



Public Document Pack

Uttlesford District Council

Chief Executive: Peter Holt

Cabinet

Date: Thursday, 16th March, 2023

Time: 7.00 pm

Venue: Council Chamber - Council Offices, London Road, Saffron Walden,
CB11 4ER

**Leader and
Chair:** Councillor P Lees

Members: Councillors A Armstrong, A Coote, J Evans, R Freeman,
N Hargreaves, L Pepper, N Reeve and M Sutton

**Other
Attendees:** Councillors M Caton (Liberal Democrat and Green Alliance Group
Leader), G Smith (Conservative Party Group Leader), N Gregory
(Chair of Scrutiny Committee), E Oliver (Chair of Governance, Audit
and Performance Committee) and R Pavitt (Uttlesford Independent
Party Group Leader)

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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 - 9

To consider the minutes of the meeting held on 9 February 2023.

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.

- No matter referred.

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.

- Response to CAA Consultation: Revised Airspace Change Process Guidance (CAP1616) – 8 March 2023.
- Response to DLUHC consultation: Levelling-up and Regeneration Bill: reforms to national planning policy – 2 March 2023.
- Designation of Little Hallingbury Neighbourhood Plan Area – 28 February 2023.

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 committee since the previous Cabinet meeting.

- No decisions to report.

8 Zero Carbon Communities Fund Outcome 10 - 17

To consider the Zero Carbon Communities Fund Outcome report.

9 Developer Contributions Supplementary Planning Document 18 - 89

To consider the Developer Contributions Supplementary Planning Document report.

10 Members New Homes Bonus Spend and Recipients 2022/23 90 - 102

To receive the Members New Homes Bonus Spend and Recipients 2022/23 report.

11 Workforce Plan 2023-2027 103 - 122

To consider the Workforce Plan 2023-27.

12 Budget 2022/23 - Quarter 3 Forecast Outturn 123 - 150

To consider the Budget 2022/23 – Quarter 3 Forecast Outturn report.

13 Housing Revenue Account 2023/24 - Update 151 - 166

To receive the Housing Revenue Account 2023/24 – Update report.

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CABINET held at COUNCIL CHAMBER - COUNCIL OFFICES, LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on THURSDAY, 9 FEBRUARY 2023 at 7.00 pm

Present: Councillor P Lees (Chair)
Councillors A Coote, J Evans, N Hargreaves and L Pepper

Officers in attendance: P Holt (Chief Executive), J Etherington (Assistant Director of Finance), B Ferguson (Democratic Services Manager) and A Webb (Director - Finance and Corporate Services)

Also in attendance: Councillors Sell (deputising for the Leader of the Liberal Democrat and Green Group) and Smith (Leader of the Conservative Group); Councillor LeCount (Vice-Chair of the Scrutiny Committee).

CAB74 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies were received from Councillors Armstrong, Freeman, Reeve and Sutton as members of Cabinet.

Councillor Caton, Leader of the Liberal Democrat and Green Group, sent his apologies and Councillor Sell deputised in his place.

Councillor Gregory, Chair of the Scrutiny Committee, sent his apologies and Councillor LeCount deputised in his place.

CAB75 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 22 December 2022 were approved as a correct record.

CAB76 QUESTIONS OR STATEMENTS FROM NON-EXECUTIVE MEMBERS OF THE COUNCIL (STANDING ITEM)

In response to a question from Councillor Sell regarding Highways funding for 2023-24, Councillor Hargreaves said the council would provide £100,000 as per the previous year.

In response to a question from Councillor Smith regarding Highway Rangers funding, Councillor Hargreaves said this was funded by Essex County Council and Uttlesford District Council did not provide the core funding for the service. It was confirmed that the service would cease at the end of this financial year.

CAB77 CONSIDERATION OF REPORTS FROM OVERVIEW AND SCRUTINY COMMITTEES (STANDING ITEM)

Councillor LeCount, the deputy Chair of the Scrutiny Committee, presented an update on behalf of the Committee. He said the Committee had reviewed a number of important work streams for the Council, including the Local Plan process, which was getting back on track. The Budget and Medium Term Financial Strategy were also looked at and he highlighted the increase in value of the investment assets. The Committee were also pleased with the ongoing improvements in the Planning department.

CAB78 REPORT OF DELEGATED DECISIONS TAKEN BY CABINET MEMBERS (STANDING ITEM)

There were no delegated decisions to report.

CAB79 REPORT ON ASSETS OF COMMUNITY VALUE DETERMINED BY THE ASSETS OF COMMUNITY VALUE AND LOCAL HERITAGE LIST COMMITTEE (STANDING ITEM)

There were no decisions to report in regards to Assets of Community Value.

CAB80 CORPORATE PLAN 2023-2027

Councillor Lees presented the report in the absence of Councillor Reeve. She said this would be the final Corporate Plan before the election in May 2023 and therefore a light touch approach had been taken. She proposed approval of the recommendation stated in the report.

Councillor Hargreaves seconded the proposal. He said he would advise future administrations to make a distinction between what they can influence and what is within their power to change.

Councillor Sell said the Scrutiny Committee had played an important role in the past few years improving the Plan. He asked whether a Delivery Plan would be produced, to demonstrate how aspirations in the Corporate Plan would be met.

In response, Councillor Lees said there would be no further changes to the existing Delivery Plan at this late stage in the administration's term.

The Chief Executive said a new Delivery Plan would be brought to members in June, following the election.

RESOLVED that the Corporate Plan 2023-2027 is recommended to Council for adoption.

CAB81 MEDIUM TERM FINANCIAL STRATEGY (MTFS) AND 2023/24 BUDGET PROPOSALS

Councillor Hargreaves presented the Medium Term Financial Strategy and Budget proposals for 2023/24. He said the proposals had been considered and endorsed by Scrutiny Committee, with a number of minor amendments with the agreement of the Chair. The Assistant Director of Finance was commended for the report.

Councillor Hargreaves highlighted the following:

- A Council Tax rise of 3%, equating to a £5.00 rise for Band D properties, providing an additional £195,000 income per annum.
- The Cost of Living Support Fund had been established with this additional income, to assist those who did not qualify for other measures of support but were still struggling in the economic climate, as per discussions at a member workshop.
- To note the balanced budget, including the use of £1.8million from reserves for planned purposes and £2.7million from the MTFS reserves. He said if an asset was sold from the investment portfolio, the shortfall could be covered.
- Planning fees in the Council's control would be increased to ensure the service was in line with other authorities.
- Regarding the Capital Strategy, he said there was a need to have a balance between short, medium and long term borrowing. He said the Council was also a depositor.
- Existing council rents had been increased by 7% in line with Government policy. A 11.1% rise would be applied when a property was to be re-let. These measures had been accepted by the Housing Board.
- In regards to the Treasury Management Strategy, he said the fair funding review had not been completed by central Government and all councils were affected by the uncertainty this created.
- He said the Council was being cautious and conservative in regards to borrowing and inflation rates.
- The Local Government Finance Settlement had been published in December 2022 and amounted to at least a 3% rise in core spending powers. However, as inflation was at 10%, this represented a real term cut for the third consecutive year.
- In regards to the MTFS in 2025/26, he said there was a presumption that Government cuts would lead to a drop in income of £4.8million. He said this was a worst case prediction and he thought it was inconceivable, due to the situation of other councils facing bankruptcy, that government would not take action and potentially restore local authority funding to previous levels. He highlighted the 'Changes to Funding Reform' scenarios contained within the MTFS which included more optimistic forecasts.

In response to a question from Councillor Smith regarding the valuation of assets, Councillor Hargreaves said the MTFS did not presume selling any assets. However, if assets were sold in future, it was assumed that they would be sold for their market value.

In response to a question from Councillor Coote regarding annuity, Councillor Hargreaves said the Minimum Revenue Provision (MRP) was managed in a way that reduced the MRP payable on asset valuations.

In response to a question from Councillor Sell relating to the running costs of investments, Councillor Hargreaves said costs were covered by the tenants.

The Director of Finance and Corporate Services said the service charges that were applied to 'Nucleus' were borne by the Park owners. This also applied to undeveloped plots.

In response to a question from Councillor Sell regarding the Cost of Living Fund, the Director of Finance and Corporate Services said the policy would be considered at the Council meeting on 21 February.

The Director of Finance and Corporate Services confirmed that the 145 responses to the Budget Consultation was a comparable response rate to previous years.

Councillor Hargreaves proposed the recommendations set out in the report; Councillor Pepper duly seconded.

RESOLVED to recommend the following Medium Term Financial Strategy and Budget Proposals to Council for adoption:

- i. review and have regard to the Section 25 report when considering the budgets for 2023/24;
- ii. review the risk assessment relating to the robustness of estimates as set out at paragraph 9 of the Section 25 report;
- iii. recommend to Council that the working balances for 2023/24 be set at £1.782 million for the General Fund and £581,000 for the Housing Revenue Account;
- iv. recommend to Council the approval of the Commercial Strategy 2023-28;
- v. review the key risks and assumptions set out at paragraph 29 of the Medium Term Financial Strategy 2023-2028;
- vi. recommend to Council the approval of the Medium Term Financial Strategy 2023-2028;
- vii. recommend to Council the approval of the changes to investment counterparty limits set out at paragraphs 52-54 of the Treasury Management Strategy, to apply with immediate effect;
- viii. recommend to Council the setting of the treasury management prudential indicators as set out at paragraphs 66-74 of the Treasury Management Strategy 2023/24;
- ix. recommend to Council the approval of the Treasury Management Strategy 2023/24;
- x. recommend to Council the setting of the capital prudential indicators as summarised at Annexe E2;
- xi. recommend to Council the approval of the Minimum Revenue Provision Statement 2023/24 as set out at Annexe E1;

- xii. recommend to Council the approval of the Capital Strategy 2023/24;
- xiii. recommend to Council the approval of the Capital Programme 2023/24 - 2027/28, including the planned application of capital financing set out at Annexe F4;
- xiv. recommend to Council the approval of increases in HRA rents as follows:-
 - General needs and supported accommodation – a 7% increase for existing tenants in accordance with the cap set by government, with formula rents to increase by the maximum permitted amount of 11.1% (to be applied only when properties are relet).
 - Temporary accommodation – rents to be increased in line with formula rents as in previous years (11.1%).
 - Garage rents – to be increased in line with September 2022 CPI (10.1%).
- xv. recommend to Council the approval of increases in HRA support and service charges as set out at paragraphs 21-27 of the Housing Revenue Account budget report;
- xvi. recommend to Council approval of the Housing Revenue Account Budget 2023/24
- xvii. recommend to Council the approval of the Council Tax Requirement for 2023/24 of £6,694,027, equivalent to £171.61 for a band D property, representing a £5.00 increase on the 2022/23 amount;
- xviii. recommend to Council the approval of placing £195,036 (the equivalent of the 2023/24 band D council tax increase) into a Cost of Living Support Fund to support households in hardship through additional council tax discounts, as proposed by officers;
- xix. recommend to Council the approval of the planned use of General Fund reserves during 2023/24 as set out at paragraph 47 of the General Fund budget report, including the use of £2.667 million from the Medium Term Financial Strategy reserve to balance the General Fund budget;
- xx. recommend to Council the approval of the reprofiling of spend on the Local Plan, and associated drawdown of reserves, as set out at paragraphs 29-34 of the General Fund budget report;
- xxi. recommend to Council the approval of the schedule of fees and charges for 2023/24 as set out at Annexe H5;
- xxii. recommend to Council the delegation of authority to the Director of Finance and Corporate Services (Section 151 Officer) to set and/or amend fees and charges in relation to services which are operating in competition with commercial providers, for example trade waste;
- xxiii. recommend to Council approval of the General Fund budget for 2023/24; and
- xxiv. note the contents of the Budget Consultation Report 2023/24.

The meeting ended at 7.55pm.

Agenda Item 8

Committee: Cabinet

Date: Thursday, 16
March 2023

Title: Zero Carbon Communities Grant Fund

Portfolio Holder: Councillor Louise Pepper, Portfolio Holder for
Environment and Green Issues; Equalities

Report Author: Vicky Reed, Climate Change, Lead Officer
vreed@uttlesford.gov.uk

Key decision: Yes

Summary

1. The Climate Change programme agreed an allocation of £300,000 over the next two years to enable funding of community projects that will support the delivery of priorities within the Council's Climate Change Strategy.
2. The ambition for the fund is to be able to stimulate engagement within the community about climate action, to share project ideas, success and learning.
3. The Zero Carbon Communities Fund was launched at the end of October 2022 with £150,000 available in the first round of funding. The closing date for applications was the 5th of January 2023.
4. Community groups, parish and town councils were able to apply for grants between the value of £1k, and up to £35k. Applications were invited under the themes of carbon emission reduction; biodiversity restoration and enhancement; and community engagement in climate change.
5. Twenty applications were received at the closing date, with a total of £250,000 funding requested.
6. The evaluation and selection of projects took place in January. Applications were independently evaluated and scored by Councillor Pepper, Councillor Pavitt, and Councillor Caton. After collation of scoring by UDC officers, a moderation meeting was held on 24th January and eleven projects were approved to receive grant awards.

Recommendations

7. To note the evaluation and selection process that has been undertaken to determine the successful projects in this funding round.
8. To approve the list of successful projects agreed by the selection panel and listed in *Appendix 3*.

Financial Implications

9. A total of £125,426 grant funding has been awarded in year 1.
10. £150,000 was allocated for year 1, and any surplus funding will roll forward to year 2.
11. All applicants will receive feedback from the selection panel. For successful projects this will include details on any conditions attached to receiving their grant award.
12. Grant payments will only be released to a project when Officers are in receipt of a signed agreement and any other requested information, to confirm that conditions of the funding have been accepted and/or met by the applicant.

Background Papers

13. 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:
 - The Council Climate Action Strategy.
 - The Zero Carbon Communities Grant Fund Criteria (*see Appendix 2.*)

Impact

14.

Communication/Consultation	The model for the Zero Carbon Communities Fund has been reviewed by the Energy and Climate Change Working Group.
Community Safety	
Equalities	Grant funding will be allocated so that we can support as wide a range of projects as possible across the district. All projects will need to demonstrate how they will engage with others within their community.
Health and Safety	
Human Rights/Legal Implications	
Sustainability	The fund specifically supports enabling community groups to deliver sustainability

	and carbon reduction projects aligned to the Council Climate Change priorities.
Ward-specific impacts	
Workforce/Workplace	

Situation

15. The Zero Carbon Communities Grant was launched on 28th October 2022 and the closing date for applications was 5th January 2023.

16. In this first round, applications for grants were invited under three themes:

- 1) Carbon Emission Reduction
- 2) Biodiversity Restoration and Enhancement
- 3) Community Engagement in Climate Change

17. All projects were asked to provide a method for how they would evaluate and measure the impact of their project. For projects delivering interventions to reduce carbon emissions, the impact needed to be quantifiable.

18. At the closing date, a total of twenty applications for funding were received. Please see the summary of applications received in *Appendix 1*.

19. The selection panel independently scored and assessed each application ahead of a moderation meeting held on 24th January, where all applications were discussed and the successful grant awards agreed.

20. A traffic light system was used to evaluate each application against the grant award criteria, please see further details at *Appendix 2*. Panel members were asked to declare any interests ahead of the moderation process, to ensure transparency and fairness in the assessment of projects.

21. Eleven projects were selected to receive a grant award this year.

22. The grant provides an opportunity for the Council to commence an ongoing programme of community engagement on climate action. The Climate Change team will monitor and engage with projects over the next 12 months, sharing stories and details of their implementation, via the Let's Talk Uttlesford Platform.

23. Key milestones to be aware of are set out in the table below:

Activity/Milestone	Key Dates
Cabinet Approval	16 th March 2023

<i>Publication of Grant Awards</i>	17 th March 2023
<i>Outcome letters issued to applicants</i>	17 th March 2023
<i>Grant Award Funding Released</i>	20 th March onwards
<i>Zero Carbon Communities Grant Fund opens for 2nd round</i>	End August 2023

Risk Analysis

24.

Risk	Likelihood	Impact	Mitigating actions
That the demand for grants cannot be met by the funding that has been allocated, leading to projects not being delivered, and community climate action plans being delayed in delivery, and the disengagement of community groups.	2	2	Detailed feedback will be given to all applicants on the outcome of their proposal. Arising themes from applications will be reviewed to look at where other grants or resources could be utilised to support delivery. Other suitable grant funds will continue to be publicised which provides a further opportunity for community groups.
There is a risk that project impact measurements are not quantifiable, which means the contribution of projects to the reduction of carbon emissions	3	3	Available and recognised community carbon calculation resources and methodology are shared with applicants and projects.

cannot be monitored or understood, leading to a failure of the fund to achieve its aims.			
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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 1 Summary of Applications

Total Grants requested

£249, 314.00

By Ward	No of Applications	Total Value
Clavering	1	£15,000
Debden and Wimbish	2	£19,150
Felsted and Stebbing	3	£18,150
Great Dunmow	1	£23,000
Hatfield Heath	2	£11,360
Littlebury Chesterford	3	£34,885
Newport	1	£5,425
Saffron Walden	2	£69,000
Stansted North	2	£4,993
Stansted South Birchanger	2	£39,893
The Sampfords	1	£7,500

Theme	No of Applications	Total Value
Carbon Emission Reduction	10	£172, 601
Biodiversity	7	£33 926
Community engagement and behaviour change	3	£42,787

Organisation type	No of applications
Parish or town council	11
Village hall/scout hall/Church	4
Recreational group	2
Other	3



Assessment Criteria

You need to read each application form and supporting documents to assess the following:

PROJECT PLAN

- Is there a clear project description, have they identified what the group wants to do and what the project will achieve?
- Has the plan clearly set out how the project will get the necessary people, support and resources? Do you understand the project objectives? Do the project objective/s align well to the grant theme?
- Did they submit a quote? Are you confident there is readiness and capacity to deliver the project?

VALUE

- Does the project represent value for money – is there a good impact for the amount of money requested?
- Does the project contribute additional value? this might include any of the following: other funding contributions; volunteer time/expertise from other sources; collaboration between organisations, and/or evidence of local support; communication of the project to the local community

MEASUREMENT AND IMPACT

- Has the applicant set out how they will measure and assess the difference that the project will make? For carbon emission reduction projects this should be quantifiable.
- To what extent will the project have a lasting impact on the local community?



