employment, encourage innovation, and support supply chain opportunities

5. Mission 2: Developing a skilled and resilient workforce

Our mission

From an economy-wide perspective, a skilled workforce is essential to productivity growth. From an individual perspective, the ability to adapt and develop new skills is essential in driving opportunity, better pay and progression in work. Looking ahead to 2040, we aim to develop a workforce – of all ages and in all communities – able to contribute fully to North Essex’s growth opportunities.

Figure 5-1: Key skills and workforce development assets and opportunities



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The situation today: Challenges, assets and opportunities

5.1 North Essex has a buoyant economy in employment terms. Unemployment is at historically low levels, and job creation has broadly kept pace with population growth. However, this masks relatively weak workforce skills, which are a potential drag on economic competitiveness:

- Despite improvements in recent years, **the North Essex workforce skills profile has not kept pace with that of the rest of the country**. Just 33% of the local workforce is qualified to NVQ4+, consistent with the average for the South East LEP, but below

the 38% qualified to this level nationally. This is a significant shortfall, which has been persistent over time

- **There is a net outflow of talent to London and other centres**, which impacts on local recruitment, especially in a tight labour market (although there is some evidence that quality of life considerations help to 'bring talent back' when the job opportunities are there)
- **Routes to progression are under pressure**. Participation in further education has fallen in recent years, apprenticeship starts have failed to rise, and the take-up of retraining is relatively low, reflecting the challenges faced by SMEs (nationally as well as in North Essex) in taking advantage of retraining opportunities, as well as wider resource pressures within the sector.

5.2 However, the case for investment in improved workforce skills is strong. New workforce skills (including management skills and 'skills for innovation') are essential for businesses to realise the opportunities presented by new technology, and there has been recent investment in new industry-focused training facilities:

New approaches to vocationally-focused further education in North Essex

Across North Essex, work is underway to build a stronger dialogue between employers and skills providers. This has led to initiatives designed to support the supply of future skills to growing industries. Three innovative approaches are worth highlighting:

Stansted Airport College is the first purpose-built on-site college at a major UK airport. Part of Harlow College, the new institution has been designed to support entry into roles such as aircraft engineering, logistics and supply chain management, hospitality and customer services – as well as addressing regional gaps in STEM skills. Following capital investment of around £11 million from Essex County Council and the South East LEP, the Airport College opened its doors to a first cohort of students in September 2018.

Looking to rising demand for construction-related skills (linked with North Essex's ambitious growth agenda), as well as a substantial manufacturing base, the **STEM Innovation Centre** at Colchester Institute's Braintree campus offers industry-standard facilities for computing, engineering and construction subjects, opening to its first students in September 2017.

Linked with the growth of the offshore energy sector, the **Energy Skills Centre** at Harwich is also managed by Colchester Institute, offering inshore and offshore engineering qualifications

Solutions and actions

5.3 Strengthening our skills profile is recognised as a high priority across Essex and across the South East LEP. Many of the measures taken forward at these larger spatial scales will be relevant to North Essex: working together with existing institutions and partnerships, we will seek to:

- **Increase the supply of industry-relevant qualifications**, building on the success of innovative projects such as those described above and encouraging greater specialist provision where it will meet local economic need. This will include making the case

for additional capital investment in the skills infrastructure, especially in the context of our housing and population growth.

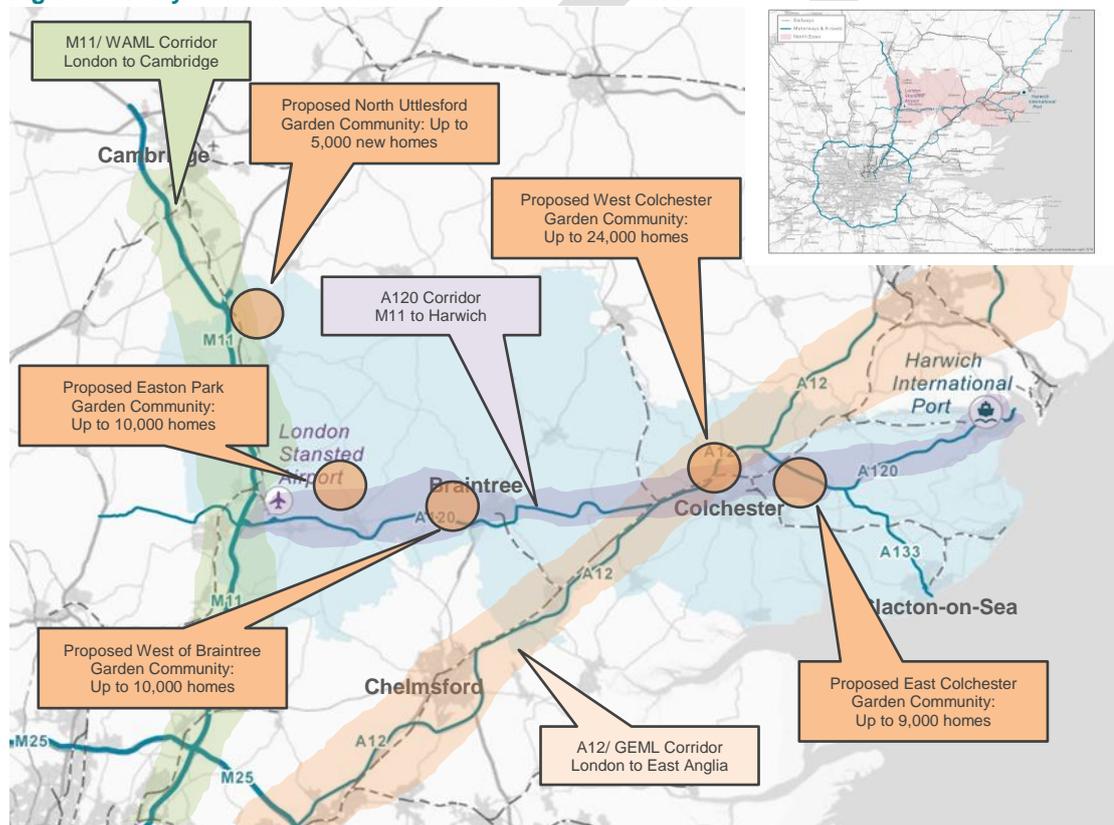
- **Develop new solutions to employer participation in the skills system**, ensuring that qualifications are relevant to industry needs and are accompanied by the skills for creativity and management that an innovative economy needs. Encouraging greater employer engagement is a priority at national as well as local level (with measures such as the introduction of the Apprenticeship Levy designed to incentivise employer involvement). However, it is often hard for employers (especially small businesses) to effectively participate. Together with partners, we aim to:
 - Encourage employers to engage with the new T-Levels, as they are introduced from 2020, and increase the take-up of Apprenticeships
 - Press for selective devolution to the most appropriate level when it can enable greater employer leadership and help to simplify the landscape. This could include seeking to capture the value of unspent Apprenticeship Levies locally, so that they can be proactively made available to SMEs within the area.
- **Raise awareness of the career and employment opportunities that are available in North Essex and its hinterland**, and which could become available in the future. This is a task for the 'whole economy': employers, schools (at all levels), colleges and intermediaries and the wider public, ensuring that young people are able to make informed choices.
- **Support those who are already in the labour market to access new skills** and adapt to changing technologies and working practices. Most of those working in 2040 – the long-term horizon of our vision – are already in the labour market today, and most of us can expect longer working lives, a more diverse range of working patterns and more frequent career changes. This can bring great benefits, as well as challenges – and it is important that our workforce is able to adapt. As part of this, we will support the delivery and take-up of the National Retraining Scheme, we will seek to enhance it where possible and we will ensure that our adult and community skills offer is geared to future economic opportunity, working with partners at the most appropriate spatial scale.

6. Mission 3: Creating a network of distinctive and cohesive places

Our mission

North Essex is a diverse place, with strong local identities and a strong 'quality of life' offer. We want to preserve and enhance this, celebrating our unique local characteristics while ensuring that all our towns and communities contribute to and benefit from economic growth within a complementary 'network' of distinctive and creative places. This will mean investing to reduce local disparities and strengthening our internal connections and our links with our neighbours, so that people and businesses can access new opportunities.

Figure 6-1: Key economic corridors and Garden Communities



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The situation today: Challenges, assets and opportunities

- 6.1 North Essex has a 'polycentric' network of towns and communities, with distinctive assets and opportunities. These include smaller market towns and an extensive rural hinterland with a high quality natural environment; the larger university town and regional centre of Colchester; and the 'Sunshine Coast'. Much of the area looks 'outwards', to neighbouring centres elsewhere in Essex, London, East Anglia and the M11 Corridor. There are real benefits to this diversity and local distinctiveness: 'quality of place' and local identity are increasingly

important as factors in business and residential location decisions (especially given the increasing ability to work remotely and North Essex's relative proximity to other major centres), and we have an opportunity to develop local clusters of economic activity that respond to local strengths.

6.2 Our diversity is a strength, and we want to preserve local identity and choice within the context of a coherent, sub-regional network of places. Looking to the future, we face three challenges:

- First, **unique identities should not mean unequal opportunities**. At present, **disparities across North Essex are sharp**, as the analysis at the start of this strategy bears out. These disparities are visible *between* districts, with a wide variance in (for example) average qualifications and productivity between Uttlesford at one extreme and Tendring at the other. Resolving these differences is challenging: in the case of some of the coastal towns in Tendring, relative peripherality, self-contained local markets and weak connectivity can be hard to overcome. However, significant local disparities also exist *within* districts and communities, and there is a risk that these will become more entrenched.
- Second, **distinctive places require investment**, both in the physical infrastructure that makes them distinctive (the quality of the built environment and public realm) and the local cultural assets and community services that support creativity and quality of life. Demand for community infrastructure and services will evolve over time with demographic change – maintaining and adapting investment to meet the needs of our changing population will be crucial.
- Third, **our ability to develop a sustainable 'polycentric' network is limited by connectivity constraints:**
 - Our **road and rail network is under pressure**, both 'within' North Essex (for example the A120 east of Braintree) and on key 'outward-facing' economic corridors (such as the A12/ Great Eastern Main Line and M11/ West Anglia Main Line routes). Currently, our business base is relatively dispersed and disparate: transport solutions should be important in creating greater critical mass.
 - Growth demands **more sustainable transport solutions**, achieving a modal shift to greater public transport use, reducing congestion and pollution. This is challenging in an area with a dispersed population base, and we will need to find solutions to delivering viable local transport systems
 - As demand for greater **digital connectivity** increases through the development of new products and services, it is important that our infrastructure keeps pace, especially in the context of population growth and the need to develop our knowledge economy

6.3 Creating a better connected 'network' of towns and communities should help to **demonstrate the compelling shared 'offer'** across North Essex to new residents and investors – complemented by clarity regarding the complementary offer of each place in the North Essex 'network', avoiding local competition where possible.

Solutions and actions

6.4 In support of our long-term plans for a network of sustainable, locally distinctive and well-connected communities, we will:

- **Actively promote measures to ensure that all parts of North Essex have access to economic opportunities.** This will include:
 - Exploring how we can **better embed 'anchor institutions'** within communities, especially within our coastal towns. As part of this, we will explore the options for additional public sector employment through relocation, where this could offer wider economic benefits and help to stimulate additional private sector employment
 - Linked with our ambitions in Mission 2, **support opportunities for re-training for people in the current workforce**, to support their resilience to technology and organisational change, and work with employers and schools to **raise aspiration** and access to learning and higher-value employment
- **Invest in distinctive, adaptable and creative places**, ensuring that our communities have the environmental quality and cultural and community offer to encourage people to develop new ideas and opportunities. This will include:
 - **Placing our town centres on the 'front foot' in responding to rapidly changing retail patterns.** This could involve the re-purposing of town centre retail units for more diverse range of commercial and non-commercial uses, where this would lead to a positive economic impact and create more opportunities for people to meet and share ideas, as well as investment in wider infrastructure
 - **Ensuring that our Garden Communities contribute to our 'network of distinctive places' in the long term**, through quality and creative design, sustainable connectivity and strong complementary relationships with existing settlements.
 - **Responding to demographic change and evolving demand**, designing new and existing communities that build in opportunities for healthier lifestyles and travel patterns, and respond to changing lifetime needs.
- **Drive forward a long-term, coordinated sustainable transport strategy**, by:
 - **Working with Transport East to prioritise strategic transport investments**, where they contribute to regional aims and help to deliver North Essex's long-term growth potential:

North Essex within the emerging transport strategy for the East of England

Tasked with preparing a collective vision for transport and infrastructure across Greater Essex, Norfolk and Suffolk, Transport East has identified three priorities that will inform the development of its forthcoming Strategic Transport Plan:

Global Gateways, including better connected ports and airports to support access to international markets and support foreign direct investment. North Essex contains the East's only major international airport: improving access by road and rail to support Stansted's passenger growth will be nationally and regionally important, as will better freight and passenger access to the port at Harwich

Multi-centred Connectivity, improving links between "our fastest growing places and business clusters". Our main corridors along the A12, M11 and A120 will make a vital contribution to this priority in the context of growth.

Energised Coastal Communities, supporting a "reinvented, sustainable coast for the 21st century", delivering our ambitions for energy generation and the visitor economy – as well as improved access from relatively peripheral coastal locations to employment opportunities elsewhere in North Essex and beyond.

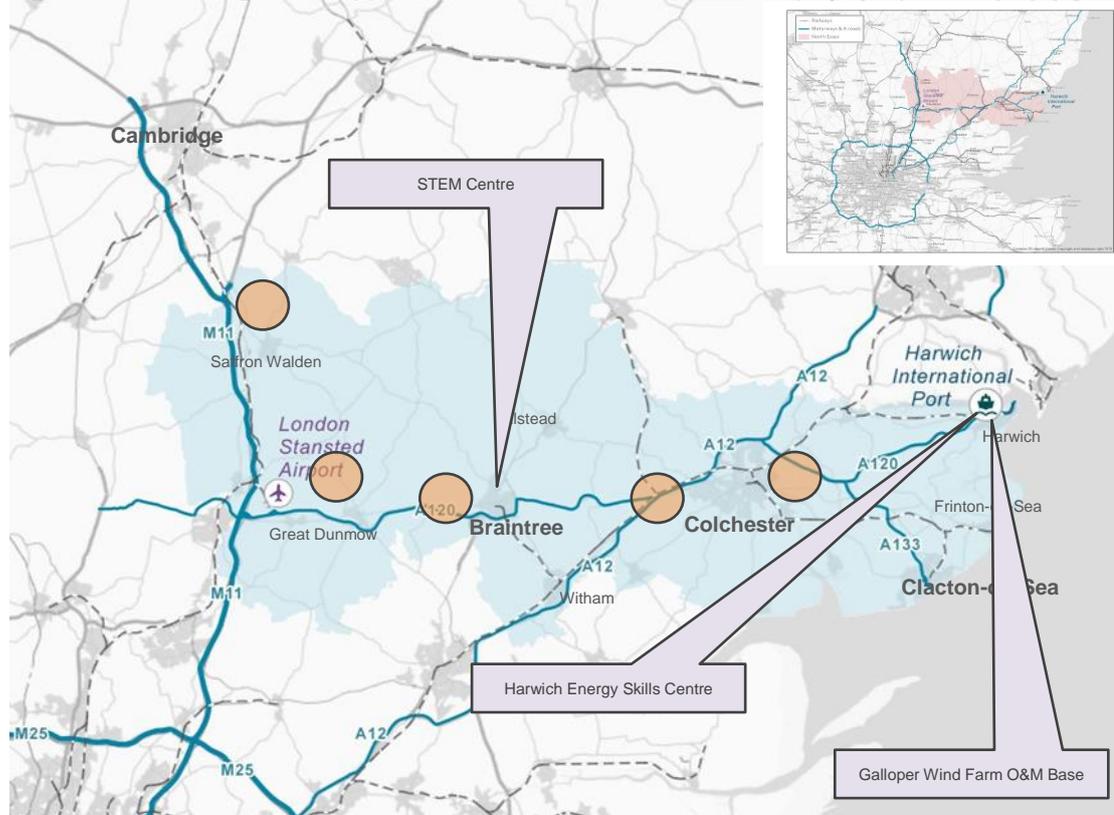
- **Developing options for improved sustainable transport connectivity** (for example new rapid transit systems to link places that are not currently served by rail infrastructure)
- **Actively driving and supporting the deployment of high-speed digital connectivity**, by working closely with the fixed and mobile telecommunications network operators to remove barriers to the commercial rollout of full-fibre and 5G infrastructure. Where possible, we will encourage the use of available subsidies to extend the rollout of fibre broadband into commercially less attractive rural and harder to reach areas.
- **Develop the complementary offer across North Essex**, identifying local strengths and assets, and supporting efforts to attract inward investment and new residents. We will work closely with branding and promotional efforts developed across the county to ensure an integrated and coordinated approach for North Essex and for Essex as a whole.

7. Mission 4: Growing a greener, more sustainable economy

Our mission

Over the long term, we want to ensure that North Essex is a leading example of sustainable development – within existing communities, through our ambitious proposals for new Garden Communities and through lower carbon, innovative businesses.

Figure 7-1: Greener growth: Opportunities and assets



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The situation today: Challenges, assets and opportunities

7.1 Within Mission 1, this Strategy aims to increase North Essex's exploitation of new technology, driving long-term growth through innovation. Over the next 20 years, much of the drive for technology change will come from the need to decarbonise our production, construction and transport systems. While this applies everywhere (and is reflected in the Government's 'Grand Challenges', North Essex has specific opportunities:

- Our plans for the proposed **North Essex Garden Communities** at East Colchester, West Colchester and West of Braintree, as well as at the additional proposed Garden Communities at North Uttlesford and Easton Park include a high level of environmental sustainability and plans for the creation of at least one locally-

accessible job per dwelling, linked (through our proposed shared planning framework) with the sustainable development of North Essex as a whole.

- This planned housing growth – including growth in existing communities – presents an opportunity to advance **new approaches to sustainable design and construction**. As well as the inherent benefits to the environment and to future residents, this should help to drive demand for businesses and individuals skilled in modern methods of construction and low carbon technologies. Rising demand will present skills challenges – which we are already working to address through (for example) Colchester Institute’s STEM Centre at Braintree.
- **We have a leading role in renewable energy**. The North Sea coast is key to the UK’s offshore wind industry, and the renewables sector has long been a priority. In 2018, Harwich International Port was announced as the location for the Operations and Maintenance base for Galloper Wind Farm, a 56-turbine facility. As well as diversifying industry and employment at the Port, this investment could help to consolidate an engineering skills base linked with a growing industry.

Garden Communities will “enhance the natural environment, providing a comprehensive green infrastructure network and net biodiversity gains, using zero-carbon and energy-positive technology to ensure climate resilience”

TCPA Garden City Principles

Solutions and actions

7.2 Decarbonisation will be central to the UK’s future competitiveness. We will ensure that North Essex businesses are well-positioned to access the new opportunities that emerge from this national priority. Over the next five years, we will:

- **Support the development of new industries associated with the transition to a more energy-efficient, lower carbon economy**. North Essex has significant strengths: we will seek to maintain investment into the coastal energy industry, support increased energy sustainability within new developments and support our businesses and universities in taking advantage of Innovate UK and other funding linked with low carbon technology.
- **Incentivise the development and use of sustainable materials** within the construction and development process.
- **Create opportunities through public procurement for lower-carbon solutions**, where the new technology can result in reduced energy and transport costs and deliver public service improvements.
- **Continue to progress our ambitious proposals for new Garden Communities**, ensuring that long-term sustainable development is planned from the start.
- Linked with our ambitions in Mission 3, **invest in sustainable transport systems to connect our polycentric network of (new and existing) communities**.

8. Taking North Essex forward

From the Missions to actions

- 8.1 Within this Strategy, we have set out a series of action areas that we will develop further, in support of each Mission. At present, these are at high level, and in most cases they will require further scoping and analysis before they can be brought forward.
- 8.2 It is important that the North Essex Economic Board is able to drive progress. Even though the Board will not always be the vehicle for the delivery or funding of individual projects, we will want to work with other partners in Government and the private sector to help our plans align.
- 8.3 Alongside this Strategy, we will therefore develop a rolling 'action plan' owned by the North Essex Board, through which business cases for interventions can be identified, scoped and further developed. This will enable the Board to consider options in relation to each proposed action, identify lead partners and consider potential risks, with a view to working collectively on shared objectives. The action plan will be subject to annual review and will be monitored and updated over the initial five years of this Strategy.

Towards the Local Industrial Strategy

- 8.4 As indicated at the start, this document will also form a 'building block' for the forthcoming Essex Prosperity Prospectus and the Local Industrial Strategy that the South East LEP will have to prepare in early 2020 as a strategy 'co-designed' with Government. It is unclear at this stage how the LIS will relate to future funding opportunities, although it is anticipated that it will influence the new Shared Prosperity Fund, when it is launched.

Committee:	Cabinet	Date:	Tuesday, 26 November 2019
Title:	Corporate Plan Delivery Plan 2019/20 Quarter 2 Progress Update		
Portfolio Holder:	Leader of the Council, Lead for Planning and the Local Plan		
Report Author:	Dawn French, Chief Executive dfrench@uttlesford.gov.uk Tel: 01799 510400	Key decision:	N

Summary

1. The Corporate Plan refresh 2019-2023 was agreed by Council at its meeting on 21 February 2019 and the delivery plan was agreed by Cabinet at its meeting on 28 February 2019. This report sets out progress against the Corporate Plan Delivery Plan between July and September (Q2); although it provides more recent update where progress since the end of September has been significant.

Recommendations

2. To note progress against the Corporate Plan Delivery Plan, attached at Appendix A.

Financial Implications

3. All financial implications arising from the delivery plan were reflected in the budget for 2019/20, as approved by Full Council on 21 February 2019.

Background Papers

4. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

None

Impact

- 5.

Communication/Consultation	Consultation specific to projects within the delivery plan is undertaken as necessary.
Community Safety	Progress on Community safety projects is included within the report.
Equalities	Equality impact assessments are

	undertaken in relation to specific projects, as necessary.
Health and Safety	Any health and safety implications resulting from actions or projects in the delivery plan are the subject of appropriate risk assessments, where necessary.
Human Rights/Legal Implications	Any human rights or legal implications arising from individual projects within the delivery plan are assessed and addressed.
Sustainability	Any sustainability implications arising from individual projects within the delivery plan are assessed and addressed.
Ward-specific impacts	Any ward specific issues arising from individual projects within the delivery plan are identified.
Workforce/Workplace	Any workforce implications arising from individual projects within the delivery plan are assessed and addressed.

Situation

6. The Corporate Plan 2019-2023 refresh was adopted by Full Council at its meeting on 21 February 2019. The Corporate Plan priorities remain:
 - Promote thriving, safe and healthy communities
 - Protect and enhance heritage and character
 - Support sustainable business growth
 - Maintain a financially sound and effective Council
7. Three additional bullet points were added to underpin the Plan's priorities as important considerations for how the Council delivers its services:
 - to manage and minimise the environmental impact of our activities
 - to maximise the use of digital and SMART technology to enhance well-being
 - to demonstrate our commitment to diversity and inclusion
8. The Corporate Plan Delivery Plan (CPDP), adopted by Cabinet at its meeting on 28 February 2019, sets out the more significant actions/projects (outputs), expected outcomes and performance measures by which success will be measured.
9. Appendix A sets out progress against each element of the CPDP at the end of Quarter Two 2019/20, which covers the period July to September but where significant progress has been made after this period, this has been included in the narrative to give the most up to date picture.