Your Score and Comments

- For each application on the spreadsheet please complete Columns 'H' and 'I'.
- In column H: select one of the following to indicate your assessment of the application: **Green**, **Red** or **Amber**
- In column I: provide any brief notes and comments to support your assessment.

Quality Criteria – Traffic Light Assessment	
Please select your evaluation score (either RED , AMBER or GREEN)	
GREEN	The project meets all the requirements of the grant criteria The answers provided are regarded as excellent and fully relevant to the project outlined. I have full confidence in the capabilities or capacity of the applicant.
AMBER	The responses meet all the requirements of the grant criteria. The answers provided are regarded as good and are in part relevant to the project outlined. I have a good level of confidence in the capabilities or capacity of the applicant
RED	The responses meet some requirements of the grant criteria. The answers provided are of low quality. I have some doubts about the capabilities or capacity of the applicant.

Appendix 3 List of Successful Projects

Applicant Name	Grant Theme	Project Title	Project Overview	Grant Award
Felsted Parish Council	Biodiversity	Biodiversity Survey of Parish Council Grassed Areas	Assessment of grassed areas by Essex Wildlife Trust which will result in plan as to how best to manage the previously mown areas to increase biodiversity	1200.00
Birchanger Wood Trust	Biodiversity	Rewilding native pollinators: managed forest hives, Birchanger Woods	Installation of bee swarm boxes in Birchanger Woods to provide a home for the native bee colonies that swarm. By establishing native wild bee colonies, this will support native bees develop resistant to existing and emerging pathogens that are posing a risk to our native bee population.	3451.00
Quendon & Rickling Parish Council	Biodiversity	Pond clearance	Clearance work on two Rickling Green ponds; one on the village green and one in Brick Kiln Lane.	5425.00
Stebbing Parish Council	Biodiversity	Nature and Biodiversity Project at Mill Lane Playing Field	Creation of a community nature area to provide the following: Significant improvement in biodiversity; Positive impact on climate change through professional woodland management; Community engagement through design involvement and planting schemes; Educational benefit through habitat/tree signage and local school activities; Use of recycled wood from felling for use as pathways.	2200.00
Radwinter Recreation Ground Charity	Carbon Emission Reduction	Solar Panels for Community Pavilion	Install of solar panels onto the roof of the pavilion and a battery inside.	7500.00
Stansted Mountfitchet Parish Council	Carbon Emission Reduction	Replacement of Street Lighting	Conversion of 100 Sodium powered Streetlights to LED	34900.00
Stebbing Tennis Club	Carbon Emission Reduction	Replacement of existing halogen court lighting for low energy LED light fittings.	The project is to change the existing halogen tennis court floodlight to new low energy LED lighting units.	14750.00
Wicken Bonhunt Parish	Carbon Emission Reduction	Wicken Bonhunt St Margaret's Church and Community Centre Solar Panel Installation	Installation of ground mounted solar energy system consisting of 24 Trina Solar Panels and incorporating 6.0kWh battery storage	15000.00
Saffron Walden Community Energy Ltd	Carbon Emission Reduction	Littlebury Energy Project phase 2	Delivery of decarbonisation plan including: domestic energy savings and retrofit measures in the move to low carbon heating and second, readiness for community scale renewable energy generation to help power Littlebury's homes.	34000.00
Wimbish Parish Council	Biodiversity	Wimbish Rewilding	Funding for restoration and creation of two Wildflower Meadows	5000.00
Sustainable Stansted	Community Engagement Behaviour Change	Sustainable Stansted - Engaging the community in climate change & biodiversity loss in our area	Funding to support delivery of a community engagement project focused on domestic energy consumption, and carbon emission reduction.	2000.00

Agenda Item 9

Committee: Cabinet

Date: Thursday, 16
March 2023

Title: Developer Contributions supplementary
planning document (SPD) for Adoption

**Portfolio
Holder:** Cllr John Evans, Cabinet Member for Planning,
Infrastructure and Stansted Airport

**Report
Author:** Dean Hermitage – Director of Planning / Jane
Wormald – Senior Planner

Key decision: No

Summary

1. This report recommends that the Developer Contributions guidance be adopted as a formal supplementary planning document (SPD) and will then form part of the development plan for the district of Uttlesford.

Recommendations

2. That Cabinet approve the Developer Contributions SPD for adoption.

Financial Implications

3. Within existing local plan budget.

Background Papers

4. None

Impact

Communication / Consultation	A seven week consultation period was carried out between 17 November 2022 and Friday 6 January 2023 (an extended period to allow for the Christmas and new year break).
Community safety	The document supports the provision of community facilities which have the potential to contribute to community safety positively.
Equalities	The SPD sets out how policy contained within the 2005 local plan will be implemented. The local plan was subject to equalities assessment and the SPD draws on the assessment carried out for

	the local plan and does not itself require EqIA.
Health & Safety	The document supports the provision of community facilities which have the potential to contribute positively to health and well-being.
Human Rights / Legal	These are planning tools that can be used to secure financial and non-financial contributions, or other works, to provide infrastructure to support development or to mitigate the impact of development. Developer contributions should be used appropriately and effectively and to achieve this they should be considered throughout the planning cycle.
Sustainability	SPDs do not require a sustainability appraisal. Strategic environmental assessment may be required if significant environmental effects are likely to occur that have not already been assessed during the preparation of the relevant strategic policies. Due to the nature of this SPD, this has not been identified in this case.
Ward-specific Impacts	Covers all wards. Positive impact in terms of contributing to local infrastructure.
Workforce / Workplace	None.

Situation

5. An SPD is a non-statutory planning document that can form part of a development plan. SPDs provide detailed guidance on how development plan policies will be implemented or applied. In this case, the SPD concerns developer contributions (s106 contributions) and provides guidance with respect to the adopted 2005 local plan.
6. The production of the SPD forms part of the s106 agreement implementation pathway, which is part of the Planning Service Implementation Plan. The document sets out the procedures that the Council will follow in negotiating s106 agreements and summarises the evidence base for calculating individual contributions. The draft document is attached as **appendix 1** to this report.

7. The draft document received agreement from Cabinet to be put out to public consultation at the cabinet meeting of 29 March 2022. A seven-week consultation period took place from 17 November 2022 to Friday 6 January 2023. A period in excess of the six weeks required by statute was considered appropriate owing to the Christmas period.
8. Copies of the document were placed in Saffron Walden and Dunmow libraries. Approximately 8,000 emails were sent to stakeholders, including parish councils. Notification was also placed on the council's website.
9. Thirty-four representations were made, including representations from teams, officers and a councillor at UDC. Members of the public, developers, a neighbouring council, the county council and other statutory bodies made representations. These are all included within **appendix 2** and have been reviewed and in some cases warranted minor amendments to the document.
10. Key amendments made to the document following consultation include:
 - The document no longer states that a unilateral undertaking (s106) is required at planning application validation stage – s106s can be negotiated during the course of the application.
 - It focusses on contributions required for residential development and removes reference to commercial.
 - Detailed considerations have been amended to better reflect a wider range of topics including early years and specialist educational needs, specialist housing, green infrastructure and heritage and landscape/ townscape.
11. Once adopted, the document would require review following the adoption of a new local plan.

Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
That the adopted plan is successfully challenged by way of judicial review.	1	4	The document is based on best evidence and the process has been carried out in accordance with statutory procedures.

1 = Little or no risk or impact

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

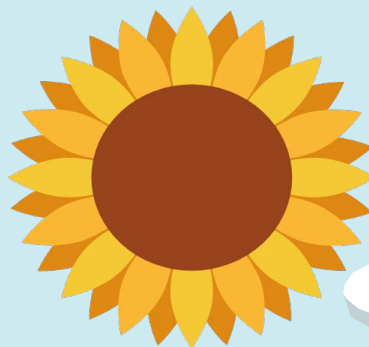
3 = Significant risk or impact – action required

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

Appendices

Appendix 1 – the Developer Contributions SPD

Appendix 2 – List of representations and subsequent amendments



**UTTLESFORD DISTRICT
COUNCIL**

**DEVELOPER CONTRIBUTIONS
SUPPLEMENTARY
PLANNING DOCUMENT
MARCH 2023**



Contents

1: Introduction	2
2: Legal and Planning Background	4
3: Governance - Roles, Responsibilities and Procedures	6
4: Detailed Considerations	10
5: Appendices	26

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planningpolicy@uttlesford.gov.uk or telephone 01799 510510

1 : Introduction

Adoption

- 1.1 The consultation on the draft Developer Contributions Supplementary Planning Document (SPD) closed on the 6 January 2023. We received a total of 34 representations on the draft document. These comments have been analysed and used to refine and amend, where appropriate, the content of this final document.
- 1.2 At Cabinet on 16 March 2023 Members agreed to Adopt this document as an SPD.

Purpose of this Supplementary Planning Document

- 1.3 This Developer Contributions Supplementary Planning Document (SPD) sets out how Uttlesford District Council (the Council) will seek planning obligations from developers where financial or other contributions are required to make residential development proposals acceptable in planning terms (but cannot be achieved through conditions on any planning permission). It replaces guidance previously issued in 2015 and which was adopted in that year by the Council as a material planning consideration.
- 1.4 This SPD is based upon policies contained in the adopted 2005 Uttlesford Local Plan (ULP 2005). A new local plan is in production to replace the 2005 Local Plan, and as this comes to fruition this SPD will be replaced by a further new one reflecting the content of the new plan and the associated infrastructure delivery plan.
- 1.5 Contributions are frequently required for larger or more complex development, for example, for new housing development towards affordable housing, open space, landscaping and education, amongst others. These contributions recognise that incoming residents will need access to amenities, often generating a requirement for additional or improved facilities where there is a need. Contributions towards highway and public transport improvements may also be required on a site-by-site basis. The provision of conveniently located accessible, safe and attractive communal facilities integrated into residential areas can substantially improve the quality of life of residents and have social and health benefits.
- 1.6 This SPD is for use by developers, the Council and other statutory bodies who may find it useful and will aid the consistent application of policies by the Council. A key aim is to assist developers in the making of planning applications (particularly during pre-application negotiations) and to minimise planning delay and uncertainty.
- 1.7 The Council's Statement of Community Involvement (SCI) sets out the consultation process the Council will adopt for all planning applications and pre-application processes. It encourages applicants to involve the community, including the relevant town or parish council or meeting before a formal application is submitted. Early involvement will help to address issues of concern and may help to avoid objections to proposals. The SCI should assist developers in carrying out effective community involvement, particularly where the use of planning obligations is anticipated to be necessary.

- 1.8** All planning applications are determined on their own merits and on a site-by-site basis. This SPD will not cover every circumstance, and there may be occasions where a bespoke approach to contributions is required.

Council priorities

- 1.9** The Council's Corporate Plan 2022-2026 (CCP) (UDC Corporate Plan) sets out its key priorities, the principles that inform everything that it does and how they will be done. The Council's vision is: "making Uttlesford the best place to live, work and play."
- 1.10** The CCP puts residents, who are the electors, first. Residents' needs and welfare are the first and highest priority. Under the key priority of being an active place-maker for the district's towns and villages the Council will secure greater benefits for the community from new development. This will be delivered in four ways:
- Implement the Community Infrastructure Levy along with s106 to deliver strategic community projects and greater local benefit from development;
 - increase the transparency of the s106 agreement process and councillor engagement in it, including with parish and town councils;
 - ensure that strong planning enforcement holds developers to account; and
 - require developers to be considerate of the communities in which they build.

Climate Change

- 1.11** In February 2021, the Council approved an interim climate change planning policy document (interim climate change policy) as non-statutory development management guidance. The aim of the document is to ensure development contributes to climate change mitigation and adaptation. This follows the Council's declaration of a climate and ecological emergency in 2019 which is a commitment to achieving net zero carbon status by 2030. As the new local plan moves forward to a draft plan, the Council will be giving weight to the policy document and seeking contributions.

2: Legal and Planning Background

Statute

- 2.1** Planning obligations are legal obligations that are entered into to mitigate the impacts of a development proposal. Section 106(1) of the Town and Country Planning Act 1990 (as amended) – (TCPA) allows planning obligations to be entered:
- restricting the development or use of land in any specified way;
 - requiring specified operations or activities to be carried out in, on under or over the land;
 - requiring the land to be used in any specified way; or
 - requiring a sum or sums to be paid to the authority (*subsequent wording deliberately omitted*)on a specified date or dates or periodically.
- 2.2** Sections 106A and B of TCPA set out the circumstances in which planning obligations can be modified or discharged, including the mechanisms for an appeal.
- 2.3** Under regulation 122(2) of the CIL Regulations 2010 (as amended), planning obligations must only be sought where they meet all the following tests:
- Necessary to make the development acceptable in planning terms;
 - Directly related to the development; and
 - Fairly and reasonably related in scale and kind to the development.
- 2.4** Planning obligations can be in the form of an agreement (commonly referred to as a section 106 (s106) agreement) by a person with an interest in the land and a local planning authority, or a unilateral undertaking by a person with an interest in the land. Planning obligations run with the land, are registered as a local land charge and are legally binding and enforceable through the courts. A unilateral undertaking is not binding against a local planning authority as it is not party to it.

Government policy and guidance

- 2.5** The tests referred to in paragraph 2.3 are reiterated in paragraph 57 of the latest version of the National Planning Policy Framework (NPPF) 2021. Paragraph 55 of the Framework emphasises that local planning authorities should consider whether otherwise unacceptable developments could be made acceptable using conditions or obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.
- 2.6** Online guidance on planning obligations is available via GOV.UK (planning obligation guidance).

The development plan

- 2.7** The development plan for Uttlesford consists of the Essex Minerals Local Plan (adopted in July 2014), the Essex and Southend-On-Sea Waste Local Plan (adopted in July 2017), Uttlesford Local Plan 2005 ('saved' policies only) and any "made" neighbourhood plans in Uttlesford District Council.
- 2.8** The 2005 Local Plan has as part of its vision the securing of the necessary infrastructure to support the level of development proposed in the plan. Saved policy GEN6 of the plan states that: "Development will not be permitted unless it makes provision at the appropriate time for community facilities, school capacity, public services, transport provision, drainage and other infrastructure that are made necessary by the proposed development. In localities where the cumulative impact of developments necessitates such provision, developers may be required to contribute to the costs of such provision by the relevant statutory authority".
- 2.9** The Council considers that significant weight can still be attached to policy GEN6, reflecting the importance the Government attaches to improvements in infrastructure and affordable housing in paragraph 41 of the NPPF.
- 2.10** The Council is now going through the process of producing a new local plan for the period to 2040. It is a key document which seeks to ensure that the Council has the right facilities and infrastructure in place to support the community and grow the local economy up to 2040. The new plan will set out the policies which are the starting point for the consideration of planning applications, including the identification of suitable locations for development. New local plan policies will cover (for instance):
- New housing, including how much housing; in which locations; and whether certain sites should include affordable housing.
 - Employment, including how much is needed; for which industries; and in which locations;
 - Transport required to support new developments and existing communities;
 - Parks and green spaces.
 - Community facilities; such as halls and community centres.
 - Education and Early Years and Child and Care (EYCC) facilities;
 - Heritage, listed buildings and conservation areas; and
 - Health and leisure facilities.
- 2.11** The Council will begin the preparation of a replacement for this SPD as the new local plan progresses through to adoption. This subsequent version will align with the new local plan policies and accompanying infrastructure delivery plan and any introduction of CIL.

3: Governance – Roles, Responsibilities and Procedures

Negotiation of s106 agreements

Pre-application

- 3.1** Developers are encouraged to begin pre-application discussions with the local planning authority and with relevant parish or town councils, as soon as possible. The Council offers a paid pre-application advice service, details of which are available on its website (UDC pre-application advice).
- 3.2** As part of the pre-application advice system, the Council strongly urges the use of Planning Performance Agreements (PPA) for new housing schemes. These are voluntary agreements between the local planning authority and an applicant, aimed at delivering high quality, sustainable development that is based on a clear vision and set of development objectives. The Council currently offers five PPA band categories based on the size of the proposed development, for example, the number of homes. Each includes meetings with district council officers (and appointed specialists, if necessary); engagement with the town or parish council and a presentation to members.
- 3.3** A PPA will deal with several issues including s106 agreement negotiations but not legal and monitoring fees. It is the ideal forum for beginning to look at what the agreement needs to include (or the unilateral undertaking should offer if the developer chooses that route), considering the CIL regulations tests. Entering a PPA does not, of course, guarantee the outcome of a planning application, but it does guarantee the availability of resources via an agreed project plan and work programme.
- 3.4** If a developer does not wish to enter a PPA, paid pre-application discussions with the Council can still take place. These would not include presentation to members, appointment of specialists, or multiple meetings.

Planning application submission

- 3.5** Once a planning application has been submitted to the Council and validated, a case officer will be appointed. The case officer will work with the developer, the parish or town council and any others to identify what obligations need to be included in the s106 agreement – a process which will be easier if there is a PPA. Although not a requirement for the validation of a planning application, it is strongly recommended applicants do submit any PPA if prior engagement on the matter has already been undertaken. At this stage, the case officer will notify the Council's solicitor, with formal instructions to follow later. Initially, the obligations will be expressed as Heads of Terms. These are the issues on which contributions are based and around which the details of the obligations are negotiated by the interested parties. If instead a developer chooses to submit a unilateral undertaking, a complete, signed copy is required so it can be considered in the application determination process.