10. It was recognised when the CPDP was approved this year that the plan had been updated, but not significantly reworked, to provide continuity into the new municipal year.
11. Good progress has been made on a number of priorities, however, the following are drawn to members' attention as being of note:
- a. 'Developing a Dementia Friendly Community' pilot project took place in Dunmow to raise awareness of dementia amongst local businesses and to identify how they could improve the service they provide to people living with dementia and their carers. A key element of the pilot was to invite the businesses to agree to have at least one member of staff trained as a 'Dementia Friend'. Ten local businesses have joined the scheme.
 - b. The Community Safety Hub continues to strengthen with positive outcomes including the update of the Anti-Social Behaviour policy and procedures being updated to reflect the changes in legislation and to encourage easier reporting of incidents via the website. There has also been the launch of the Hate Incident Reporting Centre (HIRC) with an on-line reporting form created and accessible on the website
 - c. Second tranche of managers are undertaking the Institute of Leadership and Management Level 5 qualification from October. This follows on from a successful course last year, helping increase managerial expertise in the authority
 - d. The Apprenticeship Levy is being used to upskill members of staff in Planning and Building Control, with three officers undertaking degrees through the scheme
 - e. The Council Tax, Business Rates and Benefits modules of Citizens Access were successfully released to the public at the end of September following extensive testing and review. The launch has been successful with no major problems encountered. The modules give much greater online functionality for residents allowing them to notify the council of changes in circumstances, apply for discounts, view balances on line and make benefit applications. Following the successful launch, greater publicity will be issued to encourage residents to register and use the modules

Risk Analysis

12.

Risk	Likelihood	Impact	Mitigating actions
The Delivery Plan cannot be delivered	2	4	Resources have been allocated to the Delivery Plan and it will be monitored

			regularly by Cabinet
The Delivery Plan actions do not further the Council's priorities as intended	1	4	Actions have been selected that are considered most appropriate to support the Council's priorities; evaluation will be ongoing to reflect on whether the outputs achieve the outcomes expected

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

Appendix A: Q2 Corporate Plan Delivery Plan Actions Report 2019-20

Corporate Plan Delivery Plan 2019/20 - Cabinet

Quarter 2 Update



Commitment 1: Promote thriving, safe and healthy communities

Programme / Project / Activity Title Code & Description	Outcome	Resources	Due Date	Officer Responsible
<p>19-CPDP-01 Day Centres</p> <p>Day centres that are efficient and effective and that promote activities to reduce social isolation and improve health and wellbeing</p>	<p><u>Activities for 2019/20</u></p> <ul style="list-style-type: none"> • New operating agreements in place for Great Dunmow and Stansted Day Centres. • Transfer staff to direct employment of the Council where appropriate. • Assist management committees' decision to new ways of working. • Work with management committees to develop the centres as places for activities to improve health and wellbeing. <p><u>Output Measures and Milestones</u></p> <ul style="list-style-type: none"> • Operating agreements in place - first agreement in place by end of September 2019. If require staff transferred - staggered throughout year. First staff to transfer in September 2019. • New ways of working implemented - staggered throughout the year. First of the two remaining day centres operating on new ways of working from Oct 2019. 	<ul style="list-style-type: none"> • Within existing budget • Transferred staff posts 	<p>31-Mar-2020</p>	<p>Richard Auty</p>
			<p><u>Quarter 2 2019/20 Update (06/11/2019)</u></p> <p>A new post to oversee operational matters at the day centres has been created following the resignation of coordinators at Saffron Walden and Thaxted. This gives an opportunity to bring greater synergy between working practices and improve efficiency.</p> <p>Senior officers have met with the Cabinet Member for Council Services to discuss current issues with, and future direction of, the day centre service.</p> <p>The council continues to develop the use of centres as health & wellbeing hubs, with officers working alongside the Health & Wellbeing team. The Yoga4Health sessions run at the Garden Room in Saffron Walden have flourished, and further funding has been secured from Active Essex to continue the program.</p>	

Programme / Project / Activity Title Code & Description	Outcome	Resources	Due Date	Officer Responsible
19-CPDP-02 Local Plan	<u>Activities for 2019/20</u>	<ul style="list-style-type: none"> • Approved budget for a range of resources. 	31-Mar-2020	Gordon Glenday
<p>A sound Local Plan that guides development to 2033, to address needs and opportunities whilst protecting and enhancing heritage and character.</p>	<ul style="list-style-type: none"> • Continue to participate in its examination in the public realm. • Respond appropriately to the Inspector's letter – either by preparing for the Stage 2 hearings or undertaking further work. • Commence preparation of development plan documents setting out the master plans for the proposed garden communities. <p><u>Output Measures/Milestones</u></p> <ul style="list-style-type: none"> • Examination commenced. • First hearings planned for July 2019 & Stage 1 hearings have now taken place. • Receipt of Inspector's letter (expected November), and either commencement of Stage 2 hearings or undertaking of further work. 		<p><u>Quarter 2 2019/20 Update (01/11/2019)</u></p> <p>Stage 1 hearings have now taken place. The Inspector's note now expected in November, and not September as previously advised.</p>	

Programme / Project / Activity Title Code & Description	Outcome	Resources	Due Date	Officer Responsible
<p>19-CPDP-03 Promote Healthy Lifestyles</p> <p>Residents are active and optimise their health and wellbeing.</p>	<p><u>Activities for 2019/20</u></p> <ul style="list-style-type: none"> • Working with partners to increase the levels of participation in sports, leisure and cultural activities. • Raise awareness of local health & wellbeing activities for all residents. • Increase resident's awareness and skills to improve their health and wellbeing. • Maintain independent living through Disabled Facilities Grants. <p><u>Output Measures/Milestones</u></p> <ul style="list-style-type: none"> • Success will be measured by key performance indicators and the delivery of targets for each of the priorities as set out within the Health & Wellbeing delivery plan. 	<ul style="list-style-type: none"> • Within existing budget and Public Health grant. 	<p>31-Mar-2020</p> <p><u>Quarter 2 2019/20 Update (17/10/2019)</u></p> <p>A pilot project took place in Dunmow: 'Developing a Dementia Friendly Community'. This commenced in May 2019, and ran for 3 months. The aims of the pilot scheme were to raise awareness of dementia amongst local businesses and to identify how they could improve the service they provide to people living with dementia and their carers. A key element of the pilot was to invite businesses to formally join the scheme. In doing so, they would agree to have at least one member of staff trained as a 'Dementia Friend', and commit to develop a short term action plan to make businesses more dementia friendly. 39 businesses were contacted; and 17 businesses were visited in person. 10 local businesses and the local library have joined the scheme. This compared with three that joined following a letter drop to 22 businesses. Dementia Friends sessions were held in August and in September in a coffee shop and a tea room, with positive feedback.</p> <p>Through the Active Uttlesford Network, the following projects have taken place:</p> <ul style="list-style-type: none"> ➤ Mental Health Awareness Training has been organised for club and sports organisations across the district. ➤ Guided walks for individuals who are partially sighted or blind have been funded to run across the district. ➤ Seated yoga classes have been funded, which take place every Monday in the Saffron Walden Day Centre. ➤ A social media workshop was organised to make clubs and organisations more knowledgeable about the different social media platforms which can be used. ➤ Monthly community evening walks across the district have been funded. The country walks are followed by a drink or meal in a local restaurant. 	<p>Roz Millership</p>

Programme / Project / Activity Title Code & Description	Outcome	Resources	Due Date	Officer Responsible
19-CPDP-04 Improve Community Safety	<u>Activities for 2019/20</u>	<ul style="list-style-type: none"> • Within existing budget (including funding for two PCSOs). • Match funding in approved budget for further two PCSOs. • Partner agencies. 	31-Mar-2020	Roz Millership
Communities that feel safe and secure.	<ul style="list-style-type: none"> • Further develop the activities of the Community Hub. • Deliver identified strategies of the new Strategic Assessment. • Work with partner agencies within the Community Safety Partnership to reduce and prevent crime and anti-social behaviour. • Ensure partnership working with town councils, parish councils and the PCSOs to address the fear of crime. • Make greater use of Restorative Justice (RJ) to help put right the harm caused by anti-social behaviour, enhancing public reassurance and confidence. <u>Output Measures/Milestones</u> <ul style="list-style-type: none"> • Success will be measured through annual surveys of residents, key performance indicators and the delivery of targets for each of the priorities as set out within the new Strategic Assessment. • Quarterly feedback from Towns and Parishes. • Monthly updates from PCSOs. • Quarterly update from RJ as to number of referrals and outcomes. 		<u>Quarter 2 2019/20 (07/11/2019)</u> The Community Safety Hub continues to strengthen with positive outcomes. Agencies are using the hub regularly as a base whilst in the District which enhances partnership working. Hub meetings are well attended, and utilise a multi-agency approach when considering low level crime and ASB issues. The hub is now generating additional professional meetings focusing on individuals and hotspots where a more targeted approach can be taken; the use of ABC's and CPW's (Community Protection Warnings) has increased. Projects identified through the CSP delivery plan are being delivered throughout the District with a focus on the Hidden Harm agenda e.g. Stop it Stop it, which is a campaign to raise CSE awareness for businesses and to encourage reporting concerns. Healthy Relationships, Hate Crime and Domestic Abuse theatre workshop have been performed in Senior Schools throughout the district through CSP funding. ASB policy and procedures have been updated to reflect changes in legislation and to encourage easier reporting of incidents via the website. Launch of the HIRC (Hate Incident Reporting Centre) has taken place and an on-line reporting form has been created and accessible on the website. The Restorative Justice hub, which is made up of agencies across Essex who work to support victims of crime, reduce offending and support communities, received 13 referrals from the district to the end of September 2019 with 2 positive outcomes (15%) recorded.	

Programme / Project / Activity Title Code & Description	Outcome	Resources	Due Date	Officer Responsible
<p>19-CPDP-05 Continued support for the voluntary sector</p> <p>Communities that are strong, self-sufficient, resilient and supportive.</p>	<p><u>Activities for 2019/20</u> Continued work with voluntary sector, particularly the CVSU, to support vulnerable individuals and communities through a range of projects.</p> <p><u>Output Measures/Milestones</u> These will be defined within each project.</p>	<ul style="list-style-type: none"> • Within existing budget, including grants budget. 	<p>31-Mar-2020</p> <p><u>Quarter 2 2019/20 Update (21/10/2019)</u></p> <p>Continued strengthening of partnership working with the voluntary sector. Current work led by our CVSU partner:</p> <ul style="list-style-type: none"> ➤ Digital buddies service continues to be promoted and looking at further work with the CCG linking in with the health benefits of using digital devices. ➤ Community builder has now been replaced in the South of the District to complement the Unitedinkind Coach in the North. ➤ Further discussions have been occurred with the Environmental Health Department regarding the winter warmth handyman service. 	<p>Roz Millership</p>

Programme / Project / Activity Title Code & Description	Outcome	Resources	Due Date	Officer Responsible
<p>19-CPDP-06 Prevent homelessness</p> <p>Increase in the prevention and the relief of homelessness within the district.</p>	<p><u>Activities for 2019/20</u></p> <ul style="list-style-type: none"> Prevent Homelessness through early intervention methods. <p><u>Output Measures/Milestones</u></p> <ul style="list-style-type: none"> Success will be measured by key performance indicators and the delivery of targets for each of the priorities set out within the Homelessness Strategy. Performance monitoring of quarterly statistical reports including the number of homelessness cases; average time spent by homeseekers in temporary accommodation. 	<ul style="list-style-type: none"> Within existing resources. 	<p>31-Mar-2020</p> <p><u>Quarter 2 2019/20 Update (07/11/2019)</u></p> <p>The Council's Housing Service has embedded a new model of service delivery to comply with the new Homelessness Reduction Act 2017. Customers now receive assessments that actively seek to understand more than just their housing situation. This is time intensive work supporting vulnerable customers with complex issues who are homeless or at risk of homelessness.</p> <p>Through the Homelessness Partnership there is an increased level of multi-agency response to support needs. The new approach has had some success as can be seen by the improving performance indicators. For Quarter 2 2019/20 there were 71 cases where homelessness was prevented or relieved in accordance with the Homelessness Reduction Act. This result significantly exceeded the target of 50 cases.</p> <p>Consultation is taking place on a new Homelessness and Rough Sleeping Strategy. This strategy looks at the national and local context for homelessness and rough sleeping, the work the council has been doing since the last homelessness strategy and sets out the council's strategic priorities for tackling homelessness and rough sleeping over the next 5 years.</p>	<p>Roz Millership</p>

Programme / Project / Activity Title Code & Description	Outcome	Resources	Due Date	Officer Responsible
<p>19-CPDP-07 Deliver Affordable Housing</p> <p>Good quality affordable homes for local people.</p>	<p><u>Activities for 2019/20</u></p> <ul style="list-style-type: none"> • Contribute to the provision of affordable housing supply by delivering/acquiring further new Council homes. • Work with developers and Registered Social Landlords to ensure delivery of required numbers of affordable housing on development sites. • Continue to deliver the Housing Strategy particularly focused on ensuring the right tenures and quality of homes for vulnerable groups in the district. <p><u>Output Measures/Milestones</u></p> <ul style="list-style-type: none"> • Deliver new council homes or acquisitions through the Housing Revenue Account development programme. • Deliver required affordable housing targets in line with planned timescales. 	<ul style="list-style-type: none"> • Within existing resources using RTB receipts. • Additional HRA borrowing potential. 	<p>31-Mar-2020</p> <p><u>Quarter 2 2019/20 Update (17/10/2019)</u></p> <p>Construction of 3 sites continues to progress – Hatherley Court Phase II (15 homes) expected completion in Feb/March 2020, Newton Green Dunmow (4 homes) expected completion date early December and Frambury Lane, Newport (4 homes) expected completion date end of Nov. Work on site has commenced on 16 new properties at The Moors in Little Dunmow; a grant of £460K awarded by Homes England towards this project will enable 8 of the 16 properties to be delivered at social rents. Expected completion is Feb 2021.</p> <p>Planning permission has been granted on a site in Thaxted Road, Saffron Walden that the HRA is appropriating from the General Fund; work towards procuring a contractor for this site is now underway. The council has purchased a development site in Great Chesterford which already has planning permission for market houses. A new planning application has been submitted to change the site layout to deliver 13 new affordable rent council homes. A meeting with the Parish Council has been held.</p> <p>Work is progressing on the designs for Walden Place in Saffron Walden that will enable the detachment and then disposal of the Grade 2 listed building with the re-provision of the communal areas and additional sheltered flats. Pre-planning work is also progressing on a further development site in Saffron Walden.</p>	<p>Roz Millership</p>

Programme / Project / Activity Title Code & Description	Outcome	Resources	Due Date	Officer Responsible
<p>19-CPDP-08 Improve private sector housing conditions</p> <p>Private sector housing that is healthy and safe to live in</p>	<p><u>Activities for 2019/20</u></p> <ul style="list-style-type: none"> Implement the new range of measures to tackle rogue landlords under the powers available to the Council in the Housing & Planning Act 2016. <p><u>Output Measures/Milestones</u></p> <ul style="list-style-type: none"> Success will be measured by key performance indicators. 	<ul style="list-style-type: none"> Within existing resources. 	<p>31-Mar-2020</p> <p><u>Quarter 2 2019/20 Update (17/10/2019)</u></p> <p>During Quarter 2 officers held a successful landlord forum. Officers continue to proactively contact landlords of suspected HMOs. Work to promote the Winter Resilience project with the CAB is ongoing. Letters to those eligible will be delivered in Quarter 3. The service anticipates an increase in applications during Quarter 3 & Quarter 4.</p>	<p>Roz Millership</p>

Commitment 2: Protect and enhance heritage and character

Programme / Project / Activity Title Code & Description	Outcome	Resources	Due Date	Officer Responsible
19-CPDP-09 Walden Castle Castle opened for public access and suitable events.	<u>Activities for 2019/20</u> • Installation of electricity, lighting and security and establish an events programme. <u>Output Measures/Milestones</u> • Work completed and access available to all • Events programme to be developed by December 2019.	• Within existing resources.	31-Mar-2020 <u>Quarter 2 2019/20 Update (07/11/2019)</u> Flooring and levelling works are in progress. Trenches are now in place for the lighting. It is intended that works will be completed and open for public access by the end of January 2020. An Events programme is to be developed by the Museum Service by March 2020.	Nicola Wittman

20

Programme / Project / Activity Title Code & Description	Outcome	Resources	Due Date	Officer Responsible
20-CPDP-10 Museum Development Lottery Bid • The lottery grant will lay the foundations for a larger grant application to extend the museum by providing funding for feasibility and options appraisals and an audience development study with public consultation. • In addition it will enhance the fundraising capabilities of the Saffron Walden Museum Society through training.	<u>Activities for 2019/20</u> • Bid to Lottery Fund <u>Output Measures/Milestones</u> • Work commenced on feasibility and options appraisal stages along with public consultation in preparedness for a bid to the HLF for an extension to the Museum building.	• Within existing resources.	31-Mar-2020 <u>Quarter 2 2019/20 Update (21/10/2019)</u> Following an extensive piece of work reviewing consultant bids and due diligence reviews with shortlisted candidates, the council has appointed consultants for both elements of the Lottery-funded museum development project. Both consultancies come with extensive experience in the heritage sector. Julia Holberry Associates will conduct the audience development study, working in tandem with Fourth Street who will carry out the options appraisal and feasibility work. Both teams were onsite at the museum on 21 October to speak to key staff and volunteers, councillors and museum society representatives to start the project.	Richard Auty

Programme / Project / Activity Title Code & Description	Outcome	Resources	Due Date	Officer Responsible
<p>19-CPDP-11 Street Cleansing Five Point Plan</p> <p>A clean District that residents are proud of.</p>	<p><u>Activities for 2019/20</u></p> <ul style="list-style-type: none"> • Litter education initiative (delivered as part of overall Waste education and awareness programme). • Street Cleansing vehicles to be branded to support litter education campaign. • Optimised street cleansing service. • Encouraging community litter picks. • Targeted enforcement activity <p><u>Output Measures/Milestones</u></p> <ul style="list-style-type: none"> • Reduced levels of litter and fly tips • Resident and business feedback on satisfaction • Pre and post campaign surveys • Number of community litter picks • Number of FPN or other enforcement sanctions. 	<ul style="list-style-type: none"> • Within existing resources. 	<p>31-Mar-2020</p> <p><u>Quarter 2 2019/20 Update (24/10/2019)</u></p> <p>Progress against the Street Cleansing Five Point Plan has been good. The five point plan focuses on five key areas and an update is provided below.</p> <ul style="list-style-type: none"> ➤ <i>Educate, particularly school age children:</i> Litter and the impact on the environment is now included in all school visits and talks to other groups as appropriate. Visits to school and other groups have continued in Quarter 2 with further visits planned for Quarter 3. ➤ <i>Conduct a media campaign including on the side of the waste vehicles:</i> The Street Cleansing vans are being branded with artwork nearing completion and the Council is working with the Cleaner Essex Group to coordinate media campaigns targeting car thrown litter, cigarette litter and fly-tipping. The Car thrown litter programme was launched at the end of Quarter 2 and is continuing into Quarter 3. ➤ <i>Increase council resource to litter pick:</i> Recruitment to vacancies within the team have now been completed however one additional person is now off with serious health issues but their role will be covered. ➤ <i>Encourage more volunteers to litter pick:</i> The Council continues to support volunteer litter picking activities and is supplying kits to organised groups and disposing of any wastes collected and has assisted with bulky items that have been dumped in less accessible areas. ➤ <i>Identify and prosecute offenders:</i> We are planning a number of targeted enforcement activities later in the year and working with Environmental Health colleagues on this project. EH are recruiting an enforcement officer in early Quarter 3. 	<p>Ben Brown</p>

Commitment 3: Support sustainable business growth

Programme / Project / Activity Title Code & Description	Outcome	Resources	Due Date	Officer Responsible
<p>19-CPDP-12 Economic Development</p> <p>Strategy Action Plan Positive interventions that support business growth.</p>	<p>Activities for 2019/20</p> <ul style="list-style-type: none"> • Delivery of the strategy including engagement in a joint digital infrastructure strategy across West Essex and East Herts. • Research the extent of lack of poor mobile communications and options for resolution. • Participation in the Stansted Airport College Advisory Group • Progress local economic strategies for each new garden community. <p>Output Measures/Milestones</p> <ul style="list-style-type: none"> • New car park machines procured. • Car parking strategy. • Progress with rollout of Phase 3 superfast broadband in Uttlesford. • Essex Digital Innovation Zone (DIZ) strategy in place. • Subject to outcome of bid to NEPP for capital funding for improvements to two car parks in Stansted Mountfitchet, implementation of works. • Subject to outcome of expression of interest in Future High Street Fund, development of full bid. 	<ul style="list-style-type: none"> • Approved budget for a range of activities. • External funding via bidding. 	<p>31-Mar-2020</p> <p>Quarter 2 2019/20 Update (07/11/2019)</p> <p>The Economic Development Actions continue to be implemented as detailed below:</p> <ul style="list-style-type: none"> ➤ The delivery of the Digital Innovation Zone Strategy has continued; including securing £2.3m funding for GP surgeries to receive ultrafast broadband across the DIZ area. ➤ Research into the extent of lack of poor mobile communications has been programmed for Quarter 4. ➤ Participation in the Stansted Airport College Advisory Group is ongoing. ➤ A strategy framework has been created for external consultants to pitch regarding local economic strategies for the garden communities. ➤ The new car park machines are being trialled during Quarter 4; and car park strategy is being developed during Quarter 4. ➤ Unfortunately the Bid to the Future High Street Fund was unsuccessful. We continue to work closely with stakeholders including Saffron Walden BID and with the Great Dunmow Town Team. ➤ Bids have been submitted to the North Essex Parking Partnership for funding for improvements to car parks in Stansted Mountfitchet and will be discussed by their board in December 2020. 	<p>Gordon Glenday</p>

Commitment 4: Maintain a financially sound and effective Council

Programme / Project / Activity Title Code & Description	Outcome	Resources	Due Date	Officer Responsible
<p>19-CPDP-13 Medium Term Financial Strategy</p> <p>To ensure that the Council maintains a budget that is financially viable and continues to provide services at an affordable level.</p>	<p>Activities for 2019/20</p> <ul style="list-style-type: none"> • Budget monitoring carried out monthly to ensure full understanding of the in-year financial position and enable remedial action to be taken if necessary. • To continue the rollout of Zero Based Budgeting and service reviews for 2020/21 budget preparation. • To prepare the MTFS and all supporting budget reports for 2020/21. <p>Output Measures/Milestones</p> <ul style="list-style-type: none"> • Monthly Budget monitoring with quarterly reports prepared for Cabinet. • Zero Based Budgeting for 2020/21 to begin in September to ensure approval process is complete to meet annual budget deadlines. • To identify areas of savings for 2020/21 (if this has not already been identified as part of the budget monitoring process). • 2020/21 budget papers and MTFS to be presented to Members in February 2019. 	<ul style="list-style-type: none"> • Finance Team • SMT and CMT • All budget managers 	<p>31-Mar-2020</p> <p>Quarter 2 2019/20 Update (21/10/2019)</p> <p>The Medium Term Financial Strategy and budget preparation process for 2020/21 is in progress. Budget managers are being consulted on their revenue and capital requirements for future years.</p> <p>The funding reforms have been delayed for a year and a one year funding settlement is being consulted on. This includes a one year NHB allocation with no legacy payments.</p> <p>Members' priorities will need to be included once these have been finalised.</p>	<p>Angela Knight</p>

Programme / Project / Activity Title Code & Description	Outcome	Resources	Due Date	Officer Responsible
19-CPDP-14 Chesterford Research Park Significant contribution to the Council's revenue budget.	<u>Activities for 2019/20</u> <ul style="list-style-type: none"> Evaluation and delivery of most affordable method of financing for new unit(s). Agreement to fund, if required, the building of additional units for a new tenant on the park. Economic Development team work to promote the Park. <u>Activities Measures/Milestones</u> <ul style="list-style-type: none"> At least one new request, if required, for funding for a new build unit received in 2019/20. 	<ul style="list-style-type: none"> Within the resources allocated, in principle, in the Investment Strategy (subject to Council final approval). 	31-Mar-2020	Angela Knight
<u>Quarter 2 2019/20 Update (21/10/2019)</u> The output for this action is at least one new request during the 2019/20 year, however no new requests in 2019/20 have been received for financing for a new unit or refit of a vacant unit. Work is ongoing with the refurbishment of Building 60 and tenants to take occupation upon completion of the building in late Spring 2020.				