Planning application determination

- 3.6** The approval of all major planning applications is a matter for the planning committee. Heads of Terms and their justification in accordance with the CIL regulations tests will be clearly set out in the committee report written by the case officer. The report will set out a timescale for completion of the s106 agreement. If a unilateral undertaking has been submitted, it will similarly be assessed against the CIL regulations tests in the committee report.
- 3.7** An obligation, whether set out in an s106 agreement or a unilateral undertaking, can only be a material planning consideration if it meets the CIL regulations tests. It is not the role of the case officer to decide between what a developer is willing to provide and what a local community might want. The case officer's job is to identify what mitigation is necessary, conforming to the provisions of the CIL regulations.
- 3.8** When a planning application has been resolved to be granted subject to a s106 agreement, the Council will send appropriate formal instructions to its solicitor. If not already provided, the developer will need to provide certain information to the Council's solicitor so that the negotiation process can commence. The information required is:
- Name and contact details of the developer
 - Name and contact details of the developer's solicitor.
 - Address and post code of the land involved.
 - A current copy of the title to the land involved.
 - A solicitor's undertaking to meet the Council's costs of preparing the agreement.
- 3.9** If the application is for outline planning permission, it may not be possible at that stage to fully detail the obligation particularly, say, if it is a payment relating to the number of homes provided. At that time the Council will want to agree with the applicant how the obligation payment will be calculated, with the precise calculation left until full details of the development are provided at the reserved matters stage.
- 3.10** Failure to complete the s106 agreement within the given timescale will result in the application being refused for the reasons set out in the committee report.

Model agreements

- 3.11** The Council provides an s106 agreement template on its website (s106 Templates). The Council strongly advises developers to use the standard wording to avoid delay in the negotiation process. If the standard wording is used, this should help the developer to submit a draft s106 agreement with the planning application.
- 3.12** The template clause includes procedures for the provision, construction and transfer of affordable housing and includes a sample "Mortgagee in Possession" clause.

Charges for monitoring of obligations

- 3.13** The Council has a schedule of monitoring charges, which is set out in appendix A in Section 5. The charges (in draft now) are graded according to the number of homes that are to be built. In relation to strategic sites (greater than 800 homes) and mixed-use sites,

a bespoke monitoring charge will be negotiated.

Timing and triggers for action or payment

- 3.14** The s106 agreement or unilateral undertaking will set out the relevant timings and trigger points. As a rule, it is better to have fewer varying ones as this makes monitoring easier for everyone, including the public. Development related trigger points should be used (such as prior to commencement or prior to first occupation) rather than fixed dates. Fixed dates can become nonsensical if there is slippage in the development programme. On larger developments, the phasing of payments (such as for the provision of school places) may be acceptable where this is compatible with infrastructure delivery.
- 3.15** If a developer considers that there is a case either for later or lower payment or later on-site delivery, this needs to be supported by evidence at the planning application stage. The case officer will need to set out a reasoned and evidenced justification in their committee report. Similar justifications will be required from the Council if it considers earlier or higher payment or earlier on-site delivery is necessary.

Monitoring

- 3.16** The Council's monitoring officer is responsible for logging all obligations and associated trigger points on the Council's s106 database, which ultimately will be publicly accessible on a read-only basis. The monitoring officer will act on all trigger points to ensure that obligations are met. The monitoring officer will check that all payments are made in a timely manner, are forwarded to the appropriate third party where required and are spent in accordance with the CIL regulations. The monitoring officer will also check that the transfer of land and/or buildings to third parties takes place on time and any agreed contributions paid (such as for future maintenance).
- 3.17** A summary of money held and spent is available in the Council's infrastructure funding statement which can be viewed on its website (infrastructure funding statement).
- 3.18** As the signatory to the s106 agreement, the Council is responsible for the collection and spending of the money and, ultimately, the delivery of a project. This remains the case if delivery is by a third party such as a town or parish council. This might be, for instance, for the building of a new village hall or the refurbishment of an existing one. Most s106 agreements include a "pay back" clause. This means that if the money is not spent within a set period, it must be paid back to the developer with interest. Prior to releasing any initial money to a third party, the Council will require evidence of impending project delivery, and itemised invoices for phases of work subsequently undertaken.
- 3.19** If the developer becomes aware of any reason why trigger points may not be able to be met, it is the developer's responsibility to contact the monitoring officer immediately.

Index-linking of payments

3.20 Unless otherwise agreed, all payments will be index-linked using the retail prices index. Indexation will be calculated from the date of the s106 agreement to the date of payment. The Council's monitoring officer will be able to provide a calculation of the amount due.

Payment of the Council's legal fees

3.21 The developer will pay the Council's legal fees. The fees are as per the solicitors' guideline hourly rates set out on GOV.UK (last updated 1/10/21). Uttlesford is in national band 1, so the fee charged will currently range from £261/hour - £126/hour depending upon the grade of the solicitor involved.

4: Detailed Considerations

Introduction

- 4.1** This section aims to set out the variety of contributions that might need to be considered as part of negotiations on planning applications that require a s106 obligation. They are not meant as an exhaustive list, but as a means of a guide to assist in those conversations. Each application and scheme will be different and therefore innovative design and place making will still be needed. The district council does not want to stifle creative, forward-thinking applicants and developers who want to strive for betterment. These guidelines should be seen as a starting point or a minimum standard, which is open to negotiation based on each individual case. This recognizes the complexities that some sites have over others and the planning balance that the local planning authority must weigh up.

Affordable housing

- 4.2** The NPPF (annex 2) defines affordable housing as:
“Housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following:
- Affordable housing for rent
 - Starter homes
 - Discounted market sales housing
 - Other affordable routes to home ownership”
- 4.3** In 2017, an affordable housing update to the West Essex and East Hertfordshire Strategic Housing Market Assessment (SHMA) was published (SHMA). The update calculated that 2,200 affordable houses within Uttlesford were needed between 2011-2033, of which 1,600 should be for affordable rent, and 600 shared ownerships. The Council has published its housing strategy 2021-2026, which sets out more local background detail (housing strategy).
- 4.4** Where a need for affordable housing on market-led developments is identified, the NPPF expects it to be met on-site in most circumstances. Affordable housing should only be sought for major developments (defined as 10 or more homes or a site area of greater than 0.5 hectares or more). To support the re-use of brownfield land, where vacant buildings are being re-used or redeveloped, any affordable housing contribution should be proportionately reduced.
- 4.5** The Government published guidance in May 2021 on the provision of First Homes and their implementation, last updated December 2021. The guidance sets out the instances when the First Homes policy does not apply. The Council will seek the provision of First Homes in all appropriate instances.
- 4.6** First Homes are the Government’s preferred discounted market tenure and should account for at least 25% of all affordable housing delivered by developers. First Homes should

be physically indistinguishable from the equivalent market homes in terms of quality and size.

4.7 First Homes:

- Must be discounted by a minimum of 30% against open market value;
- Must be sold to a person or persons meeting the First Homes eligibility criteria;
- Must have this discount (as a percentage of current market value) and certain other restrictions passed on at each subsequent sale; and
- The discount has been applied, the first sale must be at a price no higher than £250,000 (or £420,000 in Greater London).

4.8 A s106 agreement should secure the necessary restrictions on the use and subsequent resale of the property. Local authorities and neighbourhood planning groups do have the discretion to a higher minimum discount of either 40% or 50% if they can demonstrate a need for this. Through the plan-making process they can also set an evidenced lower price cap. [Council policy on affordable housing](#)

4.9 The CCP recognises the importance of the delivery of more affordable homes for the district. In accordance with policy H9 of the Uttlesford Local Plan 2005, the Council will seek 40% affordable housing provision on all market-led developments of 15 homes or more, or on a site with an area of greater than 0.5 hectares, but this may be the subject of negotiation at the pre-application stage, such as on grounds of viability.

4.10 Where issues of viability progress through to the submission of a planning application, the developer will be required to submit a viability assessment. The Council will seek an independent audit of that assessment as part of the consideration of the planning application.

4.11 The Council expects affordable housing to be distributed in non-contiguous clusters throughout the development and will not allow this policy to be circumvented by artificially subdividing sites. Where sites are subdivided for other reasons, the Council will expect each subdivision or smaller development to contribute proportionately towards achieving the amount of affordable housing which would have been appropriate on the whole or larger site.

4.12 With the introduction of First Homes, the Council will seek an affordable housing split of 70% affordable rent, 25% First Homes and 5% shared ownership. Unless a Made Neighbourhood Development Plan specifies otherwise for the relevant application area. Older persons housing schemes will be exempt from providing affordable home ownership and First Homes in line with para 65 of NPPF.

4.13 To prevent the loss of affordable housing to the general housing market the Council will, where appropriate, require long-term safeguards to be in place to ensure the affordable housing benefit passes to successive occupiers. This will normally be secured by an S106 agreement.

4.14 In exceptional circumstances where on-site provision cannot be achieved, off-site provision and/or commuted payments in lieu may be supported where this would offer an equivalent or enhanced provision of affordable housing. Paragraph 62 of the NPPF requires off-site provision or a financial contribution to be robustly justified.

- 4.15** The Council recommends using one of the Altair set of methodologies for calculating commuted payments. These methodologies, samples of which are set out in Appendix B, establish the commuted payment as the uplift that a developer would obtain by selling the affordable homes on the open market in comparison to selling them to a registered provider as affordable homes. Whatever methodology is used it should be agreed with the Council during pre-application discussions, but certainly before a planning application is submitted.
- 4.16** The Essex Housing Strategy sets out actions that Essex County Council seeks to achieve:
- Growing Essex while protecting the best of the county
 - Enabling people to live independently throughout their life.
 - Supporting people facing homelessness or rough sleeping
- 4.17** The Housing Strategy seeks to ensure that people within Essex can live independently with the services they require. Applicants are encouraged to seek advice on the priority Specialist Residential Accommodation needs and local demand. The document also provides details on the characteristics of suitable sites/ buildings for older people and adults with learning disabilities.

Biodiversity

Essex Coast Recreational Disturbance Avoidance Mitigation Strategy (Essex Coast RAMS)

- 4.18** The Council has adopted the Essex Coast RAMS Supplementary Planning Document. It focusses on the mitigation that is necessary to protect the wildlife and their habitats on the Essex coast from the increased visitor pressure associated with new residential development in-combination with other plans and projects. Information can be found on our website [here](#).
- 4.19** Although Uttlesford is not coastal, research has shown that some of its residents are likely to travel to the coast for recreational purposes. These residents live within what is referred to as the **Zone of Influence (Zol)**. All new residential developments within the Zol where there is a net increase in homes are required to make a contribution to the Essex Coast RAMS. In Uttlesford, parts of the parishes of Barnston, Felsted, High Easter and Stebbing are in the Zol
- 4.20** The Essex Coast RAMS identifies a detailed programme of strategic mitigation measures that are to be funded by developer contributions from residential development schemes. The payment relates to all applications that would result in a net increase in housing in the Zol. It applies without exemption to all full applications, outline applications, hybrid applications, prior approvals and permitted development. Reserved matters applications will be considered on an individual basis. Applications for outline planning permission should state a maximum number of homes.
- 4.21** Applications where the Essex Coast RAMS applies will be refused if a RAMS mitigation payment has not been paid or secured via a planning obligation. The current charge (as of 1 April 2022) is £137.71 per net additional dwelling. This will be updated each year in line with the Retail Price Index (RPI), with any increase coming into force on 1

April. Payment should be made at the validation stage.

Hatfield Forest Mitigation Strategy (HFMS)

4.22 Hatfield Forest is both a Site of Special Scientific Interest and a National Nature Reserve. Natural England is working alongside the National Trust to conduct research into visitor patterns, impacts and mitigation measures. To date, the work has included winter and summer visitor surveys and has identified a Zol within which residents of new housing are expected to generate increased visitor pressure on the Forest and its ecosystem. The Hatfield Forest Visitor Survey and Impact Management 2018 (Footprint Ecology) identified a Zol of 14.6km in 2018. However, this was adjusted in August 2022 to 10.4km to reflect usage of Hatfield Forest in neutral time periods and exclude Monks Wood, which is not open to the public. This was agreed by Natural England, the National Trust and the four Local Authorities within the Zol, Uttlesford, East Hertfordshire, Harlow and Epping Forest. The Local Planning Authorities are currently working towards a strategic solution to apportion contribution to the mitigation strategy. In the meantime, a proportionate, bespoke interim mitigation package will be sought from developers of schemes of 50 houses or more within the Zol. This interim package should be designed in consultation with the National Trust, which is the site manager. The need for the package is consistent with paragraph 174 of the NPPF whereby planning policies and decisions should protect and enhance valued landscapes and sites of biodiversity value.

4.23 A joint letter from the National Trust and Natural England dated 28 June 2021 has been received by the Council which sets out the current position and which includes a costed mitigation strategy (the Hatfield Forest Mitigation Strategy - HFMS) prepared by the National Trust. The HFMS aims to secure 22% of the agreed strategic access management and monitoring measures (SAMMs) from developer contributions based on the predicted 22% rise in visits to the Forest over the next 15 years, as set out in the Mitigation Strategy. Any interim package should be designed in line with the HFMS. The letter emphasises that it should also be ensured that new housing developments include adequate and well-designed on-site green infrastructure so that residents have access to greenspace within easy reach of their home and are less likely to rely on the Forest for routine access to nature. This could include, for example, high-quality, informal, semi-natural areas, a circular dog walking route within the site or a dedicated 'dogs-off-lead' area.

4.24 Contributions should be secured (via planning obligation) and mitigation packages should have regard to the most up to date assessments (including the Zone of Influence), mitigation strategy and/or strategic solution.

Offsetting

4.25 In some instances, it will be necessary to safely remove protected species from a development site to a replacement receptor habitat. There is a need to identify a suitable replacement habitat as close to the development site as possible and ideally larger to allow for better growth and natural dispersal of the protected species. Unless the replacement habitat is within the developer's control, a willing third party will be needed and a side-agreement between the third party and the developer. Details should be set out in

a Habitat / biodiversity mitigation strategy and secured by condition and the site should be safeguarded thereafter.

Green Infrastructure

- 4.26** The Environment Act 2021 requires a minimum of 10% biodiversity net gain (BNG), with a caveat for a local target for Essex to be agreed. As a minimum, until the new local plan is adopted, developments are expected to meet this 10% BNG requirement.
- 4.27** In addition to the provision of green infrastructure (GI) to relieve pressure on Hatfield Forest, as set out above, GI, whilst needing to be multi-functional, does need to deliver other benefits. These may include delivering BNG, green corridors, shading through street trees, natural flood management, air quality improvements, encouraging active travel (greening Public Rights of Way routes, other activities for health and wellbeing, and mitigation and adaptation measures for climate change. Quality GI, as well as quantity is vital.
- 4.28** Delivery and funding of GI can use planning conditions, obligations, or CIL. It is recommended that applicants refer to the Essex Green Infrastructure Strategy (2020) and Essex Green Infrastructure Standards Technical-Guidance (June 2022) to inform proposals and s106 agreements. Proposals should also be NPPF compliant, for example on off-setting; and the biodiversity mitigation hierarchy of Avoidance; Minimisation, Rehabilitation/Restoration and Offsetting. With any residual impacts compensated for on-site or off-site with long term management secured, and appropriate enhancements included to ensure BNG for at least 30 years via obligations/conservation covenant.
- 4.29** Applicants are encouraged to complete an Essex Biodiversity Validation Checklist.
- 4.30** Any application is encouraged to make use of the Great Crested Newts District Level Licensing Scheme operated by Natural England and available in Essex. Developers can pay a fee to join a district level licensing scheme rather than carry out their own surveys, to plan and/or carry out mitigation work.

Healthcare

- 4.31** NHS Hertfordshire and West Essex Integrated Care Board (HWEICB) will assess planning applications for the effect they have on primary healthcare provision within the healthcare catchment of the proposed development. The capacity of a general practice (whether there is a surplus or a deficit) is a factor of the net internal area in square metres (m²) occupied by the practice and the size of the practice list.
- 4.32** If the baseline position is that the general practice is in deficit or does not have sufficient surplus to accommodate the additional catchment population growth caused by the development, a financial contribution will be required. In the case of large residential developments these often have very significant impacts in terms of the need for additional healthcare provision for future residents, meaning that a planning obligation requiring developments to make provisions for a new healthcare facility is often necessary. The contribution will pay for the additional primary healthcare provision

required, or provide the new facility, to serve the needs of the occupiers of the development.

- 4.33** The contribution will be calculated by the HWEICB based on a standard square metre (m²) cost multiplier for primary healthcare in the East Anglia region, adjusted for professional fees, fit out and contingencies.
- 4.34** According to current figures provided by the HWEICB, there should be 120m² for every 1,750 patients in a catchment. An occupancy assumption is made of 2.4 persons/house and a contribution of £3k/m² is required (2022 figures), as a starting point, if an enhancement of existing facilities is needed or new provision is required. Related build costs must also be factored in, such as:
- Base build cost.
 - Externals allowance.
 - Preliminaries.
 - Risk allowance such as general price and design risk.
 - Construction risk allowance.
 - Contractor's overheads and profit.
 - Fit out allowance such as General Equipment/ IT/ Data.
 - Professional fees.
 - Sustainability Allowances (if relevant to local area); and
 - Contingencies.
- 4.35** To future proof this document and to address applications on a case-by-case basis it is recommended that population assumptions are crosschecked against the latest Office for National Statistics and Census datasets when calculating the required figures. Furthermore, collaboration and advice from the NHS and partner organisations on construction costs is encouraged.
- 4.36** The Essex Design Guide Active Design principles embed connection with healthy placemaking. Applicants should utilise Health Impact Assessments and submit these with planning applications to offer a greater understanding of what considerations their scheme has had for health, wellbeing and the environment as part of their development proposal. This will ensure there is a wider focus on health and well-being rather than just on primary healthcare provision and general practice.

Open space

Provision

- 4.37** The Uttlesford District Council Open Space Standards Paper (OSSP) 2019 (Open space standards paper) identifies the deficiencies and surpluses in existing and future open space provision. It informs an approach to securing open space facilities through new housing development and helps form the basis for negotiation with developers for contributions towards the provision of open space. Part 5 of the OSSP sets out advice and recommendations regarding when on-site provision or off-site contributions would be appropriate.
- 4.38** One piece of advice in the OSSP is that small areas of open space hold less recreational use and value. They may also add to existing pressure on maintenance regimes and safety inspections. Table 5.3.2 of the OSSP sets out the minimum site area required to be provided and the house numbers needed to warrant on-site provision opposed to off-site contributions. This table is set out in Appendix C.

Stewardship

- 4.39** The Council considers that the best owners and maintainers of open space are the appropriate town/parish council. Developers should open pre-application discussions with these bodies at the earliest opportunity, assisted by council officers. It is vitally important to agree the specification of any planted and/or seeded areas, and any play equipment prior to submitting a planning application so that maintenance implications are known and agreed. This should avoid subsequent delay in or refusal of asset transfer, which can occur if town/parish councils feel that they are being presented with a *fait accompli*.
- 4.40** On completion of the on-site provision, and prior to occupation of the first home (or such other time as agreed), the developer will notify the Council in writing. Council officers will convene a site inspection to ensure that all requirements of the planning permission have been met. Upon completion of works to the written satisfaction of the Council, the transfer of the open space will be arranged to the appropriate town/parish council together with the maintenance contribution. The developer will pay the legal costs for both parties of the transfer. The developer will be responsible for maintenance until such time as the transfer takes place.
- 4.41** The maintenance contribution will be site specific and ringfenced. It will be for a 15-year period (unless a Made Neighbourhood Development Plan specifies otherwise for the relevant application area) and will cover the initial establishment period and the maintenance of the land through to early maturity when the design intentions are beginning to be realised. The rates to be applied for the maintenance operations are based, in the main, on current measured rates set out in SPON'S External Works and Landscape Price Book, which is an industry recognised pricing book. The anticipated operations for each year of the maintenance period are costed.
- 4.42** The sums are then adjusted year on year applying the current LIBOR swap rate for interest rate and the RPI for inflation at the time the calculations are made. The total sum is then indexed linked using RPI up to the day the land is conveyed. Applying this method is perhaps the most accurate and fairest means to arrive at an appropriate sum for

individual development sites and has been approved by the Council. Where SuDS are to be managed as part of the public open space, the same calculation can be applied. Beyond this, future maintenance and other recurrent expenditure will be borne by the town/parish council to which the asset has been vested.

- 4.43** If a planning application is submitted in outline, a rough maintenance calculation can only be provided by the Council if an illustrative landscape masterplan has been provided. In all instances, it would save time if the developer could do the calculations and table them for the Council to consider.
- 4.44** Where the open space is to remain in the ownership of the developer, or under the ownership of a management company, an agreement will be required to ensure that the site is adequately maintained and will be retained as recreation open space with public access. The details of the management company will be agreed between the developer and the Council.

Heritage and landscape/townscape

- 4.45** In order to ensure the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats and in accordance with Paragraph 190 of the NPPF, this SPD provides guidance on how contributions could be used to safeguard and encourage appropriate and viable uses for the historic environment.
- 4.46** Assets could include areas and buildings with statutory designated protection (e.g. listed buildings, scheduled monuments, registered parks and gardens) but also those which are locally valued and important, as well as the landscape and townscape components of the historic environment.
- 4.47** Contributions may be sought, for example to (this is not an exhaustive list):
- Repair, restoration and maintenance of heritage asset(s) and their setting;
 - Increased public access and improved signage to and from heritage assets;
 - Interpretation panels / historical information and public open days.
 - Production and implementation of up-to-date Conservation Area management plans and appraisals.
 - Measures for investigation, preservation and display of archaeological remains and sites.
 - Provision of local capacity for the storage of, and public access to, archives resulting from archaeological and/or historical investigation.
 - Dissemination of historic environment information for public/school education and research, including museum displays for popularisation of archaeological discoveries.
 - Sustainability improvements (such as loft insulation) for historic buildings; and
 - Public realm obligations, including enhancement of historic squares and spaces, registered parks and gardens, historic pavement materials, street furniture, removal of street clutter and installation of sympathetic lighting etc.

Sports facilities

Outdoor sports facilities

- 4.48** In determining need, the Council will be informed by the findings of the UDC Playing Pitch Strategy & Action Plan (PPS&AP) evidence base – headline findings (Part 1.4). More detailed qualitative and site-specific findings are in Parts 4 and 6. These relate to football, cricket, rugby union, hockey, bowling, tennis, athletics, and netball.
- 4.49** The conclusions in Part 1.4 are:
“The existing position for all pitch sports is either; demand is currently being met, or there is a current or future shortfall. There are current shortfalls on grass pitches for football, rugby union and cricket.
- 4.50** For football, current shortfalls are identified across all four analysis areas, with the largest shortfalls existing in the Saffron Walden and rural analysis areas. It is anticipated that these shortfalls will be exacerbated in the future.
- 4.51** For rugby union and cricket, both current and future shortfalls can be attributed to specific club sites. Both current and future shortfalls for rugby union are attributed to Saffron Walden Rugby Club and Carver Barracks.
- 4.52** Likewise, for cricket, current shortfalls are attributed to Saffron Walden County High School; however, future shortfalls are attributed to a combination of lack of actual spare capacity at peak period and lack of provision available. As such, should future demand (as predicted through population growth, club growth aspirations and NGB predictions) be realised, there will be a requirement for additional provision. This could be in the form of both natural turf and NTP provision. All future shortfalls are predicted to be in the Saffron Walden analysis area.
- 4.53** For tennis and bowling, there will be a need to monitor demand, with several sites operating over recommended capacity. This is particularly the case at Dunmow Tennis Club, Castle Hill Tennis Club, Stebbing Tennis Club and Elsenham Bowls Club. At the identified tennis clubs, shortfalls are already significant enough to create latent demand.
- 4.54** As a result, there is a need for targeted work to better accommodate current demand and future growth. This may involve exploring options of secondary (satellite) sites for clubs. There will also need to be support with management and maintenance. For both bowls and tennis, monitoring of membership numbers will be key.
- 4.55** There will also be a need to improve management and maintenance of netball provision in the district to ensure that there is provision of sufficient quality to meet both current and future demand.
- 4.56** In addition to these quantitative shortfalls, the Playing Pitch Strategy also identifies a range of qualitative deficiencies, and it is advised these will need be considered when determining financial contributions for development schemes.
- 4.57** Notwithstanding the above, there are clear shortfalls identified for 3G pitches which cannot be alleviated unless new provision is created. Given this, there is a need to explore the feasibility of future provision at strategic sites in Saffron Walden, Great Dunmow and Stansted Mountfitchet analysis areas. This is due to these analysis areas being based

around key settlements, which can also serve significant parts of the rural analysis area. Where an area has a Made Neighbourhood Development Plan with associated sports evidence base this should be considered.

- 4.58** With resources to improve the quality of grass pitches being limited, an increase in 3G provision could also help reduce grass pitch shortfalls through the transfer of play, thus reducing overplay, which in turn can aid pitch quality improvements.
- 4.59** As there are identified shortfalls on grass pitches, there is a need to protect both playing pitch provision currently in use and pitches that are no longer in use due to the potential that they may offer for meeting current and future needs. In addition to providing new 3G provision, there is believed to be enough demand to sustain a compact athletics facility. At present, no formal athletics provision exists in the district; however, demand exists and is anticipated to increase.”
- 4.60** The Council will use Sport England’s Playing Pitch Calculator (Pitch calculator) as a tool for determining developer contributions linking to sites within the locality. The principal purpose of the calculator is to estimate the demand for playing pitches that may be generated by a new population. The calculator also identifies the current capital cost of meeting this demand, which can then be used for informing the amount of any financial contributions that are secured, but this is not its main purpose.
- 4.61** Where it is determined that new provision is required to accompany a development, priority should be placed on providing facilities that contribute towards alleviating existing shortfalls within the locality. To determine what supply is provided, it is imperative that the PPS&AP findings are considered, and that consultation takes place with Sport England and the sport’s national governing bodies. This is to avoid what is being provided becoming unsustainable and unused, such as single grass pitch football sites without adequate ancillary facilities or new cricket/rugby grounds located away from existing clubs. Instead, multi-pitch and multi-sport sites should be developed, supported by a clubhouse and adequate parking facilities.
- 4.62** The PPS&AP will form the basis for negotiation with developers to secure contributions to include provision and/or enhancement of appropriate outdoor sports facilities and subsequent maintenance. S106 contributions could also be used to improve the condition and maintenance regimes of the facilities to increase capacity to accommodate more matches.

Indoor and built sports facilities.

- 4.63** In determining need, the Council will be informed by Appendix 1 (planning gain contribution toolkit) of the UDC Indoor and Built Facilities Strategy (IBFS) (Indoor and Built Facilities Strategy), which is based on the evidence provided in the UDC Sports Facilities and Recreation Strategy Indoor Needs Assessment Report. Sports specific recommendations are made in relation to sports halls, including for sports such as badminton, basketball, gymnastics, netball and swimming pools for aquatic sports.
- 4.64** Appendix 1 will be used by case officers and other stakeholders to work out the potential demand that a new housing development generates. A six-stepped approach is put forward:

- Determine the indoor sports facility requirement resulting from the development;
- Determine the other indoor and community facilities that are required as a result of the development
- Demonstrate an understanding of what else the development generates demand for
- Consider if there are existing facilities within close proximity that could be enhanced.
or extended to accommodate increased demand.
- Consider the design principles for new provision; and
- Strategic pooling of financial contributions to deliver new provision.

4.65 The Council will use the Sport England Sports Facilities Calculator to calculate the contribution required from each housing development to go into a strategic fund. This will be the basis for negotiations with developers on the contribution from each development. The Council will use the calculator to estimate the demand for indoor sports facilities that may be generated by an additional population as well as calculating the contribution. This would be the principal purpose of the calculator to estimate the demand for indoor sports facilities that may be generated by a new population. But the calculator also identifies the current capital cost of meeting this demand, which can then be used for informing the amount of any financial contributions that are secured, but this is not its main purpose.

Other contributions

4.66 The Council operates within a two-tier local government system. Essex County Council (ECC) are the highway and transportation authority, and appropriate lead authority for education, minerals and waste planning authority (MWPA), lead local flood authority (LLFA), lead advisors on public health, the provision of libraries and adult social care. As such, if a planning obligation is sought for contributions covering these matters, ECC will need to be party to s106 agreement negotiations. Planning obligations for infrastructure provided for or by ECC must be sought in accordance with ECC's Developer's' Guide to Infrastructure Contributions.

4.67 Applicants are expected to contribute to the infrastructure that is required to mitigate their developments, as well as cumulative impacts, and any other developments benefiting from the infrastructure should contribute towards it.

4.68 ECC may require planning obligations for the following service areas:

- Early years and childcare.
- Schools.
- School transport and sustainable travel.
- Employment and Skills Plans.
- Highways and transportation.
- Sustainable Travel Planning.

- Passenger Transport.
- Public Rights of Way.
- Waste Management.
- Libraries
- Flood and Water Management and Sustainable Drainage Systems (SuDS)

4.69 The District Council will work with the developer to: secure well-designed schemes that accord with the Essex County Council Developer's Guide. Applicants are strongly advised to refer to this when preparing their applications and dealing in negotiations with the District Council.

Education and school transport

4.70 In paragraph 95 of the NPPF, the Government attaches great importance to a sufficient choice of school places being available to meet the needs of existing and new communities. Local authorities are required to adopt a proactive, positive and collaborative approach to meet these needs through the creation of new schools or the expansion or alteration of others. It is a particular requirement of the NPPF that local authorities work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues at the pre-application stage. The Council takes this responsibility extremely seriously as it is a vital part of the rollout of the CCP.

4.71 Essex County Council's sets out the trigger points for education contributions (generally starting at 20+ homes). These range from the cost of a new place at an existing school to land for a new school and, where required, the cost of school transport for seven years for a primary school pupil and five years for a secondary school pupil. School sites may be required in addition to financial contributions, will need to be supported by evidence of the suitability of the land, evidenced by a Land Compliance Study report (outlined within section 4 of the ECC Developers' Guide). The guide sets out the evidence for the contributions and that evidence is not repeated here.

4.72 Paragraph 5.2.2 of the guide explains how the need for additional school places is assessed. As a reference point it states: "The Essex School Organisation Service's 10 Year Plan, 'Meeting the demand for school places in Essex', is published on the Council's website on an annual basis and sets out the forecast availability of school places in each area of the county, during each year's admissions round for Reception and Year 7 (the start of secondary school) places. These forecasts are based on G.P. registration data, planned housing development, historical trends and other factors likely to affect admissions to particular schools".

4.73 The Essex developers guide also references early years and childcare, post 16 and Special Education Needs (SEN) education. Whilst the number of SEN places can be extremely difficult to predict in any given planning area for each type of need, applications should consider this in their proposals and ensure that their needs are addressed and suitable facilities supplied.

4.74 All residential developments of 20 or more dwellings will be assessed to see if a developer contribution towards additional Early Years and Childcare is necessary.

Applications for smaller developments will be exempt unless their co-location with other sites necessitates a holistic look at their cumulative impact.

4.75 Attention is drawn to guidance published by the Department for Education (updated in November 2019). This guidance underlines the following principles:

- Housing development should mitigate its impact on community infrastructure, including schools.
- developer contributions towards new school places should provide both funding for construction and land, where applicable, subject to viability assessment when strategic plans are prepared and using up-to-date cost information; and
- The early delivery of new schools within strategic developments should be supported where it would not undermine the viability of the school, or of the existing schools in the area.

4.76 Applicants should be aware of any further updates and amendments to national guidance. Any future reviews of this document will take any future national policy and or guidance into account.

Highways and transportation

4.77 Where highway works are required as mitigation, these are to be fully funded and delivered directly by the developer. The developer will be required to enter a section 278 (s278) agreement with the County Council to deliver the works. Section 278 is a section of the Highways Act 1980 that allows developers to enter into a legal agreement with the highway authority to make permanent alterations or improvements to a public highway, as part of a planning approval. Contributions for highway works will only be taken in exceptional circumstances, such as for schemes that are designed to mitigate the impact of more than one development. In these circumstances it is likely to be more appropriate for the County Council to secure financial contributions and procure the work.

4.78 Linked to the carrying out of highway works will be the lodging of a bond with the County Council if the works are not completed by the developer. Inspection fees will be payable where a developer is working on the highway and a fee payable for the processing and advertising of any traffic regulation order that is required, such as for waiting restrictions. Where highway assets are to be transferred to the County Council, a contribution towards lifetime maintenance and end-of-life replacement will be sought.

Sustainable travel planning

4.79 Paragraph 113 of the NPPF states that all developments that will generate significant amounts of movements should be required to produce a travel plan. Travel plans (for the workplace, school or residential where more than 80 homes are proposed) can help to reduce the use of private cars, improve local air quality, increase physical activity and tackle localised congestion. The County Council charges a fee for the monitoring and review of each travel plan for a five-year period following first occupation. Details of the fees charged are set out in the County Council's developers' guide and will be secured

by a S106 agreement.

- 4.80** In respect of dedicated contributions towards air quality, the Department for the Environment, Food and Rural Affairs (DEFRA) has produced a damage cost calculation for specific pollutant emissions that identifies the environmental damage costs associated with a proposed development and determines the amount or value of mitigation that is expected to be spent on measures to reduce the impacts. Further information on this is here: [Air quality appraisal: damage cost guidance - GOV.UK](#). Contributions based on the damage costs approach is seen to be good practice within the Institute of Air Quality Management Air Quality Planning guidance.
- 4.81** Economic appraisal and guidance on the use of the damage cost approach can also be found here: [Assess the impact of air quality - GOV.UK](#). This may be a suitable tool for the purposes of securing dedicated contributions to mitigate the impacts of emissions.

Passenger transport

- 4.82** The County Council's developers' guide (currently Paragraph 5.7.1) states that: "Public transport allows residents to reach essential key amenities and services (such as employment, health, education, and shopping) and has a major influence on our overall quality of life. Such services are particularly important in rural communities and for sections of society that do not have access to a car, such as young people, but also make a major contribution to ensuring long term sustainable development".
- 4.83** Appendix M of the County Council's developers' guide sets out the County's view of the appropriate levels of infrastructure and service support that are generally required although assessment will be on a site-by-site basis. These are based on the scale of the development that is proposed, ranging from improvements to existing bus infrastructure up to new integrated packages focused on establishing mode share and financial and environmental sustainability.

Public rights of way

- 4.84** The County Council's developers' guide emphasises the importance of protecting public rights of way (PROW) and seeking works or financial contributions to accommodate increased use that results from new development. An s278 agreement will be required for works to a PROW.

Moving around

- 4.85** The County Council's developers' guide sets out the requirement for contributions under four headings:
- Highways and transportation
 - Sustainable travel planning
 - Passenger transport
 - Public rights of way

It should be noted that the county council are reviewing its Local Transport Plan 3.

- 4.86** In accordance with Section 9 of the NPPF, early discussion with the County Council is essential to establish the scope of the evidence that will need to be submitted with a planning application, which may be a full transport assessment or a transport statement for smaller developments (generally residential schemes for less than 50 homes). Whatever the scope of the evidence submitted, it will need to demonstrate how the site will be accessible by a choice of travel modes and how residual impacts on the existing highway network will be mitigated.
- 4.87** In relation to passenger transport, the County Council’s developers’ guide predates the Government’s recent “Bus Back Better” national strategy (bus back better) and the County Council’s Bus Service Improvement Plan 2021–2026 (BSIP) (BSIP plan). Importantly, the BSIP includes the impact of the pandemic, the barriers to growing and improving the network and what the County Council will do, in cooperation with others, to tackle those barriers and deliver improvements. It is very important and in everyone’s interests that developers’ discussions with the County Council include “Bus Back Better” and BSIP. This is so that mitigation can be shaped to take account of the unique circumstances that are currently faced by the transport industry and how the future may evolve.
- 4.88** Similarly, the recently formed Active Travel England has an ambitious target of 50% of trips in towns and cities being walked, wheeled or cycled by 2030. The Council will promote initiatives that support forms of active travel.

Community facilities

Libraries

- 4.89** The Essex County Council’s Developers’ Guide contains a requirement for financial contributions from residential developments (currently of 20+ homes), depending upon local requirements. Contributions will be sought for the library that will be most affected by development, which may be a larger sub-regional library rather than a local community one. It is unlikely that there would be a need for a new library in Uttlesford except for site allocations of 5,000 people or more. However, where the increase in projected population more than doubles the existing library catchment area, it is likely that a new facility or building will be required. Provision of this space could be as part of a shared community or educational facility and would allow consideration to be made for varying scales of development. For the most up to date contribution rates, please refer to the county developer’s guide. For larger scale development such as new communities, applicants are encouraged to refer to the ECC Garden Communities and Planning School Places Guide. This guide seeks to describe how new mainstream state funded statutory age range schools, serving new communities and larger development in Essex, will be established and therefore ensure the delivery of education that meets future needs.