Programme / Project / Activity Title Code & Description	Outcome	Resources	Due Date	Officer Responsible
19-CPDP-15 Uttlesford South Depot Efficient and effective use of assets.	<u>Activities for 2019/20</u> <ul style="list-style-type: none"> Approved planning permission Explore options for commencement of Phase 1 prior to purchase of land. Operational planning activities associated with new site. <u>Output Measures/Milestones</u> <ul style="list-style-type: none"> Planning approval in June 2019. Land purchased - by end of March 2020. 	<ul style="list-style-type: none"> Within existing resources. 	31-Mar-2020	Nicola Wittman
<u>Quarter 2 2019/20 Update (21/10/2019)</u> The planning application is awaiting determination by the Planning Committee. This is in part due to a second application being submitted by a third party promoting their site as suitable for the UDC depot. This means both applications need to be determined at the same meeting.				

Programme / Project / Activity Title Code & Description	Outcome	Resources	Due Date	Officer Responsible
19-CPDP-16 Workforce Development An engaged and flexible workforce that is able to react to the changing local government environment.	<u>Activities for 2019/20</u> <ul style="list-style-type: none"> Develop a people plan. Bring on stream apprenticeships through apprenticeship levy. <u>Output Measures/Milestones</u> <ul style="list-style-type: none"> An assessment of the skills gaps and shortages along with a remediation plan - end of December 2019. More apprentices - throughout 2019/20. 	<ul style="list-style-type: none"> Within existing resources. 	31-Mar-2020	Richard Auty
<u>Quarter 2 2019/20 Update (21/10/2019)</u> A successful recruitment campaign has been run to find a new HR Manager for the council. This postholder will lead on strategic workforce development and create the council's workforce strategy in conjunction with senior managers to shape the council's workforce to meet the challenges of the coming years. A second tranche of managers are undertaking the Institute of Leader and Management Level 5 qualification from October following a successful course last year, helping increase managerial expertise in the authority. The Apprenticeship Levy is now being used to upskill members of staff in Planning and Building Control, with three officers undertaking degrees through the scheme.				

Programme / Project / Activity Title Code & Description	Outcome	Resources	Due Date	Officer Responsible
19-CPDP-17 Citizens Access Enhance self-service for council customers.	<u>Activities for 2019/20</u> <ul style="list-style-type: none"> Installation of online access to Council Tax, Rents, Housing Benefits and Business Rates. <u>Output Measures/Milestones</u> <ul style="list-style-type: none"> Online account access for customers is available - Ready for use by end of December 2019 and promoted through 2020/21 annual billing. 	<ul style="list-style-type: none"> Approved budget for IT investment, and backfilling project team, if required. 	31-Mar-2020	Richard Auty
<u>Quarter 2 2019/20 Update (21/10/2019)</u> The Council Tax, Business Rates and Benefits modules of Citizens Access were successfully released to the public on 30 September following extensive testing and review. The launch has been successful with no major problems encountered. The modules give much greater online functionality for residents, including allowing them to notify the council of changes in circumstances, apply for discounts, view balances online, register for e-bills and make benefit applications. Following this successful soft launch, greater publicity will be issued; encouraging residents to register and use the modules.				

Programme / Project / Activity Title Code & Description	Outcome	Resources	Due Date	Officer Responsible
19-CPDP-18 Investment Strategy Moving towards a self-financing Council.	<u>Activities for 2019/20</u> <ul style="list-style-type: none"> Acquisition of commercial units in accordance with the Investment Strategy. <u>Output Measures/Milestones</u> <ul style="list-style-type: none"> One investment completed by 30th September 2019. Second investment completed by 31st March 2020. 	<ul style="list-style-type: none"> Within the resources allocated, in principle, in the Investment Strategy (subject to Council final approval). 	31-Mar-2020	Adrian Webb
<u>Quarter 2 2019/20 Update (21/10/2019)</u> Commercial Strategy approved at Council on 8 October 2019 with request for a revised version with updated governance to be presented at the next Council meeting on 3 rd December 2019.				

Programme / Project / Activity Title Code & Description	Outcome	Resources	Due Date	Officer Responsible
19-CPDP-19 Environmental Services Delivery Ensuring that services are reliable, effective and offer good customer service.	<u>Activities for 2019/20</u> <ul style="list-style-type: none"> Improvements in service delivery implemented and sustained. <u>Output Measures/Milestones</u> <ul style="list-style-type: none"> Improvements in KPIs. Improved customer service - reduced complaints, improved service standards, i.e. reduced wait times for bin deliveries, online booking on bulky waste collections. 	<ul style="list-style-type: none"> Within the resources allocated. 	31-Mar-2020	Ben Brown
<u>Quarter 2 2019/20 Update (24/10/2019)</u> As during the first quarter, performance for the majority of PIs has been good with a few exceptions. Common with Quarter 1 our response to missed collections is not acceptable, which is primarily as a result of increased long term sickness over the summer months; reducing the team's capacity to respond to missed collections. Priority has been given to maintaining collections and focusing on getting collections right first time. Our sickness levels have increased within the service due to three accidents which have impacted on 4 members of the team. A number of wellbeing issues have also impacted on sickness levels but plans are in place to support staff, and aid in their return to work.				

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Committee:	Cabinet	Date:	Tuesday, 26 November 2019
Title:	Report from Scrutiny Committee regarding AECOM engagement		
Portfolio Holder:	Leader of the Council, Lead for Planning and the Local Plan		
Report Author:	Richard Auty, Assistant Director - Corporate Services rauty@uttlesford.gov.uk	Key decision:	N

Summary

1. At its meeting on 15 July 2019, Cabinet referred a matter to Scrutiny relating to the engagement of AECOM to review the Local Plan Sustainability Appraisal.
2. The matter was discussed at Scrutiny Committee on 24 September 2019 agreed that a note prepared by the Chair of Scrutiny Cllr Neil Gregory be referred back to Cabinet.

Recommendations

3. Cabinet considers the note from Cllr Gregory.

Financial Implications

4. None

Background Papers

5. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

None

Impact

- 6.

Communication/Consultation	None
Community Safety	None
Equalities	None
Health and Safety	None

Human Rights/Legal Implications	None
Sustainability	The report is in connection to the Sustainability Appraisal
Ward-specific impacts	None
Workforce/Workplace	None

Situation

7. At the Cabinet meeting of 15 July 2019, the Chair of Scrutiny Cllr Neil Gregory raised the concerns of a resident who had contacted him regarding the engagement of AECOM to review the Sustainability Appraisal.

8. Cabinet made the following resolution:

To refer AECOM's commission to carry out the Sustainability Appraisal update to the Scrutiny Committee, in light of a comment received by a member of the public.

9. The minute for the item is as follows:

The Chair presented the report on the Council's updated Statement of Community Involvement (SCI), a document explaining to the community how and when they could be involved in the planning policy process, and the steps that would be taken to encourage this involvement. The council's updated SCI had been sent out for consultation in early 2019 and considered by the Planning Policy Working Group (PPWG) on 19 March 2019. The group had recommended that Cabinet adopt the document subject to amendments outlined in the report.

Councillor Gregory raised the concerns of a resident who had accused the council of a 'lack of truthfulness' regarding the commissioning of AECOM to review the Sustainability Appraisal. He said there was a discrepancy between the appointment of AECOM to carry out the appraisal on 29 August and a payment to the company on 4 July. Furthermore, during the audio recording of the PPWG meeting on November 2018 it was stated that AECOM had begun work in June. This comment had not been corrected. He said a lack of transparency was at the heart of these concerns.

The Chair said there had been concerns at the Local Plan inspection in relation to the legality of the consultation, particularly with regards to the 'focused changes'. He said the issue of legal process would be left with the Inspector and the Administration would await the Inspector's feedback. In terms of the commissioning of the Sustainability Appraisal, he said AECOM had begun work in late June 2018, although Members were not made aware of this until October. He asked Cabinet whether this was an appropriate subject for Scrutiny to look at.

10. Following the Cabinet meeting, Cllr Gregory engaged in correspondence with relevant officers on the matter. Cllr Gregory and the Vice-Chair of Scrutiny Cllr Garry LeCount also attended a meeting with officers to discuss it.
11. Cllr Gregory reported back to Scrutiny Committee at its meeting on 24 September 2019 with a paper summarising the situation and a timeline of events. Scrutiny Committee noted that there had been a failure to fully inform Members and the public of the potential challenges to the Sustainability Appraisal and proposed remedial action. This was due to an unintentional oversight and measures were now in place that should ensure there is no repetition.
12. Scrutiny Committee resolved to refer the paper to Cabinet.
13. The minute for the item is as follows:

The Chair opened the discussion by stating the next three items, while being dealt with individually, were of a similar theme and there was a perception in some quarters that the Council had not always acted as openly and truthfully as might be wished and whether there were issues of trust that might need to be resolved.

He gave a summary of the report. Cabinet had referred a matter to the Scrutiny Committee relating to the engagement of AECOM to review the Local Plan Sustainability Appraisal. The Chair had proposed a note to Cabinet following correspondence and a meeting which took place over the summer. This note summarised that there had been a failure to fully inform Members and the public of the potential challenges to the Sustainability Appraisal and proposed remedial action. This was due to an unintentional oversight by an officer. Measures were now in place that should preclude a repetition.

14. Attached to this report are the paper prepared by Cllr Gregory and the timeline prepared by officers, which Cabinet is invited to discuss.

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DRAFT

To: Members of Cabinet

From: Chair of Scrutiny Committee

REFERRAL TO SCRUTINY COMMITTEE – 15 July 2019

1. Members of Cabinet will recall that the Leader received a complaint from a member of the public in relation to a. the appointment of AECOM to conduct a review of the Sustainability Appraisal element of the emergent UDC Local Plan and b. more general concerns about the ‘truthfulness’ with which the council as a corporate body conducts its business.
2. Both questions go to the heart of the relationship of trust that should exist between officers, members and residents.
3. The minutes of 15 July Cabinet state, *inter alia*:

"To refer AECOM's commission to carry out the Sustainability Appraisal update to the Scrutiny Committee, in light of a comment received by a member of the public."

4. Following Cabinet on 15 July, the Chair of Scrutiny Committee wrote to the Chief Executive and other senior officers. Following lengthy and detailed correspondence a meeting was held on 19 August. At the meeting were Ms French, Mr Harborough, Cllr Lodge, Cllr LeCount and Cllr Gregory. The meeting established the following;

1. There had been a failure to fully inform members and the public of the potential challenges to the Sustainability Appraisal and proposed remedial action, including commissioning AECOM to undertake work on the matter.
2. That failure was not however intentional and arose from an unintentional oversight by an officer.
3. The oversight was out of character and regretted. Measures were now in place that should preclude a repetition.
4. There were and remain issues around the perception of openness and transparency within UDC as a corporate body, which the Corporate Management Team (CMT), Leader, chairs of relevant committees and members as a whole needed to give further attention to.
5. To, in part, address these issues of perception the Chair of Scrutiny Committee would invite members of the CMT to a forthcoming meeting of Scrutiny Committee to discuss options and actions.

5. Further discussions have also taken place following consideration of the timeline in respect of changes to/reviews of the Sustainability Appraisal. A copy of that timeline is attached for information. It can be concluded that there was a clear and reasoned process for addressing issues around the Sustainability Appraisal and guidance was sought on those issues from Michael Bedford QC. However, it is not clear that members and residents were as fully briefed as they might have been on developments and process. Some matters were reported to committee which were factually wrong and that should have been corrected at the time.
6. Cabinet is invited to discuss this report.