Flood and water management

- 4.90** Essex County Council’s Sustainable Drainage Systems (SuDS) Design Guide for Essex 2020 sets out the procedure for obtaining SuDS advice from the County Council. This

includes procedures for securing adequate maintenance and adoption. The County Council's preference as the lead local flood authority is for the drainage network and its accompanying SuDS features to be adopted by a public body (such as a water authority) to ensure lifelong maintenance. The County Council will only in exceptional circumstances allow private adoption, as these are not desirable. The adoption of features is often the most challenging part of designing a drainage scheme. Who will be carrying out the maintenance is very important, and whoever it is should be engaged early in the design process to ensure that features meet adoptable standards. It is often the case that town and parish councils are reluctant to adopt SuDS features because of the specific maintenance requirements attached to them.

- 4.91** The District Council will work with the developer to secure well-designed SuDS, including multi-functional SuDS such as open spaces that can retain surface rainwater runoff during periods of heavy rainfall and likely flood events. In the long-term, maintenance of SuDS through a combination of planning obligation, planning condition and commuted sum payment, where it meets the CIL regulation tests, will be applied. Whichever SuDS maintenance option is chosen by the developer, early engagement with the relevant adopter and the Council is essential to a successful outcome.
- 4.92** Applicants should ensure that schemes comply with national policy and guidance such as the recently updated PPG - Flood Risk and Coastal Change (August 2022), which strengthens authorities' ability to require better flood resilience in new developments by ensuring developers adapt to the challenges of a changing climate, deliver sustainable new homes and Councils demonstrate that development; will be safe from flooding for its lifetime, not increase flood risk elsewhere, and where possible reduce flood risk overall.
- 4.92** PROW on land within the developer's control. Where third party land is involved, the County Council may require a financial contribution via a s106 agreement to deliver the PROW works, provided the works are proved to be achievable.

5: Appendices

Appendix A – Monitoring charges schedule (draft)

- 5.1** The Council will seek a charge to fulfil its role to monitor all the required clauses for s106 obligations. This charge does not include any charges sought by partner organisations such as Essex County Council.

Basis of Charges

- 5.2** **£416** general administrative fee on all s106s for setting up and ongoing processing system.
- 5.3** Specific charges on each scheme based upon 40 units per annum (pa) build out:
For larger schemes (>120 units)
- 5.4** In addition to **£416** general admin fee:
- 5.5** 1 hour per site visit x 15 based on 1 year site build - £52 x 15 = £780.00
- 5.6** 30-50 hours Admin/emails/telephone calls based on 1 year site build - £52 x 50 = £2,600.00
- 5.7** Total for 1 year = **£3,796.00** per one year site build.
- 5.8** Assume 40 units pa build out, lifetime of monitoring would be number of units ((u) / 40) rounded up x £3,796.00.

For medium schemes (40-119)

- 5.9** In addition to **£416** general admin fee:
- 5.10** 1 hour per site visit x 8 based on 1 year site build - £52 x 8 = £416.00
- 5.11** 20-35 hours admin/emails/telephone calls based on 1 year site build - £52 x 35 = £1,750
- 5.12** Total for 1 Year = **£2,582.00** per one year site build
- 5.13** Assume 40 units pa build out, lifetime of monitoring would be number of units ((u) / 40) x £2,582.00.
- 5.14** 41-80 Units 2 x £2,582.00) = **£5,164.00**
- 5.15** 81-119 Units 3 x £2,582.00 = **£7,746.00**

For smaller schemes (<40 units)

- 5.16** In addition to **£416** general admin fee:
- 5.17** 1 hour per site visit x 4 based on 1 year site build - £52 x 4 = **£208.00**
- 5.18** 10-20 hours admin/emails/telephone calls based on 1 year site build £52 x 20 = **£1040.00**
- 5.19** < 40 units based upon 1 year build out **£1664.00**

Others

- 5.20** Strategic sites (>800) and mixed schemes. A bespoke monitoring charge will be negotiated.

Appendix B – Calculation of affordable housing commuted payments

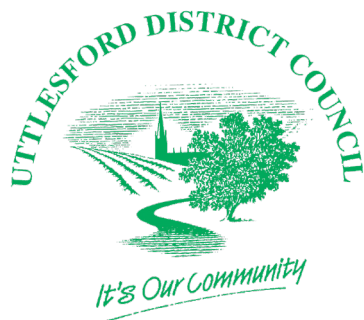
Acknowledgement: a sample of methodologies, as explained by Altair to the Essex & Suffolk Enablers Group in July 2021.

Approach	Payment in Lieu Calculation	Comment
Method 1: The equivalent value of providing affordable housing on site	<i>Equals</i> The value of affordable housing <i>Less</i> Registered Provider (RP) on costs	This calculation is in effect the offer a Registered Provider would make for the affordable housing element of a scheme.
Method 2: The equivalent value of providing affordable housing on site (alternative calculation)	<i>Equals</i> Open market value of affordable units <i>Multiplied by</i> Average residual land value percentage <i>Plus</i> Cost of site acquisition	This calculation is similar to the above method but uses a different approach to calculating the value of the affordable housing. The Council would need to undertake a study to determine the average residual land value percentage, as well as determining an appropriate cost to the site acquisition.
Method 3: The equivalent value of the increase in the residual land value gained by substituting private for affordable	<i>Equals</i> Number of private units gained <i>Multiplied by</i> Average open market value <i>Multiplied by</i> Average residual land value percentage	This calculation attempts to determine the increase in land value through the additional private housing and attempts to strip the developer of that value.
Method 4: The equivalent value of the additional benefit of providing additional market sale properties on the development	<i>Equals</i> The open market value of the affordable housing <i>Less</i> Value of the affordable housing (less RP fees) Less Additional developer costs	This calculation attempts to remove the additional value that is achieved through providing additional private sale – it does allow additional costs. The attempt here is to leave the developer in the same position as providing on site affordable housing.

Appendix C – House numbers to warrant on-site open space provision

Source: Table 5.3.2 of Uttlesford District Council Open Space Study Standards Paper, February 2019 (Knight, Kavanagh & Page).

Classification		Minimum size of site	Number of dwellings required to trigger on-site provision
Allotments / community food growing		0.4ha (0.025 per plot)	834
Amenity greenspace		0.4ha	104
Natural and semi natural		0.4ha	29
Parks and gardens		2ha	8,334
Play areas	Equipped	0.04ha	165
	Informal/casual	0.1ha	417



Uttlesford District Council

Developer Contributions SPD

Public consultation - ran for 6 weeks 17 Nov 2022 until 06 Jan 23

Consultation response	Person/organisation	Address	Our response
<i>The document is almost exclusively for residential. We occasionally do seek S106s for commercial, but usually that is just mitigation. Where we have large commercial (such as the airport or Northside), then the S106 are very bespoke and outside of the SPD I suggest. So stick to residential in the SPD.</i>	Nigel Brown, Development Manager, UDC	Uttlesford District Council	Noted and text amended.
One or two \Observationsthere is reference to the Corporate Plan 2020-2024 and one of the objectives is: UDC Corporate Plan 2020-2024 Masterplan our new communities for and with residents a. Use locally led Development Corporations to deliver sustainable new settlements - We will need to review the use of the LLDC	Lois Bowser, Principal Community Infrastructure Planner (New Communities, Uttlesford)	Growth and Development, Dept. Place & Public Health, Essex County Council	Noted
Secondly, the Consultation document states that we will: Implement the community infrastructure levy (CIL) along with s106 to deliver strategic community projects and greater local benefit from development; -We need to explore this, including non-cil matters further. FYI, County is reviewing its Developers Contributions; Alatheia is the lead (Alethea Evans - Strategic Development Lead Alethea.Evans@essex.gov.uk) Having reviewed this document and for any implications for North Hertfordshire we have no comments to make.			Noted. This SPD is based on the current adopted 2005 plan. A review will be undertaken as we develop the new local plan.
1.5 – In practical terms, and apart from occasional sports facilities, developer contributions are seen by many in the community as insufficient compensation for development impact. In reality, while a brand new sports facility, for example, clearly adds value for to a community, more often than not there are other community needs that are completely bypassed by the developer contributions system. These might include: • An old village hall that needs repairs, an upgrade, or even a rebuild. • Children's play equipment that is past its sell-by date and needs refreshing or replacement. • Local community organisations that are desperately in need of funds to maintain the facilities that are provided to the community. The cricket club's mower could be coming to the end of its useful life, the cricket pavilion or bowls clubhouse could need repairs, the tennis courts could need resurfacing, etc, etc. These needs may not always be apparent at the time of the development but, with increased future use resulting from the enhanced local population the development will cause, there will be a clear link to the development. An injection of cash from developers' contributions would, therefore, benefit both existing residents and incoming residents from the development. The current system fails to reflect the fact that it is not just the statutory providers of services to the community (such as housing, education, highways and healthcare) that suffer both the immediate and the longer-term impacts of the development but, more directly, local residents who experience the day to day development effects. These might include: • the usual development period interruption of normal community life – the noise, the dust, the mud on the roads, the heavy development traffic, all for months and sometimes a year or two, depending on the	Laura Allen MPlan MRTPI Senior Planning Officer	North-herts	Para 1.5 states '...These contributions recognise that incoming residents will need access to amenities, often generating a requirement for additional or improved facilities where there is a need.' Therefore it does recognise that improvements to existing facilities can be a local need. Parish and Town Councils can work with developers and the Council in the negotiation of the drafting of developer agreements to secure the contributions that are needed locally. No change needed.

<p>1.7 – Sadly, our experience to date is that developers will either decline to engage with the community or if they do, the consultation is, at best, cursory. Failure to properly comply with the Council's Statement of Community Involvement should be a matter that weighs heavily against a development proposal.</p> <p>We suggest that in the developer's Planning Statement:</p> <p>(i) where there has been no general engagement with the community, the developer should be required to explain why not. One reason might be that the development comprises a single house only that may not warrant community consultation beyond, perhaps, the immediate neighbours.</p> <p>(ii) where there has been a general engagement with the community, the developer should be required to explain precisely what steps have been taken in that respect. That explanation should include identifying exactly which portion of the local community the developer has sought to engage and what reasons there were for excluding other parts of the local community. The developer should also explain the nature, length and extent of the consultation (for example, whether the developer held an 'open day' or simply arranged for information to be delivered to households); and</p> <p>(iii) where the local community has submitted suggestions relating to the design, content or extent of the development, the developer should be asked to state which of those suggestions were adopted and how the development has been amended to reflect them. This would assist in meeting the criticism that, in reality, most developer consultations are simply 'window dressing'.</p>	
<p>1.10 –If the Council's corporate plan truly puts residents first as a matter of practice, strong enforcement of S106 Agreements should be a top priority to ensure that the community benefits arising from those Agreements actually come to fruition. Otherwise, statements such as: "ensure that strong planning enforcement holds developers to account" will have very little meaning and developers will simply ignore their obligations, relying on the passage of time to lessen the chances of enforcement.</p>	
<p>2.8 – We trust that the proposed new Local Plan will continue to refer to "community facilities" in general terms where these are required due to the cumulative impact of local developments. This will avoid limiting the nature of those community facilities. From the practical point of view, however, it is hoped that developer contributions will be used either to provide, or to support, a broader range of "community facilities" than is currently the case.</p>	

<p>The planning legislation is clear about the requirements on community engagement. The statement of community involvement is compliant with that legislation and the policy team and development management team are responsible for ensuring compliance in terms of plan making and planning applications. No change required.</p>	
Noted	
<p>All stakeholders will have the opportunity to engage in and comment on the new local plan as it emerges. But yes, community facilities and services are an important aspect of sustainable development.</p>	

<p>4.3 and 4.13 – In most cases, affordable housing requirements are met onsite. This means that a rural development's affordable housing requirement is placed in the same rural location.</p> <p>By its very definition, the need for affordable housing is generated by those unable to afford open market housing, whether that be for rent or purchase. Years ago, rural areas provided rural employment on the farms close to rural housing. Nowadays, the scope for rural employment is generally limited, although probably more diverse. This means that placing affordable houses in rural areas forces those residing in them to look beyond the immediate locality for employment. In practical terms, this requires the purchase and use of a car when finances are tight. While the NPPF recognises greater car use in rural areas, that should not be interpreted as active encouragement for the development of rural affordable housing even though this is what is often argued by developers who seek to manicure the NPPF wording and turn it into a justification for more rural housing.</p> <p>In addition, while some villages are fortunate enough to have a village shop, inevitably, a village shop's purchasing power cannot compete with the likes of Tesco or Aldi. So, affordable housing residents of limited means are faced with the difficult choice of paying more at the local shop or incurring the cost of fuel and car parking in order to shop in the nearest town, or paying extra for home delivery.</p> <p>Furthermore, whatever facilities a rural village may possess, only in the larger village settlements do these extend to medical or school facilities, let alone providing opportunities for the purchase of clothes, furniture, and the multitude of things available in a local town that cannot be found in a rural village. Again, this simply means incurring the cost of additional car use.</p> <p>As a consequence it is, inevitably, more expensive to live in a rural village than in a town. We would, therefore, ask the Council to consider</p>	
<p>4.9 – Somewhat suspiciously, there have been instances where a previously viable development that includes affordable housing, is subsequently argued by the developer to have become non-viable once the planning principle has been established by the grant of outline planning permission. For this reason, the Council should subject the developer's related viability assessment to rigorous audit procedures, possibly more so than in times past. Developers know full well, right from the outset, the financial impact of the provision of affordable housing on a market-led development, whatever might subsequently be alleged.</p>	
<p>4.10 – Experience in Clavering does not reflect the Council's desire for "noncontiguous clusters" of affordable housing. On the Eldridge Close estate, the units of affordable housing are clustered together. More recently, the same applies to the positioning of affordable housing in the development of 31 houses behind the school in Stortford Road and to the grouping together of the affordable housing in respect of the current application for 10 houses on the land west of Colehills Close. The Council needs to ensure that what it wishes to happen is, in fact, carried through into the planning application decision process. Otherwise the concept of "non-contiguous clusters" becomes little more than a pipe dream.</p>	
<p>4.12 – Exactly how would a S106 Agreement ensure that affordable housing benefits pass to successive occupiers when the original occupier has exercised the right to buy, resulting in the property passing into the general housing market?</p>	

Frank Woods, Deputy Chair

Keep Clavering Rural

<p>Noted. Neither para 4.3 or 4.13 of the draft SPD refers to rural affordable housing or rural exceptions housing. Only that 'In exceptional circumstances where on-site provision cannot be achieved, off-site provision and/or commuted payments in lieu may be supported ...' No change required. If rural exception housing were to be proposed, this is controlled by a development management policy.</p>	
<p>Noted. The purpose of this SPD is to assist in securing viability assessments from developers with an ability to independently audit them. No change required.</p>	
<p>Noted. The purpose of this SPD is to assist in securing the distribution of non-contiguous clusters of affordable housing throughout development. No change required.</p>	
<p>Through a s106 agreement. A condition is effectively placed on a dwelling or a number of dwellings in a development to keep them as affordable units in perpetuity. No change needed.</p>	

4.21 – We have seen developers argue that the provision of a relatively modest planted area or green open space within a development, more than compensates for the loss of habitat occasioned by placing a housing estate on virgin agricultural land. There is a general level of community disbelief that these 'green' areas that are freely accessible to human recreational activity can possibly be attractive to wildlife or promote biodiversity, whatever might be the technical assessment by the developer's professional advisers. The encouragement by the Council of a policy of offsetting by the provision of an off-site replacement habitat would go some way to meeting biodiversity needs in a way that actually works. In many cases, the landowner promoting the development has additional land that might easily be brought into play for that purpose. In the past 8 years, however, we have only seen one example where off-site habitat provision has been put forward in Clavering by a developer.	
4.29 and 4.30 – We agree entirely that "private adoption is not desirable" and is yet another reason for strong enforcement of developer adoption obligations in S106 Agreements.	
4.35 – While we would support the advice that: "small areas of open space hold less recreational use and value", if the Council is to adopt a holistic approach to development generally, it needs to consider the position of even a small area of open space that has not been concreted over, in terms of its value as a receptor for surface water drainage purposes. In Clavering, at times of heavy rainfall, surface water can be seen rushing down the pavements of the access road into the Eldridge Close estate and collecting into the Stickling Green Road public highway. It is relevant that there are no areas of open space on that development beyond the small front and rear gardens allocated to residents by the developer.	
4.36, 4.37 and 4.38 – While provision can be made for maintenance payments to be directed towards Parish Councils, many Parish Councils are reluctant to take on additional landscaped/open space areas, even more so where play equipment is concerned that will require replacement at intervals. The reason is quite simple. Experience has demonstrated the inadequacy of those payments in terms of the real long-term maintenance costs. This factor, combined with the limited budgets of Parish Councils, means that there is little wriggle room for making good any future shortfall in maintenance costs without adding unreasonably to the precept. Accordingly, Parish Councils will need some convincing that the formula referred to in paragraph 4.38 will adequately future-proof them.	
4.42 and 4.47 – It needs to be fully understood that with many rural sites, accessibility by "a choice of travel modes" is somewhat confined to walking and the car, particularly in those villages that, like Clavering, have no scheduled bus services. Consequently, the opportunities for development in those villages should be regarded as restricted by that factor.	
4.49 – The protection of public rights of way should not be confined to considerations of increased wear and tear caused by additional residents resulting from development. The wider value of a public right of way is its strong connection to the open and uninterrupted countryside views that are so often marred by the built form. It is these views that also require protection. Representations relate to SEGRO's land interests at Stansted Airport, including FedEx Cargo Warehouse and Stansted Multi-let Cargo Terrace located off Pincey Road. This is a total of 482,260 ft2 and 4 acres of development land.	
SEGRO supports the principle of the preparation of the Draft SPD as it helps provide certainty and guidance on the general approach to requests for contributions. It also helps to ensure and the application of a proportionate approach to ensure obligations are fair, reasonable and justified in accordance with the tests set out in Regulation 122(2) of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and paragraph 57 of the National Planning Policy Framework (NPPF). Planning obligations should only be sought if the development will have harmful impacts that cannot be mitigated.	

Para 4.21 of the draft SPD relates specifically to the safe removal of protected species and the relocation to replacement receptor habitat. Comments are noted. Developments need to be designed to incorporate open space and other green and blue infrastructure features on site where ever possible, but where this has limited potential or could have better outcomes off-site, provision will be sought here. The new local plan seeks to address this more comprehensively. However, a new section on green infrastructure has been added.	
Noted.	
Para 4.35 of the draft SPD refers to advice in an open space standards paper. Good place making and design is needed which takes into account future maintenance costs. However, paragraph has been amended to reflect the multi functional benefits of open space and SuDS. These matters will be picked up in the development of the new emerging local plan.	
Noted. The purpose of this SPD is to assist with the drafting of s106 agreements, which are done in consultation and engagement with Parish and Town Council's. Maintenance costs on individual sites will be addressed on a case-by-case basis. No change required.	
Noted. The purpose of this SPD is to consider those provisions that are required under developer contributions. Public Rights of Way are covered under Para 4.49 and developments are required to submit a transport assessment / travel plan to show how their proposals will impact on the highway network and seek to reduce that impact. No change required. However, note this paragraph is being removed at the suggestion of Essex County Council in the interest of future proofing the document.	
Noted. However that is not the purpose of a s106 agreement or this SPD. No change required.	
Noted	
Noted	

<p>As per the National Planning Policy Framework (NPPF) and Planning Policy Guidance (PPG), an SPD should add further detail to the policies in the development plan. They are a material consideration but do not form part of the development plan (NPPF, Glossary). The Planning Practice Guidance (PPG, ID: 61-008-20190315) states:</p> <p><i>"As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are however a material consideration in decisionmaking. They should not add unnecessarily to the financial burdens on development."</i></p> <p>29971/A3/CC/EP 2 4th January 2023</p> <p>Related to this, the PPG also provides guidance on 'Viability and Plan Making' which states that plans should set out the contributions expected from development. PPG (ID 10-001-20190509) stipulates that policy requirements should be informed by "evidence of infrastructure and a proportionate assessment of viability that takes into account and local and national standards, including the cost implications of the Community Infrastructure Levy (CIL) and Section 106". Our representations have been prepared with these national planning policy and guidance considerations in mind.</p>
<p>Negotiation of Section 106 Agreements</p> <p><i>Pre-Application: Paragraph 3.1 states that "it is the developer's responsibility to begin pre-application discussions with the Council as the local planning authority as soon as possible". SEGRO consider that this should be updated to reflect paragraph 40 of the NPPF which states that LPA's "cannot require that a developer engages with them before submitting a planning application, but they should encourage take-up of any pre-application services they offer".</i></p> <p><i>Suggested change:</i></p> <ul style="list-style-type: none"> • Paragraph 3.1 should be amended to state that developers are encouraged to begin pre-application discussions with the Council as opposed to being a developer's responsibility.
<p><i>Planning Application Submission: Paragraph 3.5 includes the submission of a complete, signed copy of a unilateral undertaking to be considered in the application determination process. SEGRO considers that the Draft SPD should make it clear that a unilateral undertaking is not a validation requirement as this will be negotiated and considered during the application determination process. Indeed, this is not a requirement of the Council's Local Validation Checklist (April 2019).</i></p> <p><i>Suggested change:</i></p> <ul style="list-style-type: none"> • Paragraph 3.5 should clearly state that a unilateral undertaking is not a validation requirement

Noted
Amended
Amended

<p><i>Planning Application Determination:</i> Paragraph 3.7 notes that “when a planning application has been resolved to be granted subject to a s106 agreement, the Council will send appropriate formal instructions to its solicitor”. SEGRO considers that this step could take place sooner with the agreement of the applicant to cover reasonable costs. This will reduce delays in the Section 106 negotiation process.</p> <p>Paragraph 3.9 states that “a failure to complete the Section 106 agreement within the given timescale will result in a planning application being refused for the reasons set out in the committee report”. Given the legally binding nature of a Section 106 agreement and the level of negotiations that are undertaken between the person/s with an interest in the land, their solicitors and the local planning authority, a legal agreement can take time to agree. It is therefore considered that the draft SPD needs to offer a more flexible approach, particularly where a scheme has a resolution to grant and is pending agreement of a Section 106 legal agreement (based on agreed Heads of Terms). This should take the form of additional wording clarifying that an extension of time is permissible.</p> <p><i>Suggested change:</i></p> <ul style="list-style-type: none"> • Paragraph 3.7 should be amended to note “or if earlier agreement has been reached with the applicant to cover reasonable costs”. • Paragraph 3.9 should be amended to state: “a failure to complete the Section 106 agreement within the given timescale will result in a planning application being refused for the reasons set out in the committee report or will result in further negotiations with the Council to agree an extension of time to grant approval”. 	<p><i>Model Agreements:</i> Paragraph 3.10 relates to the Council’s template for the Section 106. The draft text strongly advises developers to use the standard wording to avoid delays in the negation process. The principle of this is supported and SEGRO welcome the avoidance of any unnecessary delays. However, the draft SPD should provide for flexibility to this standard wording, related to the site, development type and development specific circumstances.</p> <p><i>Suggested change:</i></p> <ul style="list-style-type: none"> • The draft SPD should recognise that there are circumstances where the standard template may require flexibility, particularly for non-residential development where certain clauses would not be relevant. 	<p><i>Charges for Monitoring of Obligations:</i> It is set out in paragraph 3.12 that the Council has a schedule of monitoring charges (as included in Appendix A of the draft SPD). These charges are largely focused on residential development i.e., number of homes. SEGRO would welcome clarity on the monitoring charges for non-residential development – noting that these should be graded according to the amount of floorspace proposed. This will ensure the monitoring charge is fairly and reasonably related in scale and kind to the development. We reserve the right to comment on these specific charges at a later stage.</p> <p><i>Suggested change:</i></p> <ul style="list-style-type: none"> • The draft SPD should include monitoring charges for non-residential development on a graded basis.
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<p>S106 instructions are discretionary and dealt with on a case-by-case basis. Similarly an application can be refused as a result of failure to enter into a legal agreement. No change required.</p>	<p>The SPD has been refined to be more specifically relevant to residential development. The council are aware flexibility on a case by case basis is required including for non-residential development.</p>	<p>The SPD has been refined to be more specifically relevant to residential development.</p>
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<p><i>Offsetting</i></p> <p><i>This section relates to protected species and identifying suitable replacement habitats. The obligations note at para 4.1 that "unless the replacement habitat is within the developer's control, a willing third party will be needed and a side-agreement between the third party and the developer". SEGRO recognise the importance of conserving protected species, however request flexibility is added to this requirement in the form of a mitigation strategy.</i></p> <p><i>Where a site includes protected species, a mitigation strategy should be agreed as part of the planning application and secured via condition. This should include measures to mitigate the potential impacts of development, and this can include details of replacement habitats (including any side-agreements between third parties/developers) where necessary to make the development acceptable in planning terms. This amendment will ensure the draft SPD is more in line with the adopted Local Plan Policy GEN7 (Nature Conservation). As per the NPPF and Planning Policy Guidance (PPG), an SPD should add further detail to the policies in the development plan.</i></p> <p><i>Suggested change:</i></p> <ul style="list-style-type: none"> <i>• Paragraph 4.21 should be amended as follows to add flexibility to this obligation: "In some instances, it will be necessary to safely remove protected species from a development site to a replacement receptor habitat. In this case an appropriate mitigation strategy should be agreed and secured via planning condition. The mitigation strategy may include There is a need to identify a suitable replacement habitat as close to the development site as possible and ideally larger to allow for better growth and natural dispersal of the protected species. Unless the replacement habitat is within the developer's control, a willing third party will be needed and a side-agreement between the third party and the developer".</i> 		
<p>Education and school transport</p> <p>Given the nature of the proposed education and school contributions, it is understood that these do not apply to commercial and industrial development in accordance with the planning obligation tests (NPPF, paragraph 57) and in accordance with CIL Regulation 122(2) (the three 'tests'). Planning obligations must only be sought where they are directly related to the development.</p> <p>However, paragraph 4.27 within this section relates to employment and skills. This states that " where necessary, 29971/A3/CC/EP 4 4th January 2023 financial contributions are required for 250+ homes and 2,500sqm of employment floorspace".</p> <p>SEGRO support the contribution that new development can make towards employment and training initiatives.</p> <p>The Responsible SEGRO Framework1 (2021) sets out that investment in local communities and environments is a long-term priority for the Company.</p> <p>Notwithstanding, SEGRO consider that the draft SPD should provide indicative metrics which are used to calculate the required financial contributions for employment. This would provide a clearer steer on the likely level of contributions for landowners and developers, enabling any implications for the development scheme to be considered at the earliest opportunity. Furthermore, it is important that requirements are clearly evidenced to ensure it will not impact of the viability of the development and add unnecessarily to the financial burdens on development (PPG, ID: 61-008-20190315). Indeed, the Uttlesford Economic Viability Study (June 2018) concludes that all B class uses produce a negative residual value.</p> <p><i>Suggested change:</i></p> <ul style="list-style-type: none"> <i>• The draft SPD should provide clarity on how the financial contributions for employment floorspace (over 2,500 sqm) is calculated with regard to viability testing.</i> <i>• To avoid confusion, the employment/skills obligation should be a separate section on in the draft SPD.</i> 	Charlotte Cook, Senior Planner	Stantec (Barton Willmore) on behalf of Segro

Amended
The SPD has been refined to be more specifically relevant to residential development. The employment needs of mixed used schemes that require employment floorspace will be negotiated on a case by case basis and early engagement is encouraged by the developer with the council. No change required.

<p>Flood and Water Management</p> <p>This section of the draft SPD relates to flood and water management. Paragraph 4.30 states that "The District Council will work with the developer to secure the long-term maintenance of SuDS through a combination of planning obligation, planning condition and commuted sum payment". The Council's approach should ensure that any planning obligations towards the long-term SuDS maintenance are in accordance with CIL Regulation 122(2) (the three 'tests') and that there are no other sources of funding streams available, so that developments are not subject to an unnecessary burdensome scale of obligations.</p> <p>Paragraph 4.29 states that private adoption of SuDs is not desirable. For the avoidance of doubt, SEGRO requires further clarification on this point and do not consider that all SuD's should be adopted. Private development should be considered separately.</p> <p>Suggested change:</p> <ul style="list-style-type: none"> • In light of the above, we suggest paragraph 4.30 is amended as follows: "The District Council will work with the developer to secure the long-term maintenance of SuDS through a combination of planning obligation, planning condition and/or commuted sum payment where it meets the CIL regulation tests and would not undermine the viability of the development". • An additional paragraph should be added relating to private development. The Draft SPD should note that if a SuD is in private ownership then the need for commuted sums would not be necessary and maintenance regimes can be secured by obligation/condition. 	<p>Landscaping and Open Space</p> <p>This section of the draft SPD focuses on requirements for landscaping and open space. The draft SPD has been informed by the UDC Open Space Standards Paper (2019) which details the approach to securing open space facilities through new housing development. As such, SEGRO suggest that for clarity and the avoidance of doubt, the obligations for landscaping and open space are separated rather than dealt with as a combined consideration – particularly as the open space considerations are more associated with residential schemes (as confirmed within the Open Space Standards Paper). This will ensure that the obligations sought are fairly and reasonably related in scale and kind to the development. In addition, it should be reflected in the draft SPD that landscaping can be privately managed and as such the preferred route of Parish Council management would not apply to these developments.</p> <p>SEGRO also request that flexibility is added which requires landscaping schemes/masterplans to be secured via a planning condition, rather than planning obligation (where appropriate) to provide further flexibility and reflect the site and development specific circumstances. As set out in the PPG, planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition (Reference ID: 23b-003- 20190901).</p> <p>Suggested change:</p> <ul style="list-style-type: none"> • For the avoidance of doubt, the draft SPD section which considers landscaping and open space should be divided into two separate sub-sections of the document. • Additional text should be added which relegates the requirement for landscaping to be secured via a planning condition, rather than planning obligation in accordance with the PPG. • The preferred route of Town/Parish Council management should not apply landscaping <u>that is privately managed by developers</u>. 	<p>Moving Around</p> <p>This Section relates to highways and sets out when a full transport assessment (as opposed to transport statement) and travel plan would be required to be submitted as part of a planning application. However, it is noted that the trigger in the draft SPD relates to residential schemes only. SEGRO suggest that a trigger should be included for employment schemes based on floorspace and the local validation requirements. For travel plans this should be commensurate with the level of impact and clearly evidenced to ensure it will not impact of the viability of the development and add unnecessarily to the financial burdens on development (PPG, ID: 61-008-20190315).</p>
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<p>Developers need to be mindful of the potential constraints on a site that a proposal will be required to mitigate if development is to proceed and factor this in when buying land. In accordance with national policy, viability is not a reason, alone, to suggest mitigation cannot be met. Reference to CIL regulation test added. No change is proposed in relation to private adoption of SuDS. The County Council's preference as the lead local flood authority is for the drainage network and its accompanying SuDS features to be adopted by a public body (such as a water authority) to ensure lifelong maintenance. The County Council will only in exceptional circumstances allow private adoption, as these are not desirable.</p>	<p>Reference to landscaping removed.</p>	<p>The SPD has been refined to be more specifically relevant to residential development.</p>
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<p>Conclusion</p> <p>We trust these representations are helpful to inform the next version of the Draft Developer Contributions SPD. Should you require any clarification of the points please contact me or my colleague Mark Sitch. Please note that we wish to be notified of the adoption of the SPD in due course, or any further consultations on draft versions of the SPD.</p>			Noted
<p>When new development is proposed within the county the key priorities for ECC are in relation to our statutory roles. ECC's statutory functions that are reviewed to determine the impact future development may have on the delivery of future infrastructure include -</p> <ul style="list-style-type: none"> - Highway Authority and Transportation Authority to ensure that future infrastructure delivery supports the delivery of the Essex Local Transport Plan; - Lead authority for education ensuring the provision of appropriate primary and secondary education, Early Years and Childcare (EYCC), Special Education Needs and Disabilities, and Post 16 education; - Minerals and Waste Planning Authority (MWPA); - Lead Local Flood Authority (LLFA); - Lead advisors on public health; and - Adult social care in relation to securing the right housing mix taking into account the needs of older people and adults with disabilities. 			Noted
<p>ECC's Key Recommendation</p> <p>The overarching recommendation from ECC is that the SPD includes a reference pointing the reader/user to the ECC's Developers' Guide to Infrastructure Contributions (the Guide). This would be instead of referring separately to statutory ECC infrastructure responsibilities within each section of the SPD. In doing so, this will allow ECC to update and review the Guide, with the SPD remaining unchanged and up to date. It is recommended that UDC include the following wording within section 4 of the SPD to cover the range of matters ECC may seek contributions for, as outlined in the Guide.</p> <p>"Planning obligations may be required for the following service areas:</p> <ul style="list-style-type: none"> • Early years and childcare; • Schools; • School transport and sustainable travel; • Employment and Skills Plans; • Highways and transportation; • Sustainable Travel Planning; • Passenger Transport; • Public Rights of Way; • Waste Management; • Libraries • Flood and Water Management and Sustainable Drainage Systems (SuDS) <p>Planning obligations for infrastructure that is provided for by ECC will be sought in accordance with ECC's Developers' Guide to Infrastructure Contributions".</p>			<p>Section 4 updated with amended proposed text, and fully reviewed and revised where considered appropriate. Document does reflect future proofing, for example under schools that '....trigger points for education contributions...' are '(generally starting at 20+ homes)' which reflects this may vary in the future. However, this is clarified with the addition of text at the beginning of the section. Furthermore, it also states that '....evidence is not repeated here.' which does give future proofing to the SPD should the ECC guide be updated in the future.</p>

<p>ECC has continued to review the information set out in the SPD and the comments are set out below.</p> <p>The rest of the ECC response reviews services outlined in the SPD and suggested amendments.</p> <p>ECC's Comments on the SPD</p> <p>Chapter 1 – Introduction</p> <p>Purpose of this Supplementary Planning Document - ECC notes that paragraph 1.4 highlights that the SPD supports and supplements the adopted 2005 Uttlesford Local Plan. This Local Plan is over 12 years old and therefore out of date. It is highlighted that saved policies are utilised to underpin the draft SPD. ECC is mindful that a revised Local Plan is currently being prepared by UDC. The SPD states that it will be "replaced by a further new one reflecting the content of the new plan and associated Infrastructure Delivery Plan (IDP)" (para 1.4). This is supported and welcomed by ECC, as it ensures the revised SPD will continue to reflect and assist in the delivery of the infrastructure to support the planned spatial development strategy within UDC. ECC recommends that UDC provide a clear trajectory for the delivery of the revised SPD, relative to the timescales for producing the emerging Local Plan. ECC continues to welcome early engagement with UDC to assist shaping the revised SPD.</p>	<p>Paragraph 1.6 of the SPD provides an appreciation of the persons that are likely to utilise it, stating that it will be used by "developers and the Council". ECC questions this, as it is important that UDC appreciates that planning contributions are required for other infrastructure beyond UDC's statutory responsibility. The SPD is therefore likely to be utilised by ECC as a second tier local authority with a statutory infrastructure role, as well as a point of reference for other statutory bodies with relevant physical, social and community infrastructure responsibilities. It is recommended that this wording is changed to reflect this.</p>
<p>ECC considers that it is important that the SPD demonstrates a clear understanding of the two tier local government system. Whilst it is welcomed that the SPD acknowledges ECC's statutory responsibilities it is equally important to recognise the working relationships between the two authorities. As effective partnership working and delivering a plan led system is imperative for ensuring infrastructure is delivered to support future development. The recommended wording for this paragraph includes –</p> <p>"The Council operates within a two-tier local government system. Essex County Council (ECC) has a statutory role as the highway and transportation authority, appropriate lead authority for education, minerals and waste planning authority (MWPA), lead local flood authority (LLFA), lead advisors on public health, the provision of libraries and adult social care. As such, if a planning obligation is sought for contributions covering these matters, then ECC will need to be party to the Section 106 (S106) agreement. Planning obligations for infrastructure provided for by ECC must be sought in accordance with ECC's Developer's' Guide to Infrastructure Contributions".</p> <p>An overriding principle regarding infrastructure contributions is that applicants are expected to contribute to the infrastructure that is required to mitigate their developments, as well as cumulative impacts, and any other developments benefitting from the infrastructure should contribute towards it. It should not be for the public purse to fund these necessary mitigation measures and there should be no financial risk for the Council or any infrastructure providers such as ECC."</p>	<p>Similarly, it is recommended the SPD includes an appreciation of how other statutory bodies will be consulted on planning applications and how UDC will consider their future needs and requirements to mitigate the impacts of development. ECC notes that the SPD sets out the infrastructure services that contributions will be sought for separately within chapter 4. In terms of ECC statutory responsibilities it is noted that there are some gaps. It is recommended that the SPD refers to ECC's Guide from the outset. A clear direction to the reader to utilise the Guide, would save the SPD having to refer specifically to infrastructure that ECC has a statutory responsibility to deliver. As already outlined above, ECC recommends that wording to include reference to the Guide be inserted within this section.</p>

<p>Noted. Given the time scales involved in plan making, it is suggested that the review of this SPD and the infrastructure delivery plan be added to the councils local development scheme when it is revised next. No change to this SPD.</p>
<p>Amended</p>
<p>Amended</p>
<p>Amended</p>

Chapter 1 - Council Priorities

ECC notes that the UDC Corporate Plan delivery includes the implementation of a Community Infrastructure Levy (CIL) (paragraph 1.10). In seeking to develop CIL, it is important Essex Local Authorities are mindful of ECC views with regards to developing CIL working arrangements. ECC engages with all Essex authorities developing CIL, and Government highlighting matters for consideration to improve the effectiveness of CIL and the delivery of infrastructure to support future development. UDC should note that ECC responded to the recent Government White Paper entitled 'Planning for the Future' (August 2020). The ECC response supported local authorities having flexibility on spending new levy monies, in principle, but highlighted that levy expenditure should be directly related to development and its supporting infrastructure. ECC also recommended that Government considers setting a requirement for local authorities to establish clear governance arrangements with key infrastructure providers, especially in two tier authorities, for determining the apportionment of levy monies to infrastructure projects and providers. ECC therefore recommends that UDC develop clear governance arrangements to support the future UDC CIL, and welcomes involvement for the effective and sustainable delivery of infrastructure.