SA review / update timeline

- 15 June – first NEA letter published
- 19 June Full Council – decision to publish regulation 19 Local Plan
- 4 July – advice received from Place Services around the differences between our SA and the NEA’s SA
- LPPB 19 July – decision to go out to tender for SA review
- 20 July – note received from Place Services on the UDC SA in the light of the NEA letter
- 25 July – email to three companies inviting them to tender
- 1 August – PINS phone call, during which I understand our SA in respect of the NEA letter was discussed
- 2 August – third NEA letter published
- 13 August – email to AECOM saying we are meeting our barrister next week and asking to hold off appointment until after the meeting
- 22 August – meeting with our barrister
- 24 August – email to AECOM confirming we wanted to appoint
- 29 August – AECOM appointed to review SA
- 2 October – Council received first draft of the SA review
- 3 October – Council received costing and timing estimates of completing the work identified in the report
- LPPB 5 October – SA review discussed
- 10 October – advice received from the Council’s barrister re addressing the SA review
- 16 October – further advice received from the Council’s barrister re addressing the SA review
- 16 October – advice received from Place Services as to what they considered needed to be done to fix the issues in the Reg. 19 SA
- 18 October – further advice received from the Council’s barrister re addressing the SA review
- 19 October – CEX informed the Leader of the need to commission AECOM to undertake a full review
- LPPB 25 October – decision to appoint AECOM to update the SA; AECOM begin work at risk
- 26 October – CEX discussed the need for PPWG to discuss the SA (and other agenda items)
- JET 29 October – Cabinet members made aware of SA review findings and update to the SA
- 2 November – AECOM appointed to update SA
- 2 November – received final draft of the SA review (unchanged from the first draft)
- 12 November – meeting to discuss reasonable alternatives
- 12 November – PPWG papers published
- 20 November – PPWG to discuss SA review / update

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Committee:	Cabinet	Date:	26 November 2019
Title:	Museum Accreditation review 2019/20: Collections Care and Conservation Policy and Access Policy		
Portfolio Holder:	Cllr Alex Armstrong, Portfolio Holder for Sport, Leisure, Education and the Arts		
Report Author:	Carolyn Wingfield, Curator cwingfield@uttlesford.gov.uk	Key decision:	No
	Richard Auty, Assistant Director – Corporate Services rauty@uttlesford.gov.uk		

Summary

1. The Accreditation Scheme for Museums and Galleries is the UK industry standard for museums. It is managed as a UK partnership between Arts Council England, the Welsh Government, Museums Galleries Scotland and the Northern Ireland Museums Council. Accredited status is linked to eligibility for grants and funding from various sources, including the National Lottery Heritage Fund, and museums must re-apply every few years to maintain their Accredited status.
2. Saffron Walden Museum undergoes its next Accreditation review in January to July 2020. In preparation for this, the Museum's key policy documents and forward plan must be reviewed and formally approved by the Council, and submitted with copies of the minutes confirming approval as part of the Accreditation review.
3. Cabinet has already approved the first of these documents, the Collections Development Policy, at its September 2019 meeting. This report presents two further documents for approval – the Collections Care and Conservation Policy and the Access Policy. Both documents have already been considered by the Museum Management Working Group.

Recommendations

4. The Museum Management Working Group recommends Cabinet approve the Collections Care and Conservation Policy and Access Policy.

Financial Implications

- No expenditure is incurred as a result of the Accreditation Review. There are no fees charged for participation in the Accreditation Scheme. The Museum will lose or restrict its eligibility for external funding and grants if it fails to maintain its Accredited status, including grants from the National Heritage Lottery Fund. This would have a major impact on the Museum's development plans and ability to improve audience engagement and income in the long term, as well as inhibiting the Museum's participation in other medium-term projects and partnerships where full Accredited status is a requirement or expectation.

Background Papers

- The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

Accreditation Standard: Accreditation Scheme for Museums and Galleries in the United Kingdom, Arts Council England, November 2018

Accreditation Guidance: Supporting Guidance for Accreditation Standard November 2018, Arts Council England, March 2019

Impact

-

Communication/Consultation	Public confidence in the Museum service is encouraged by Accredited status. The confidence of external funding bodies and other supporting or partnership organisations is encouraged by Accredited status. Key policies and plans, reviewed for Accreditation, communicate the Museum's vision and procedures to the wider world.
Community Safety	None
Equalities	No direct impact, but Accredited status signifies that the Museum's governance arrangements and policies are generally sound, including its Access Policy.
Health and Safety	No direct impact, but Accredited status signifies that the Museum's governance arrangements and policies are generally sound, and management of collections is in keeping with Health & Safety legislation.
Human Rights/Legal Implications	No direct impact, but Accredited status signifies that the Museum's governance arrangements and policies are generally

	sound, including legal and ethical considerations for managing, acquiring and disposing of collections.
Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	All Museum staff's work is affected by Accreditation and maintenance of the required standards.

Situation

8. Attached to this report are the Collections Care and Conservation Policy and the Access Policy. Both documents have undergone thorough review and updating by museum staff and have been discussed and agreed at a meeting of the Museum Management Working Group.
9. The Collections Care and Conservation Policy is a statement of the Museum's duty of care and responsibility for the collections. It explains how the Museum ensures the long-term preservation of its collections, meeting ethical and legal requirements, and provides a suitable physical environment for collections.
10. The Access Policy states how the Museum identifies the differing needs of its users and provides appropriate ways in which users can access the Museum's collections, information and services, with regard for ethical and legal responsibilities.
11. Approval of these policies is an important part of the Accreditation process. Saffron Walden Museum has maintained its Accredited status since the inception of the Scheme and was last reviewed in 2014/15. It is due for an Accreditation Review from January 2020, when a letter is expected from the Arts Council England (ACE) to trigger the six-month review period. During this time, the Museum will have to complete a lengthy and detailed on-line questionnaire and upload policies, plans and other evidence, including signed minutes of MMWG and Cabinet meetings concerning the recommendation and approval of principal policies and plans. The Museum must complete its Accreditation return by the deadline in July 2020. All being well, its Accredited status would then be reaffirmed later in 2020.
12. Accreditation represents a standard which the Museum service should meet if it is functioning properly. The Accreditation review is an opportunity to run a 'health check' on the service and provide reassurance to the Council and Saffron Walden Museum Society Ltd that there are no significant problems with the operation of the service.
13. The Museum needs to maintain its Accredited status to be eligible for grants from heritage-sector organisations such as the National Heritage Lottery Fund and many others. Access to external funding from such bodies is essential for the Museum's development plans and some activities.

14. Loss of accredited status would also be likely to impact on the Museum's image and public confidence. This in turn would make it difficult for the Museum Society to raise funds in support of the Museum from charitable donations and grants, including grants towards purchase of important new acquisitions for the collections and displays (the Museum Society owns the collections and therefore all funds for new acquisitions are provided through the Society and not by the Council).
15. Two further documents will require Cabinet approval as part of the Accreditation process – the Documentation Policy and Forward Plan. These are scheduled to go to Cabinet on 1 April 2020.

Risk Analysis

16.

Risk	Likelihood	Impact	Mitigating actions
Museum fails to complete Accreditation return in time	2	3	Timetable has been created that ensures relevant policies and plans are approved ahead of July 2020 deadline.
Museum fails to meet Accreditation standard	1	3	Working through policies and plans will help to identify any weak areas, and address these either immediately or in development plans.
Museum development plans, including associated fundraising strategy to achieve them, are deferred or halted	2	3	Maintaining Accredited status ensures the Museum is eligible to apply for grants and support from external funding organisations
Public confidence in the Museum falls	2	2	Maintaining Accredited status is a mark that the Museum is well-run

- 1 = Little or no risk or impact
 2 = Some risk or impact – action may be necessary.
 3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

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SAFFRON WALDEN MUSEUM

**Uttlesford District Council &
Saffron Walden Museum Society Ltd**



COLLECTIONS CARE & CONSERVATION POLICY 2020-2025

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Name of museum: *Saffron Walden Museum*

Name of governing body:

Uttlesford District Council & Saffron Walden Museum Society Ltd

Date on which this policy was approved by Museum Management Working Group for recommendation to Cabinet:

30 October 2019

Date on which this policy was approved by Cabinet of Uttlesford District Council:

November 2019

Policy review procedure:

The collections development policy will be published and reviewed from time to time, at least once every five years.

Date at which this policy is due for review:

July 2025

Introduction: ethical, legal and professional framework

- 1.1 The Museum's statement of purpose is to give people inspiration and a sense of place in Uttlesford district / north-west Essex, through exploration of our wide-ranging collections and the histories they represent. High standards of care and long-term preservation of the collections and associated information are therefore essential to achieving this aim.
- 1.2 The collections and buildings (Museum and Shirehill store) are owned by Saffron Walden Museum Society Ltd and leased to Uttlesford District Council which operates the museum service under the Management Agreement 2014 between the Museum Society and Council. The Council is responsible for maintaining the buildings and contents, including the collections.
- 1.3 The Museum undertakes to fulfil its legal responsibilities to protect collections and the people handling them or working in proximity to them. These include the Health & Safety at Work Act 1974, COSHH regulations, and other specific issues such as presence of asbestos, radioactive specimens, drugs and firearms. (See Section 4 Specific needs of collections).
- 1.4 The Museum will act in accordance with the Museums Association's *Code of Ethics* and ethical guidance for collections, including issues of particular sensitivity, such as cultural and interpretative issues associated with world cultures (ethnography) and human remains (archaeological collections). It will use *Benchmarks in Collections Care* 2.1 and other professional guidance for specific types of collection in the care and conservation of objects and specimens. In the case of human remains, this includes *Guidance for best practice for treatment of human remains excavated from Christian burial grounds in England*, The Church of England and English Heritage, 2005; *Guidance for the care of human remains in museums*, DCMS, 2005; Human Tissue Act 2004 and appropriate sources of advice such as subject specialist networks.
- 1.5 This policy covers both preventative conservation, which aims to minimise damage to or deterioration of collections, and remedial conservation, which aims to stabilise or improve the condition of collections, or enhance its significance through extraction of additional information.

Standards of Care

Saffron Walden Museum strives to provide appropriate levels of care for the wide-ranging collections which it holds.

Preventative Conservation

- 2.1** The Museum will ensure that a stable physical environment is maintained for the collections and regularly monitored, with appropriate levels of temperature and relative humidity (RH) for the materials in question, protection from particulate pollution, insect pests and other physical damage, and from potentially harmful light (including UV) for light-sensitive specimens and materials.
- 2.2** The Museum buildings where collections are housed must be maintained and equipped to foster stable environments and appropriate standards of collections care. Regular inspection, maintenance and repairs are undertaken by the Council's Property Surveyor in collaboration with the Museum Security & Premises Officer and other Museum staff. The Museum is a historic grade II listed brick building constructed in 1834 and requires special attention to its condition, internal environment and ingress of insect pests. The Council's Property Surveyor manages a programme of work which since 2018 has been addressing issues with the building and maintaining the fabric into best possible condition. The Shirehill store is a new purpose-built store in 2014, fitted out 2015 and collections have been moved in from 2016 onwards. It is of steel and masonry construction with high-level floor loading (for mobile racking) on both floors, and is insulated to provide a buffered and windowless secure environment for collections in storage areas. It will however need routine inspections and maintenance in the long-term.
- 2.3** Security of collections (in store, on display, in research rooms or in transit) will be maintained at all times through:
 - Intruder and fire alarm systems with dedicated phone lines to the monitoring station, for out-of-hours emergencies
 - Additional alarms on sensitive display cases and fire exits
 - CCTV to record people entering and leaving Museum buildings, track routes through the galleries and cover exhibits which could be high-risk targets for theft
 - Control of keys, which are to be kept in a locked cabinet and accessed only by Museum staff
 - Supervision of volunteers, researchers and contractors in all storage and research areas by Museum staff

- Collections in transit to be accompanied by Museum staff, in keeping with insurance requirements (exceptions may occur when an approved carrier is used to transport loans between museums, provided that insurance cover is maintained)
 - Opening, closing and lone working procedures, which require a minimum of 2 staff for opening, closing and working in the Museum, and lone working procedures to safeguard staff working at the Shirehill store and those undertaking outreach work.
- 2.4** For incoming objects and specimens, there will be a visual inspection and quarantine period in the conservation freezer for all organic objects and specimens to eliminate risk of insect pests. For large items unable to fit in the freezer, a COSHH-approved woodworm or other approved form of treatment should be used and advice sought from conservators at appropriate museums. In the event of emergencies or major projects, the Museum would consult with conservators, other museum facilities in the region and specialist contractors to identify suitable options such as large walk-in freezers, thermal treatment or fumigation, depending on the problem and the materials to be treated.
- 2.5** Areas where collections are kept (stores and galleries) will be monitored regularly to check that temperature and RH are within the appropriate parameters, to check for insect pests, and identify areas where further action is needed. Manual equipment for monitoring the environment will be upgraded, subject to resources, to a digital system for greater accuracy and efficiency.
- 2.6** Display cases are to be of appropriate construction to provide secure and stable environment for collections, using conservation-approved materials. The proposed development of the Museum (2020-25) will provide an opportunity to improve climate control and security in cases where necessary. Additional security measures e.g. internal alarms, high-grade locks and construction materials) will be considered for exhibits assessed at especially high risk of theft, damage or deterioration. The Museum's CCTV network is maintained, reviewed and updated, to cover all actual and potential exits to the Museum and galleries, collections at highest risk of theft and visitor reception/shop.
- 2.7** Light is excluded from stores or controlled by blinds. The Museum development plan will investigate measures for UV and reducing unwanted heat, and reducing environmental impact for instance by greater use of LED lighting, and use of timers to allow viewing of sensitive displays. Light-sensitive materials e.g. costume, tapestries, important and irreplaceable natural history specimens, it is policy to rotate exhibits every 5 years.