Chapter 2 – Legal and Planning Background

The Development Plan ECC welcomes reference to the Essex Minerals Local Plan (adopted 2014) and the Essex and Southend-on-Sea Waste Local Plan (adopted 2017) as part of the statutory development plan for Uttlesford. This is set out in paragraph 2.7. Paragraph 2.10 sets out thematic matters to be included within the new and emerging UDC Local Plan. ECC welcomes the insight into the thematic policy areas that the emerging plan will address. However, it is noted that community facilities gives examples of halls and community centres. ECC recommends that explicit reference is given to education and Early Years and Child Care (EYCC) facilities. These facilities are so important for communities, in seeking to support quality of life and economic prosperity of residents into the future.

Chapter 4 - Detailed Considerations

Housing

ECC recommends that reference be given to the Essex Housing Strategy within the revised SPD as it sets out actions ECC takes to achieve the following goals:

1. Growing Essex while protecting the best of the county.
2. Enabling people to live independently throughout their life.
3. Supporting people facing homelessness or rough sleeping

The Housing Strategy seeks to ensure that persons within Essex are able to live independently with the services they require. It is recommended that the SPD ensures there is a commitment to consult ECC for advice on the priority Specialist Residential Accommodation needs, and that local demand.

ECC recommends that the SPD includes reference to the Guide which provides details on the characteristics of suitable sites/ buildings for older people and adults with learning disabilities.

Zhanine Smith
Principal Planning Officer (Spatial
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Essex County Council

Noted. UDC is likely to develop an infrastructure delivery plan as part of developing its new local plan. As further details emerge on national policy UDC will take these into account. This SPD relates to the existing adopted 2005 plan. No change required.

Amended

Amended

<p>Biodiversity and Green Infrastructure</p> <p>ECC recommends paragraphs 4.15 – 4.21 make reference to biodiversity net gain beyond Essex Coast RAMS, contributing to offsetting pressure on Hatfield Forest. ECC notes that the Environment Act, 2021 requires a minimum of 10% biodiversity net gain, with a caveat for a local target for Essex to be agreed. It is therefore recommended that UDC adopts an approach that is consistent with statute. ECC is mindful that UDC will be aware that the Essex Local Nature Partnership Biodiversity and Planning Working Group are exploring the feasibility for 20% biodiversity net gain. UDC may wish to consider adopting a higher figure once further evidence on delivery and viability is available.</p> <p>ECC notes that paragraph 4.20 states that the Council "should also be ensured that new housing developments include adequate and well-designed on-site green infrastructure so that residents have access to greenspace within easy reach of their home and are less likely to rely on the Forest for routine access to nature." ECC welcomes reference made to multifunctional green infrastructure, however it is important that this reference acknowledges the reduction in pressure on the forest as well as delivering other benefits. Other benefits may include delivering biodiversity net gain, green corridors, shading through street trees, natural flood management, air quality, encouraging active travel (greening Public Rights of Way (PRoW) routes), other activities for health and wellbeing, mitigation and adaptation measures for climate change.</p> <p>Delivery and funding of green infrastructure can use planning conditions, obligations, or the CIL. UDC could make it more explicit in the SPD how development can provide and improve green infrastructure. The National Planning Policy Framework (NPPF) (paragraph 20, 91, 150 and 171) recognises the importance of green infrastructure within the planning system supporting sustainable development. The Natural Environment Planning Practice Guidance (PPG), 2019 supplements the information provided in the NPPF; describing green infrastructure benefits and how they can be considered in planning policy. The PPG emphasises that green infrastructure opportunities and requirements need to be considered at the earliest stages, and as an integral part, of development proposals. To assist this aim, ECC recommends reference is made to the need for developers to use</p>	<p>Community Facilities</p> <p>Libraries</p> <p>ECC notes that paragraph 4.22 refers to the provision of new libraries, and also acknowledges that a new library is unlikely in UDC. It is therefore important to note that for the provision of new libraries, including within community shared facilities, the process below is followed, with local district considerations taken into account:</p> <ul style="list-style-type: none"> • Planning applications for developments with 20 or more dwellings will be considered; • Other known growth in the area will be taken into account; • Long term capacity and future requirements across the area <p>Where the increase in projected population more than doubles an existing library catchment area, it is likely that a new facility or building will be required. Provision of this space could be as part of a shared community or educational facility for example – and would allow consideration to be made for varying scales of development.</p>
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Planning)

<p>Amended</p>	<p>Amended</p>
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Education and School Transport

ECC notes that the SPD refers to education, but does not include reference to early years and childcare, post 16 and Special Education Needs (SEN). ECC recommends that the SPD refers explicitly to the Developers' Guide, as within section 5.1 sets out the statutory duty that ECC is required to meet regarding providing sufficient childcare places. Section 6 of the Childcare Act defines 'sufficient childcare' as sufficient to meet the requirements of parents in the area who require childcare in order to enable them to take up, or remain in, work or undertake education or training which could reasonably be expected to assist them to obtain work. Unlike education, parents can choose to access childcare away from their home area, for example near to a place of work or training.

The County Council has statutory duties that must be met regarding Funded Early

Education Entitlement (FEEE) and childcare:

- Funded early education entitlement funding for 2 year olds:
- Parents who meet national criteria as set by central government (the 40% most disadvantaged 2 year olds) are entitled to 15 hours of funded early education for 38 weeks of the year of funded nursery education (or up to a maximum of 570 hours per financial year). The aim of this scheme is to narrow the gap for the most disadvantaged families.
- Funded early education entitlement funding for 3 and 4 year olds:
- All children from the term after they are three until they start reception are entitled to 15 hours of funded early education for 382 weeks of the year (or up to a maximum of 570 hours over a financial year).
- 30 hours funded childcare for 3 and 4 year olds:
- Working parents who meet a national criteria as set by central government are entitled to an additional 15 hours of funded childcare in addition to the 15 hours of free early education entitlement funding (or up to an additional 570 hours over a financial year).

• *Additional funding for families with children up to the age of 14 / 19 for children with special*

Flood and Water Management

ECC welcomes that the SPD includes reference to the ECC Sustainable Drainage Systems

(SuDS) Design Guide for Essex 2020. It provides a clear understanding and signposts the reader, providing all the relevant guidance that a developer or other body would require.

ECC recommends that additional text within paragraph 4.30 be included to ensure a consistent approach to the recently updated PPG - Flood Risk and Coastal Change (August 2022) which strengthens authorities' ability to require better flood resilience in new developments by ensuring developers adapt to the challenges of a changing climate, deliver sustainable new homes and Councils demonstrate that development; will be safe from flooding for its lifetime, not increase flood risk elsewhere, and where possible reduce flood risk overall.

ECC draws attention to the change to the exception test which now relates to all forms of flood risk, including from surface water. Where land with existing flood risk is still be developed following an initial sequential test, the developer must demonstrate that the development will provide wider sustainability benefits to the community that outweigh flood risk. ECC, as LLFA, is hopeful that this approach will provide an opportunity to address existing flood risk through new development. The PPG states that 'Local planning authorities need to set their own criteria for this assessment, having regard to the objectives of their Plan's Sustainability Appraisal framework, and provide advice which will enable applicants to provide relevant and proportionate evidence'. It should be noted that one example of how a developer may demonstrate that wider sustainability benefits to the community, would be to ensure an overall reduction in flood risk to the wider community through the provision of, or financial contribution to, flood risk management infrastructure. ECC, as LLFA, recommends that UDC identifies this requirement and where necessary requests contributions from developers towards wider flood mitigation.

Amended

Amended where necessary. This SPD is based on the adopted policies in the 2005 local plan and its purpose is to guide where contributions are needed to ensure that developments provide the right needs in the right place such as for flood and water management. Through the development of the new emerging local plan this SPD will be reviewed.

<p>Healthcare ECC notes that the SPD refers to the delivery of primary healthcare provision and general practice. However, it is recommended that the SPD provides further advice on healthy placemaking with reference to the Active Design principles embedded throughout the Essex Design Guide. It is also recommended that the SPD signposts readers to Health Impact Assessments as this will ensure that greater consideration is given to what needs to be considered when looking at health, wellbeing and the environment, to ensure there is a wider focus than just primary healthcare provision and general practice.</p>			Amended
<p>Landscaping and Open Spaces ECC recommends that paragraphs 4.34 – 4.35 should refer to the recommendation for multipurpose open spaces. Multifunctional spaces bring a wider spectrum of environmental, social and economic benefits to urban areas, especially for small areas of open spaces and are a more cost-effective way of addressing wellbeing, drainage and other hard infrastructure needs.</p>			Reference to landscaping has been removed from this section. A new section on green infrastructure has been added.
<p>Stewardship ECC Recommends that paragraphs 4.36 and 4.40 include reference to green infrastructure, with consideration given the management and maintenance of biodiversity habitat enhancements as part of a Biodiversity Gain Plan. It is important to note that the Environment Act, 2021 requires mandatory Biodiversity Net Gain to be secured for at least 30 years via obligations/ conservation covenant. See comments above in this response for further details.</p>			New section on green infrastructure has been added.
<p>Moving Around ECC welcomes the current wording within the 'Moving Around' section of the SPD. It is noted that the SPD is seeking to refer to the NPPF, the Government's Bus Back Better national strategy, the Developers' Guide, and ECC's Bus Service Improvement Plan 2021-26 (BSIP). ECC recommends that the SPD is less explicit and more general in the references to ECC publications, to allow for review and ensure the SPD remains up to date. It should be noted ECC are reviewing the Local Transport Plan 3. Engagement with Essex and other neighbouring Planning and County Authorities will assist in shaping the emerging views, and a consultation is expected Summer 2023. ECC welcomes that this section refers to – - Highways and transportation; - Sustainable Travel planning; - Passenger transport; and - Public Rights of Way. ECC recommends that the text within paragraph 4.47 be strengthened to emphasise the positive attributes of developing travel plans. It is recommended that the second sentence be amended to read – "Travel plans (for the workplace, school or residential where more than 80 homes are proposed) can help to reduce the use of the private car, improve local air quality, increase physical activity and tackle localised congestion."</p>			Updated where necessary.
<p>Para 4.3 - Anglian Water supports this approach. We actively promote SuDS as a sustainable and natural way of controlling surface water run-off. Further information can be found in our sustainable drainage systems manual: https://www.anglianwater.co.uk/siteassets/developers/aw_suds_manual_aw_fp_web.pdf Developers can also apply to us to consider the adoption of proposed SuDS schemes. Information including a pre-design strategic discussion form can be found on our website: https://www.anglianwater.co.uk/developing/drainage-services/sustainable-drainage-systems/</p>			Noted

Para 1.1 - Anglian Water as the statutory sewerage undertaker for Uttlesford local planning authority area, welcomes the invitation to comment on the Draft Developer Contributions SPD. Whilst our infrastructure is funded through developers connecting new developments to our network or through our investment plans funded through customers' bills, we do seek to work collaboratively with other stakeholders to address matters such as surface water management. We also will consider the adoption of sustainable drainage systems where the design meets our requirements. Anglian Water (AW) recognises the need to support the national drive to implement sustainable drainage management both for new and redevelopment sites to provide a sustainable environment and provide mitigation on environmental impacts from climate change.	Tessa Saunders	Anglian Water Services	Noted
Para 2.8 - Developers are all to aware of these requirements and are able to ignore these rules by building multiple sites, multiple individual planning applications within one area. Further, they use subsidiary companies to hide these multiple applications. UDC MUST be forceful in applying strict financial levies proportionate with the overall development within an area and not just for that individual plan. Small developments may not have much impact but when combined together will have significant detrimental impact on existing communities, residents, services and travel requirements to an area.	Mr Bill Critchley		All developments that meet that threshold and requirement for s106 will be required to comply with the necessary policy and guidance, which this SPD seeks to provide guidance on. The future emerging local plan will be accompanied by an infrastructure delivery plan which will seek to address strategic infrastructure requirements for future development. No change to required.
Para 4.41 Much greater weight MUST be given to the development impact on existing residents travel plans and road usage. Such consideration must include ALL developments within an area and NOT just one individual plan. A significant number of small developments within an area will have greater impact than one larger development. Essex Council are responsible for the roads they MUST be aggressive when reviewing the totality of developments within an area.			UDC will follow the recommendations of ECC transport requirements when assessing developments. The SPD has been amended slightly following comments from Essex County Council.
Para 4.42 Local Parish Councils should be consulted. Multiple smaller developments have as much impact if not more than one larger development. Within certain Parishes Traffic assessment and travel plans should be required for these smaller developments. M11 junction 8 has already been identified by DfT as being unable to cope with multiple small developments.			Parish and town council's are consulted on planning applications. All applications that are likely to impact on a highway are required to submit a transport assessment. The Development Management Team are drafting a new protocol for engaging parish and town councils in pre-app discussions alongside the preparation of this SPD. No change required.
Para 4.49 - Wherever possible the existing characteristics of a PROW should be maintained. An existing open footpath should not become an enclosed rat run. New PROWs should be encouraged.			Noted. These aspects are addressed through design of developments and the SPD does reference the importance of protecting PROW. No change required.
Para 2.1 Surely Educational Facilities should be specifically included in this list.	Mr David Greenwood		Assuming this comment was in regards to Para 2.1 of the Draft SPD, this is a quote from the Town and Country Planning Act which is explaining when contributions for development might be required. Not the type of things contributions should be put towards. These are covered later in the SPD. No change required.
Para 4.49 - As well as public rights of way on the proposed sites I would like to suggest that this be extended to cover an additional distance along each RoW. Upgrading the paths for say, a mile beyond the site would help to protect and sustain the RoW from the additional load that the development will bring to the area.	Mr Bob Wright		Developer contributions have to be directly related to the development and therefore will be assessed on a case by case basis. No change required.
Para 1.5 - Final sentence: delete the stray ", or"	Mr Ken McDonald		Amended
Para 2.7 - In line 1, change "planfor" to "plan for"			Formatting issue. No change required.
Para 3.2 - Insert "clear" before "development objectives." The meaning of the final sentence is unclear. Are these options or requirements? Clarify the final phrase - does it mean an opportunity or requirement, and does it relate to members of the district council or town or parish council or what?			No need to have 'clear' twice in one sentence. 'Clear vision <u>and</u> set of development objectives' as now proposed. The final sentence now reads: Each includes meetings with council officers (and appointed specialists, if necessary); engagement with the town or parish council and a presentation to members. Council officers refers to the district and the town and parish council is mentioned laterly. For clarity District is added prior to council officers. The Development Management Team are drafting a new protocol for engaging parish and town councils in pre-app discussions alongside the preparation of this SPD.
Para 3.4 - What is meant by "members" and by "multi meetings" ?			Members are elected members of the councils cabinet and multi meetings has been amended to multiple meetings for clarity.
Para 3.5 - In the final sentence, after "required" remove the comma and replace it with "so"			Amended
Para 3.6 - Two reference to "committee report". The first should be more correctly referred to as "the case officer's written report to the committee" and the second then referred to as "the case officer's report".			Not necessary. No change required.