- 2.8** Cleaning of stores and gallery displays will take place regularly, aiming to cover all area annually (more frequently if a particular need arises), subject to availability of staff and volunteers. Storage areas display a notice stating parameters for environmental control, specific collection risks and a checklist for regular monitoring and cleaning.
- 2.9** Pest management: there is regular (quarterly) monitoring and reporting of potential pests trapped or found. Vulnerable areas are sprayed with a COSHH-approved insecticide in to reduce the risk of infestation.
- 2.10** Condition checking of collections is undertaken in conjunction with repacking, audits and documentation. Cleaning of displays and stores is to be regularised as far as circumstances permit. Work on the Museum's development plan 2020-25 will increase this as we move from basic storage and documentation work towards redisplay of galleries.
- 2.11** Use of photography and scanners is controlled to prevent potentially harmful exposure to light for light-sensitive objects and specimens, especially documents, photographs and artworks. Scanning should be done once at high resolution, to provide an archive digital copy. Photography should be done without flash if possible for light-sensitive objects, or use of lights and strong daylight kept to the minimum necessary.
- 2.12** The Museum will provide and use surrogate digital copies of fragile, light-sensitive and / or frequently-used items, including accession registers and other historic records, wherever possible, to reduce unnecessary risks from handling originals. It is accepted that sometimes originals need to be inspected but unnecessary handling will be avoided. We will seek to extend the availability of digital copies in tandem with documentation.
- 2.13** Digital media (CDs, DVDs) acquired as part of archives (e.g. oral history projects, archaeological fieldwork) will be appropriately stored with records of software and file formats, and location of duplicate or printed copies. The Museum is unable to take on the task of continually migrating digital media to new formats and applications, therefore steps should be taken to ensure that significant files are either uploaded and attached to the collections database (Modes Complete) so that they will be regularly backed-up and incorporated in future upgrades, or are preserved through other organisations and/or by printed hard copy. For local and social history, the Essex Record Office and East Anglian Film archive are appropriate sources of advice. For archaeological archives, excavators are expected to have deposited digital records with the Archaeological Data Service (ADS) as stated in the *Guidelines for Deposition of Archaeological Archives in Essex* (2015).

Remedial Conservation

- 2.14** For basic cleaning of common types of object and specimens, curatorial staff have a professional grounding in day-to-day collections care in their specialist area but must be aware of the limitations of their expertise. Light conservation cleaning is undertaken where no risk is posed to the object or specimen, or to the person undertaking the cleaning. Specialist advice and services will be sought for all other situations (see section 3).
- 2.15** Plans for prioritising objects and specimens for assessment and treatment will be drawn up by curatorial staff as needs are identified, prioritised by urgency and potential impact on use (e.g. required for display, identified during research or documentation audits in store).
- 2.16** The Museum maintains an Emergency Plan for salvaging collections and business continuity in the event of a disaster at the Museum or Shirehill store. Copies will be kept in both locations and off-site with key staff for instant reference in the event of an emergency.

Investigative Techniques

- 2.17** Occasionally items from the collection may be considered for other forms of scientific treatment, for instance chemical analysis, radio carbon dating or DNA testing. In assessing the case for any such treatment, and especially if the technique involves destroying or altering a sample from the object or specimen, the Museum will consider each on a case-by-case basis against two criteria:
- That the technique itself is appropriate and viable for the object in question, and
 - That there is sufficient reason to indicate that meaningful and significant information would be gained

The use of destructive techniques and sampling will be referred to the Board of Saffron Walden Museum Society Ltd (owners of the collections) for approval.

3

Expertise & Advice

- 3.1** As the Museum does not have conservation facilities or employ a conservator, it will seek expertise and advice from appropriately-qualified specialists in the remedial and preventative treatment of collections. Advice will be sought from appropriately qualified specialists, SHARE, Subject Specialist Networks, ICON and large regional museum services with conservation departments.
- 3.2** Museum staff responsible for collections will undertake training to

develop and update their essential knowledge and skills in handling and care of collections as appropriate, and recognition of issues which require expert intervention.

- 3.3** Museum volunteers who work with collections will receive in-house training in essentials for handling and checking collections, and work under supervision of the appropriate member of curatorial staff.

4

Collection-specific Needs

- 4.1 Archaeology** mainly of local provenance (but also including small collections of Ancient Egyptian and Classical Antiquities)

4.1.1 Human remains received from archaeological contractors will be acquired if prepared and packed to appropriate standards for long-term storage in secure static storage units dedicated to human remains. Human remains from historic excavation archives should be assessed and improvements made to their packing and storage to comply with modern standards as far as possible.

4.1.2 Where asbestos is proven or suspected of being present in exhibits, specialist services will be sought to assess and seal displays. In archaeology, this currently applies only to the Roman-period Egyptian mummy of a boy, where naturally-occurring asbestos is present in some wrappings.

4.1.3 Metalwork, especially ironwork, requires a low-humidity environment and a small store equipped with a dehumidifier will be provided for this purpose. Collections currently held in the very small metalwork store in the Museum will be moved to a more spacious storage area at Shirehill when this has been equipped and a low-humidity environment will be maintained (<45% RH).

4.1.4 Archaeological 'treasure' (objects acquired under the Treasure Act 1996) and coins are at relatively high risk of theft being small, portable and often desirable to collectors (though not all treasure is necessarily of high financial value). Additional security measures on display should include high-specification cases, internal case alarms and location within range of a CCTV camera as appropriate.

4.2 Social & Local History, World Cultures, Fine & Decorative Arts, Costume & Textiles

4.2.1 Collections Items containing hazards, such as asbestos, radioactivity or pharmaceutical products will be assessed by a specialist and measures taken to ensure they are either disposed of or, stored or displayed in a safe and legal manner, with appropriate precautions

and hazard labelling.

- 4.2.2 Particular care will be taken with handling, displaying and storing fragile materials such as works on paper and textiles, as well as organic material (e.g. animal glue, bark cloths, animal hair and teeth in the World Cultures collections).
- 4.2.3 Collections are packed and supported with appropriate types of racking and conservation grade packing materials, and open storage items are raised off the floor to protect them from flooding (with the exception of the hand-drawn and horse-drawn vehicles which cannot be palletted).
- 4.2.4 Surrogate and digital copies of fragile, light-sensitive and/or heavily used collections (e.g. local history photos) and historic records (e.g. registers) will be provided wherever possible to reduce unnecessary handling. For local and social history, the Essex Record Office and East Anglian Film archive may be appropriate sources of advice or repositories.

4.3 Geology (Rocks, minerals and fossils mainly of East Anglian and British origin, with some specimens from across the world)

- 4.3.1 Specimens containing asbestos or radioactive material will be assessed by specialists and measures taken to ensure they are either disposed of, or stored or displayed in a safe and legal manner, with appropriate precautions and hazard labelling.
- 4.3.2 All geology specimens are handled with gloves to prevent damage from skin contact and to protect people from the specimens.
- 4.3.3 Ferrous geology requires a low-humidity environment (see archaeological metalwork above).
- 4.3.4 Geological material at the Shirehill store is kept in a humidity-controlled environment between 45% and 55% relative humidity. Temperature is maintained above a 15°C minimum. These limits may be amended to reflect modern best practice guidelines, energy efficiency considerations and legal workspace requirements.

4.4 Natural History (Plant and animal specimens from Britain and around the world)

- 4.4.1 Type Specimens are securely stored to minimise the risk of theft or damage by disaster incidents such as fire or flood.
- 4.4.2 Natural history items entering the Museum for any reason are to undergo freezing and quarantine as part of Integrated Pest Management procedures. Separate freezers are used for deadstock

storage and conservation purposes to minimise the risk of pest transferal to Museum objects.

4.4.3 The Natural Sciences store at the Museum is a temperature- and humidity-controlled environment. Temperature is maintained below 19°C, and humidity is maintained below 59% relative humidity. These limits may be amended to reflect modern best practice guidelines, energy efficiency considerations and legal workspace requirements.

4.3.4 All biological specimens are handled with gloves to prevent damage from skin contact and to protect people from any hazards in the specimens.

5

Communicating Collections Care

- 5.1** Collections care policy and procedures are communicated and shared through a variety of channels and different means, appropriate to the audience:
- With Museum staff, through monthly staff meeting agendas, notices in stores, the procedures manual, provision of PPE and by sharing best practice and updates from training and Subject Specialist Networks.
 - With volunteers and researchers, through induction and supervision for volunteers, supervision and guidance, and by providing appropriate PPE. Volunteers can assist staff in basic housekeeping and cleaning tasks.
 - With Museum Society and the Council, through the Quarterly report to the Museum Society Board and the Museum Management Working Group, and through the Newsletter, talks and presentations to Society members.
 - With visitors and other service users, and the public at large, through a variety of media, and wherever possible demonstrating a positive and proactive approach in explaining and sharing good practice with the public.
- 5.2** Signage and labelling in galleries will aim to engage visitors and explain rather than being purely prohibitive. 'Good practice' examples of collections care can be good subjects for newsletters, social media and website, talks and workshops.
- 5.3** Demonstrations and behind-the-scenes tours to small groups include reference to the importance of collections care and conservation.



SAFFRON WALDEN MUSEUM

**Uttlesford District Council &
Saffron Walden Museum Society Ltd**



ACCESS POLICY 2020-2025

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Saffron Walden Museum is operated by Uttlesford District Council under a joint management agreement between Uttlesford District Council & Saffron Walden Museum Society Ltd (charity 1123209).

Date on which this policy was approved by Museum Management Working Group for recommendation to Cabinet:

30 October 2019

Date on which this policy was approved by Cabinet of Uttlesford District Council:

November 2019

Policy review procedure:

The Access policy will be published and reviewed from time to time, at least once every five years.

Date at which this policy is due for review:

October 2024

1 Introduction

We believe that everyone has the right to access Saffron Walden Museum, whether they are a visitor, remote user, volunteer or member of staff and regardless of ability, age, gender, cultural or social background, sexual orientation, faith, language, location or wealth. It is important that our Museum and store are welcoming and inclusive to all.

We are committed to removing barriers that prevent people from accessing our sites, collections, events and services so that we can share our collections and histories of North West Essex as widely as possible. The Museum strives, within the limitations of the sites and other resources, to offer the widest, richest, most engaging access for all users. Saffron Walden Museum recognises that access is a complex issue that must be addressed through the actions of the organisation as a whole. At the heart of our Access Policy is our belief that everyone benefits when barriers to access are removed.

2 Scope

This policy covers provision at Saffron Walden Museum and the Museum Store at Shirehill, Saffron Walden as well as our website, social media and other online activities, and our outreach programme at other venues.

3 Responsibilities

The Curator and Museum team and Uttlesford District Council are responsible for ensuring that the museum service meets its obligations under the Public Sector Equality Duty and the Equality Act (2010) and the Museums Association's *Code of Ethics* by doing everything reasonably possible to make the Museum accessible to the widest range of people. Managers are responsible for ensuring that the work of their staff and volunteers takes into account the need to maximise access by addressing the barriers outlined in this policy.

Everyone involved in developing, delivering or maintaining spaces, activities, resources and other services for our users at Saffron Walden Museum are responsible for making them as accessible as possible. This includes contractors employed by Saffron Walden Museum (e.g. designers, artists, session leaders) and volunteers.

4

Identifying potential barriers to access

When we refer to access we mean the opportunity to engage with our buildings, collections, content and expertise. There are a number of key barriers to access:

- 4.1 Attitudinal – e.g. some people may have a lack of interest in, or awareness of, the Museum and the subjects and issues it deals with, or our programmes and services.
- 4.2 Intellectual – e.g. some people may find the museum too specialist in its approach to subjects and how they are presented; some may have learning disabilities which affect their ability to engage with the Museum; and some may not be able to read or speak English.
- 4.3 Economic – e.g. some people may not be able to afford to visit the Museum or take part in our programme.
- 4.4 Geographic – e.g. some people will live too far away to visit the Museum, or have difficulty travelling to the museum.
- 4.5 Physical/sensory – e.g. people with physical disabilities, limited mobility, or hearing or visual impairments may not be able to access the Museum, our website, social media channels or programmes.
- 4.6 Technological – e.g. some people may not have access to the internet at home or use a mobile phone.

5

Physical access

The Museum seeks to

- 5.1 Uphold the statutory requirements of the Equality Act (2010) by taking reasonable steps to ensure that policies, practices and procedures do not discriminate against disabled people; by provide auxiliary aids and services which enable disabled people to use the Museum; and by removing, altering or circumventing physical barriers within our buildings. The Feasibility Study & Options Appraisal to be undertaken in 2020 (National Heritage Lottery Fund project) and subsequent development plans for the Museum will be an opportunity to address issues and design new facilities and displays for improved accessibility.
- 5.2 Work with Council colleagues and other organisations to review and improve signage and access to the Museum and Castle site, especially following the opening of the recently-conserved Castle keep to the public (2019-20).

- 5.3** Provide dedicated disabled parking space on the Museum forecourt, near the entrance, and a manual wheelchair for visitors who require one (e.g. if they need to transfer from a large mobility scooter).
- 5.4** Ensure that all our galleries, exhibitions and learning activities are accessible for wheelchair users.
- 5.5** Ensure that if any service user cannot access a specific display or exhibit, we will provide an alternative way to access the information wherever possible (e.g. through images or written interpretation).
- 5.6** Provide an accessible toilet and baby-changing facilities.
- 5.7** Provide seating with armrests throughout the Museum building.
- 5.8** Maintain opening hours throughout the year (Tuesday – Sunday and Bank Holidays) to maximise visiting opportunities for people to visit regardless of their working pattern. The Museum will review these periodically, in the light of the planned Audience Development Study (2019-20) and public consultations for future developments, and respond to requests for evening events (e.g. booked group visit) subject to staff resources available.
- 5.9** Maintain affordable prices for admission tickets (currently £2.50 adults, £1.25 concessions, free for under 18s), with Annual Season Ticket offers (currently £8 and £4) and free admission for carers accompanying disabled visitors. The Museum offers free access to all for the annual nationwide Heritage Weekend in September and occasionally participates in other special promotional free / reduced admission events at the Council's discretion (e.g. Big Essex Weekend), to encourage visits by all regardless of income.
- 5.10** Provide appropriate aids for visitors with sensory impairments, within limitations of resources and the historic nature of the Museum building, e.g. provision of a hearing loop at the Welcome Desk and in the Special Exhibitions Gallery and Great Hall.
- 5.11** Provide and improve internal signage and information to enable all visitors to explore the Museum and locate facilities easily.
- 5.12** Provide a basic guide (leaflet) to the Museum in a range of languages for visitors from overseas (around 13-14% of Museum visitors). We will use information from visitor surveys, Audience Development Study (2019-20), front-of-house volunteers and Council sources to review the range of languages to match our actual and potential visitor communities, including any ethnic community groups identified in the north-west Essex area (traditionally an area with very little ethnic diversity in the population).

The Museum seeks to

- 6.1** Work with groups and advisors to develop our activities and aids for people with sensory impairments and special needs, to continually update our Access Audit and inform our Access Policy and Plan (e.g. Support4Sight, Uttlesford Dementia Friends, with whom the Museum has been working 2018-19).
- 6.2** Display exhibits which reflect the range and diversity of the Museum's collections, and engage with the diversity of our users and their needs. This supports our core aim of inspiring people and providing a sense of place in Uttlesford district / north-west Essex, through exploration of our wide-ranging collections and the histories they represent.
- 6.3** Provide access to all collections and appropriate associated information, to meet the needs of all researchers and different cultures and communities. This includes direct physical access and provision of information in a suitable and accessible format to users who cannot visit, e.g. by email or letter. We seek to be sensitive to the nature of requests and to users, e.g. in providing full information on items in our world cultures collection to enquirers from first nation communities, or to local community groups in Uttlesford exploring their local heritage. Information given out will be subject to legal and ethical constraints, e.g. data protection legislation, or the need to protect sensitive archaeological and environmental site locations.
- 6.4** Access to study objects and specimens in the collections will be supervised at all times by a member of Museum staff, to assist the researcher, ensure the security of the collections, and provide guidance in handling where necessary. Wherever possible, items will be made available in a wheelchair-accessible research area (Museum Workroom, Shirehill store Research Room) unless the size, weight or other aspects of the objects or specimens make it necessary to view in store, accompanied by Museum staff.
- 6.5** Promote public awareness of the full extent of the collections through special features in the Museum (e.g. Object of the Month display), on-line (website blogs, social media) and through other remote means (e.g. talks by staff). Store tours for small groups, supervised by Museum staff, will be offered at Shirehill by appointment subject to staff availability. Museum development plans (2020-25) will seek to redress limitations placed on access to stores and collections by the nature of the building (narrow staircase access and cramped space currently make group tours behind-the-scenes in the Museum untenable for the safety of people and collections). Potential improvements for access, to be considered in development plans, include changes to stores or developing a 'virtual tour' (linked to the Documentation Plan and digitisation of collections).
- 6.6** Differentiate between commercial reproduction requests for images of the collection, and non-commercial / not-for-profit requests from local communities,

researchers, students and educational, academic or charitable organisations, for fees & charges and conditions. This is to foster knowledge and use of the collections through their wider study and publication, and maintain a balance between legitimate income generation and access for non-commercial users.

- 6.7** Incorporate multisensory exhibits (e.g. to touch, smell, listen to), and tactile objects into exhibitions and galleries where appropriate.
- 6.8** Ensure that video-based exhibits have subtitles if they use the spoken word, and/or printed copies of the script for reference.
- 6.9** Write text for use in our galleries, exhibitions, educational resources, publications, website and social media channels which is carefully tailored to the needs of their intended audiences, in line with the Museum's style guide.
- 6.10** Provide appropriate aids and options to enhance exploration of the Museum and collections by all, e.g. tactile toys and ear defenders in our "Explorer Backpacks" to assist young visitors in general, and especially those on the autism spectrum.
- 6.11** Offer outreach visits to schools, care homes and community groups who have difficulty in visiting the Museum.
- 6.12** Ensure that the content and delivery of our learning programmes and activities are tailored to the learning needs of their audiences.
- 6.13** Provide tailored session options for special schools and Special Educational Needs (SEN) units in schools and colleges.

7 Marketing and publicity

The Museum will

- 7.1** Ensure that our promotional activities present the Museum as a welcoming, non-threatening, inclusive and family-friendly destination.
- 7.2** Promote the Museum to a broad range of users through a variety of media, printed and on-line, for local and target audiences, within the restrictions of budget and staff resources. This will be reflected in the marketing strategy to be produced after the Audience Development Study 2019-20. Essential information on accessibility will be included on the Museum's website and programme leaflet, and wherever possible or practical to do so.

8

Staffing and training

The Museum will

- 8.1 Ensure that visitors are made to feel welcome on arrival and are put at their ease. Our Welcome Desk volunteers are trained to offer a guide of what to expect inside the Museum, answer visitor questions and provide guidance and reassurance about navigation, how to move around the Museum and where to find key exhibits and points of interest.
- 8.2 Staff and volunteers are Dementia Friends trained.
- 8.3 The Learning & Outreach Officer advises staff and volunteers on giving accessible access for those with Special Educational Needs and Autistic Spectrum Disorders (ASD).
- 8.4 Museum staffs attend appropriate training by SHARE and other providers on Museum accessibility for a range of users with different access needs.

9

Partnerships and networking

To extend access to collections further, the Museum will

- 9.1 Provide loans to other museums nationally and internationally, subject to our conditions of loan and to approval by the Board of Saffron Walden Museum Society Ltd (owners of the collections).
- 9.2 Provide loan boxes for schools and community groups, and maintain an education & handling collection specifically for this purpose and for taught sessions, to encourage interaction with collections while preserving the main Museum collections from undue risks (Collections Development Policy).
- 9.3 Actively develop partnerships in the community for exhibitions and the activities programme (e.g. co-curated Community Case, use of Museum & Castle grounds for wildlife surveys). In developing plans for the improvement of the Museum and re-display of the collections (2020-25) the Museum will consult and involve local communities through appropriate means such as co-curation projects, focus groups and workshops.

10

Review

Policy review date: October 2024

Committee:	Cabinet	Date:	Tuesday 26 November 2019
Title:	Changes to Membership of Assets of Community Value and Local Heritage List Committee and Representatives of Outside Bodies.		
Portfolio Holder:	Councillor John Lodge, Leader of the Council		
Report Author:	Alistair Bochel, Democratic Services Officer abochel@uttlesford.gov.uk	Key decision:	No

Summary

1. The Leader has proposed changes to the membership of the Assets of Community Value and Local Heritage List Committee and the representatives of three outside bodies.

Recommendations

2. That Cabinet approves the changes proposed by the Leader in the appendix to this report.

Financial Implications

3. None

Background Papers

4. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.
5. None

Impact

- 6.

Communication/Consultation	N/A
Community Safety	N/A
Equalities	N/A
Health and Safety	N/A
Human Rights/Legal Implications	N/A

Sustainability	N/A
Ward-specific impacts	N/A
Workforce/Workplace	N/A

Situation

7. Three Cabinet members have resigned to form the Green Party group. As such, the Assets of Community Value and Local Heritage List Committee has only two members. The Council's constitution states that a committee must have a minimum of three members.
8. The Leader has proposed changes to the representatives on three outside bodies. Cabinet also needs to appoint a representative to an additional outside body: the Harlow and Gilston Garden Town Board.
9. Changes to the Chairs of the Investment Board and the Planning Policy Working Group are also proposed.

Risk Analysis

10.

Risk	Likelihood	Impact	Mitigating actions
None	N/A	N/A	N/A

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

Proposed changes to cabinet committees, working groups and outside body representatives

Changes are highlighted in green.

COMMITTEES OF CABINET

ASSETS OF COMMUNITY VALUE AND LOCAL HERITAGE LIST COMMITTEE:

Cllrs D Eke, P Lees (Chair) and **L Pepper**

WORKING GROUPS OF THE CABINET

Investment Board	G Bagnall	G LeCount
	C Criscione	J Lodge (C)
	P Fairhurst	R Pavitt
	N Hargreaves	N Reeve
	A Khan	G Sell
	P Lavelle	J de Vries
Planning Policy Working Group	C Criscione	P Lees
	C Day	J Lodge
	A Dean	J Loughlin
	J Evans (C)	R Pavitt
	N Hargreaves	A Storah

OUTSIDE BODIES

Cooperation for Sustainable Development Board	J Evans
Local Government Association - General Assembly	J Lodge
Harlow and Gilston Garden Town Board	J Evans
Saffron Walden Business Improvement District (SW BID)	J Lodge

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