<p>Para 3.8 - Second sentence would be clearer if it began "At this stage, the Council will want to agree how the obligation . . .</p> <p>Para 3.11 This should either read "a sample . . . clause." or "sample . . . clauses."</p> <p>Para 3.12 - Replace ">" with "greater than "</p> <p>Para 3.13 - Change "fewer different ones" to "fewer trigger points"</p> <p>Para 14 - Change "committee report" to "their report to the committee". It is not clear when the final sentence may apply.</p> <p>Para 4.19 - Insert space after the first sentence. What on Earth is a Zol ? If this document is intended to be helpful it should avoid such jargon.</p> <p>Para 4.49 - Insert "require" after "may"</p> <p>Para 3.8 - Perhaps we need to distinguish smaller major applications on this. At outline stage, smaller major applications are likely to present a frontloading opportunity to do the s106 before the reserved matters. Perhaps a distinction, to manage such expectations, in the text may be appropriate. Thanks.</p> <p>Para 3.9 - What is the time frame? What incentives or disincentives can we give to developers to agree the s106 as soon as possible?</p> <p>Para 3.5 - Please clarify explicitly that the HoTs must be agreed upon with the developer as soon as possible prior to the determination of the application, as instructions to Legal must be sent early and as the application cannot be presented to Committee without the HoTs agreed.</p> <p>Para 4.5 - What is the role of the Council's Housing Officers on this? If First Homes should be physically indistinguishable from the equivalent market homes, how developers should present them in drawings?</p> <p>Para 4.13 - Please give examples of exceptional circumstances where on-site provision cannot be achieved.</p> <p>4.17 - Please clarify whether the identification of a need for RAMS payments is the responsibility of UDC or the developer. And whether the RAMS payment will be sought at validation stage of any application. Please also clarify that Minor applications are included in the list.</p> <p>Para 1.5 - We need CIL. Newport has had 55% expansion in around five years, most developments contributing nothing and the larger ones cash to education and medical and 'affordables'. Nothing for roads, sport or community facilities. From the medical cash the surgery has received no upgrade as far as I know. A need for better sport facilities is identified in the Neighbourhood Plan but the s106 rules don't support this and despite requests UDC officers have ignored it. The statement in para 1.5 is a self evident truth but on current rules I can't see how a SPD is going to secure cash to aggregate towards a project which individually could not be secured under s106. CIL would do this without having to fight the case on every application. And vitally obtain cash from every house, where of course individual plots are more valuable than estate plots and contribute nothing. Implementing CIL is however a nightmare.</p> <p>Para 2.9 - How do we establish that a contribution is needed towards say existing community facilities from developments on a cumulative impact basis? Eg village of 1500 houses and a 100 house application? Education applies a cost per pupil formula. Newport needs c£2m to rebuild the poor sport provision. How is the 'significant weight' from GEN6 to be applied.</p>	Amended	
	Amended	
	Amended	
	Amended to 'varying' as this relates to different types of monitoring triggers not the triggers themselves.	
	Amended to 'their committee report'.	
	Formatting issue. Zol is the Zone of Influence and is explained in full and then abbreviated within the document which is standard practice. This has been made bold to draw peoples attention to it.	
	Amended	
	The SPD is a guide for officers it is not meant to be prescriptive. But frontloading as much as possible would be advantageous. No change required.	
	The SPD is a guide for officers it is not meant to be prescriptive. Every application will be different and it will be for the case officer to determine the timeframe depending on the complexity of the scheme and in negotiation with the applicant. No change required.	
	Sentence added to clarify that - 'Although not a requirement for the validation of a planning application, it is strongly recommended applicants do submit any PPA if prior engagement on the matter has already been undertaken.'	
	It is recommended that liaison with the council's Housing Officer's is undertaken. All forms of affordable housing including first homes should not be clustered together in one area of a new scheme but distributed through a scheme in an appropriate way. The standards of construction, including insulating properties should not be substandard in comparison to market housing. It is recommended that officers consider best practice from other local authorities and consult with the council's Principal Urban Designer. No change required.	
	It will be for the developer to demonstrate that on-site provision cannot be provided and for the council to be satisfied that exceptional circumstances have been met. This will be based on a case by case basis. No change required.	
	The identification of RAMS payments is the responsibility of UDC as the responsible body under the Habitat Regulations. But developers also have responsibilities for the protection of habitats. RAMS payment will be sought at the validation stage of any application. All applications, including minors and permitted developments that fall within the Zone of Influence for the Essex Coast RAMS will be liable for the associated fee. A new paragraph has been added to include the text 'Payment should be made at the validation stage.'	
	Noted. The purpose of the SPD is to secure contributions to deliver the infrastructure the community needs. The new emerging local plan will seek to address future needs and will review this SPD and produce an infrastructure delivery plan. No change required.	
	Developer contributions can only apply to the development to which it reasonably relates. Open space provision is covered in Appendix C. Essex County Council is consulted on planning applications in regards to educational needs. The new emerging local plan will seek to address future needs and will review this SPD and produce an infrastructure delivery plan. No change required.	

Avgerinos Vlachos

Mr Neil Hargreaves

<p>This is a vastly complex set of procedures and objectives. I can't see officers being able to know and implement all of it effectively Suggest that the trigger points for each requirement ie house numbers per application are loaded to a system. Enter the number of houses for an application and it tells the officer AND the applicant what requirements should be followed/requested. Otherwise how will anyone know that what they are considering should eg have a circular dog walk? Danger of spending months fine tuning (yet another) document but not being able to know or control that it is being fully used</p>		<p>Officers are all qualified planning professionals capable of understanding and interpreting this guidance for whom it is written, along with applicants / developers, including any national policy and guidance on the topic. Every application and scheme will be different and therefore negotiations will vary and take time, but this guide provides a template from which those conversations can start and hopefully help speed up the process. No change required.</p>
<p>Para 1.11 - Building materials such as CemFree mortars, building blocks and the like should be required. Reducing the carbon impact of the build process. Overall water usage should be paramount in any new properties. Our area does not have sufficient water supplies to meet demand. Nor do we have sufficient sewage treatment for existing properties, let alone new properties being built</p>	Mr Bill Critchley	<p>Noted. These are sustainable design and construction matters which can be addressed through planning conditions. The new emerging local plan is also seeking to address these matters. No change required.</p>
<p>Para 2.9 - Multiple small developments in one area should be considered as one. Smaller developments, over 5 units, in certain Parish's, such as Takeley, Takeley Street, Little Canfield, where significant small developments have taken place should attract infrastructure contributions.</p>		<p>Noted. Developer contributions can only apply to the development to which it reasonably relates. The new emerging local plan will seek to address future needs and will review this SPD and produce an infrastructure delivery plan. No change required to the SPD.</p>
<p>Para 2.1 - The plan should also include sustainability, energy efficiency, water usage, sewage treatment.</p>		<p>The purpose of a S106 and developer contributions is to 'seek planning obligations from developers where financial or other contributions are required to make development proposals acceptable in planning terms (but cannot be achieved through conditions on any planning permission).' The SPD has been amended to make it more explicit with regards to a focus on residential development. Each application will vary and officers will use this SPD as a guide, a template, on which to consider the issues on a case by case basis on which to base any required s106, i.e. those that cannot be addressed via a planning condition. No change required.</p>
<p>Para 3.8 - In this period of high inflation the developers payments should be indexed linked. This will allow for the delays between approval and occupancy.</p>		<p>Index linking of payments is already covered in the draft SPD at paragraph 3.19. No change required.</p>
<p>Para 4.25 - Again, multiple smaller sites within certain Parishes will not attract developers contribution. Leaving rate payers to absorb these costs. Smaller developments within these Parishes should attract suitable levies. The size of the the dwellings will impact on educational demand.</p>		<p>The new emerging local plan will seek to address future needs and will review this SPD and produce an infrastructure delivery plan. Essex County Council is consulted on planning applications in regards to educational needs. No change required.</p>
<p>Para 4.29 - We live in a water challenged area. Given that these requirements are for future generations we should be looking to reduce waste water. Utilising rainwater for toilet flushing and other areas should make new homes more sustainable. Less reliant on ground source water provided by our local water companies.</p>		<p>Noted. These are matters which can be addressed through planning conditions. The new emerging local plan is also seeking to address these matters. No change required.</p>
<p>Para 4.31 - Again, multiple smaller developments within certain Parishes means that no contributions are collected. Within these Parishes smaller developments should attract levies to benefit local residents.</p>		<p>Noted. Developer contributions can only apply to the development to which it reasonably relates. The new emerging local plan will seek to address future needs and will review this SPD and produce an infrastructure delivery plan. No change required.</p>

<p>Para 2.1 - The current policy within Uttlesford DC to help provide new community facilities, such as a new community hall, is to include within a developer's S106 agreement, provision for a contribution to be made towards the funding of a new hall. In the case of Elsenham, this process has been somewhat irregular, in that UDC arranged for three separate developers to each make a contribution towards a new community hall in the village. Unfortunately, due to various delays, the funding is still incomplete; also, given these delays the cost of building a community hall large enough to meet the needs of a significantly increased village population. Thus the existing funding is insufficient to meet the costs of the required new hall. Other developers have subsequently come forward with applications for additional residential housing, but unfortunately UDC failed within its S106 processes, to provide for additional new community hall contributions to be included. It was left to Elsenham Parish Council to make its own approaches to each of the developers, requesting a community contribution. South Cambridgeshire District Council has adopted a different approach to obtaining S106 contributions from developers for new community infrastructure, such as community halls (see attached SCDC document - Community Facilities Audit September 2009). Within this document, SCDC has firstly carried out an audit of all community facilities within its District, and secondly, has established the policy and process that determines whether a community facilities contribution is necessary, appropriate and desirable. By applying the community facilities assessment process to all developer applications, it removes the current hit-and-miss approach and also establishes a source of funding for both the building of new halls and provided ongoing support to existing halls. This, I suggest is a much more straightforward means of supporting and funding community facilities, and something that Uttlesford should give serious consideration.</p>	Mr. Peter Johnson		<p>Noted. Developer contributions can only apply to the development to which it reasonably relates. The new emerging local plan will seek to address future needs and will review this SPD and produce an infrastructure delivery plan. No change required.</p>
<p>Para 2.4 - To avoid developers delays in starting works section 106 payments should fall due within six months of planning permission being granted</p>	Mr Bill Critchley		<p>Planning permission being granted and works starting are two separate matters and often two separate issues. The payment of s106 monies will be required at varying times for different applications. Often a s106 is a condition of planning permission being granted and therefore can take time to be drawn up and agreed before the planning condition can be signed off and the s106 paid for and planning works commence, once all other planning conditions have been met. No change required.</p>
<p>Para 3.5 - To avoid conflict Case Officers must be aware of Councils policies, orders and plans. Their recommendations should at the very least comment on Council policies, orders & plans, highlighting where they conflict with their recommendations.</p>			<p>Officers are all qualified planning professionals capable of determining planning applications against national and local policy and negotiating planning obligations. The purpose of this SPD is to offer a guide to officers on developer contributions. No change required.</p>
<p>Para 4.26 - Given how challenging accessing primary healthcare is around Uttlesford. How reliable are GP registrations?</p>			<p>UDC consults the health care providers as statutory consultee and takes their advice on board. No change required.</p>
<p>Para 4.44 - Prior to authorising highway works Highway Authorities and developers must give due consideration to existing residents as multiple works cause undue delays and frustrations to existing residents.</p>			<p>Noted. Case officers consider a wide range of issues when determining applications. However, the purpose of this SPD is to offer a guide to officers on developer contributions. No change required.</p>
<p>Para 1.3 - Any new development should include a commitment to improve adjacent public rights of way and to ensure that development provides a reasonable buffer between these and the property boundary. Improvements could consist of all weather surfaces, bridges and gates and accurate signage.</p>	Mr Bob Wright		<p>Noted. However, developer contributions cannot be used where the matter can be addressed via a planning condition. Any matters which cannot be addressed via condition can be picked up via a s106, as appropriate. No change required.</p>
<p>Para 1.5 - As well as a percentage of the developmemnt being allocated to green spaces, developers should also contribute to appropriate landasaping of the property boundary and to ensure that wildlife corridors connect surrounding green areas.</p>			<p>Noted. However, developer contributions cannot be used where the matter can be addressed via a planning condition. Any matters which cannot be addressed via condition can be picked up via a s106, as appropriate. No change required.</p>
<p>Para 1.11 - New properties should meet a green standard with the use of heat pumps, solar panels on roof etc to minimise the energy required to run the property</p>			<p>Noted. These are sustainable design and construction matters which can be addressed through planning conditions. The new emerging local plan is also seeking to address these matters. No change required.</p>
<p>Para 3.13 - Any monies set aside for local improvements should be payable at the START of the development and not be dependent on completion or occupation.</p>			<p>Paragraph 3.13 and 3.14 of the draft SPD set out the timing and triggers for action or payment. 'Prior to commencement or prior to first occupation' is already mentioned, along with other options. No change required.</p>

<p>The attached guidance from CoMoUK showcases some exemplar schemes for shared transport provision and active travel as part of sustainable development, picking up on issues of density and consideration of commercial viability along with identification of other critical factors for the success of low-car developments.</p> <p>It feels like there is opportunity to develop a matrix as Marcus has suggested below, so we have some clear and consistent expectations for developer contributions. Thought is also needed around how we achieve development scale of sufficient size to support sustainable transport modes in a development or surrounding area.</p> <p>As part of the Clean Air project we have been having some discussion around how we get an appropriate level of investment in sustainable travel from developer contributions, and also about being consistent in what we are asking developers to include, which potentially needs to involve shared transport operators early in the planning process.</p> <p>Please could we be kept involved in the development of the SPDs relevant to sustainable travel - I am not sure what documents are/ or have been written as part of the local plan. If possible, it would be great to get a bit more of an overview of how the current consultation and other SPDs fit/work together as this is a new area for me.</p>			<p>Noted. This SPD is based on the current adopted 2005 plan. The new emerging local plan will seek to address future needs and will review this SPD and produce an infrastructure delivery plan. No change required.</p>
<p>With population growth there will be the inevitable increases in traffic, associated congestion and emissions of pollutants. It is clear that the transition to hybrid and electric vehicles will result in some in emission reductions, but issues with pollutants such as particular matter will remain. It is acknowledged by the government that Air Quality remains the largest environmental risk to public health in the UK and in response to increasing evidence on the long term health impacts of air pollution they are introducing new national target levels.</p> <p>Clearly, nobody wants to live in a poorer environment and it is essential to ensure that funding is generated to support improvements to active travel infrastructure, incentivise their use and ultimately discourage private car ownership. These measures will ultimately serve existing communities and enhance development. Furthermore, contributions to reduce air quality emissions go hand in hand with local and national climate change policies, contributing to reductions in carbon emissions, supporting mitigation measures and adaption. There are great benefits from effective policies, infrastructure, and funding to improve air quality. The environment will improve, carbon emissions will reduce and people's health will improve as a result of the cleaner air but also as a consequence of increased activity.</p> <p>In respect of dedicated contributions towards AQ, DEFRA has produced a damage cost calculation for specific pollutant emissions that identifies the environmental damage costs associated with a proposed development and determines the amount or value of mitigation that is expected to be spent on measures to reduce the impacts. Further information on this is here: Air quality appraisal: damage cost guidance - GOV.UK (www.gov.uk). Contributions based on the damage costs approach is seen to be good practice within the IAQM guidance IAQM planning guidance.pdf.</p> <p>Economic appraisal and guidance on the use of the damage cost approach can also be found here: Assess the impact of air quality - GOV.UK (www.gov.uk) . It may be that this approach could be a suitable tool for the purposes of securing dedicated contributions to mitigate the impacts of emissions.</p> <p>One other point to note is that there may be a benefit to developing a matrix that will</p>	Victoria Reed		<p>Noted. Text added with regards to the DEFRA damage cost calculation. Other aspects will be picked up as part of the development of the emerging new local plan, which will seek to address future needs and will review this SPD and produce an infrastructure delivery plan.</p>
<p>NHSPS supports the identification of healthcare in sections 4.31- 4.33 as a key consideration when assessing planning applications and the seeking of contributions to mitigate the impacts of development on local infrastructure. Large residential developments often have very significant impacts in terms of the need for additional healthcare provision for future residents, meaning that a planning obligation requiring developments make provisions for a new healthcare facility is often necessary.</p> <p>Furthermore, the significant cumulative impacts of smaller residential developments and their need for mitigation should also be recognised.</p> <p>NHSPS are supportive of Section 4.32, however note that the NHS should also have flexibility alongside the option of seeking financial contributions, to seek the provision of new on-site healthcare infrastructure and to secure free land and infrastructure/ property to meet the relevant healthcare needs arising from developments.</p>			Amended

<p>In relation to Section 4.33, NHSPS supports the adoption of a floorspace to patient assumption and the use of recognised approaches to establishing the means of mitigation. The 120 square metres should state '120m² NIA/ 150m² GIA'. NHSPS suggests that population assumptions could also be crosschecked against Office for National Statistic and Census datasets, and that construction cost data could be benchmarked and supplemented in collaboration with advice from the NHS and partner organisations. From NHSPS's experience on healthcare infrastructure delivery, the assumption of £3,000/m² is considered a starting point and likely only forms the base construction cost which do not take into account the true expenditure associated with the delivery of healthcare infrastructure. The adopted construction cost rate within the health obligation contribution should be revised to allow for all costs associated with the delivery of the healthcare infrastructure. This would typically include, but is not limited to:</p> <ul style="list-style-type: none"> • Base build cost; • Externals allowance; • Preliminaries; • Risk allowance such as general price and design risk; • Construction risk allowance; • Contractor's overheads and profit; • Fit out allowance such as General Equipment/ IT/ Data; • Professional fees; • Sustainability Allowances (if relevant to local area); and • Contingencies. <p>In addition, where the provision of the healthcare infrastructure will likely be undertaken by the public sector, the construction costs should include the appropriate assumptions, such as an element of optimism bias. This is a standard required assumption for public sector construction projects. NHSPS request that the current construction cost of £3,000 assumption is recognised as only a starting point and must allow for inclusion of the relevant build costs set out above.</p>	
<p>Index-linking Obligations secured for health infrastructure should be index linked, as it reflects the change in costs between the planning application be granted and the development taking place. It would be appropriate to link the index to the Building Cost Information Service ("BCIS") All-in Tender Price Index. BCIS is widely accepted across the build environment and commonly used for adjusting cost estimates and budgets to different dates.</p>	
<p>Partnership working between NHS and the Council Our experience has shown that the provision of new purpose-built healthcare infrastructure to mitigate the impacts of development requires extensive capital funding. This means significant funding secured through S106 or CIL allocations (should a CIL charging schedule be adopted) for health should be anticipated over the Local Plan period. The NHS, Council and other partners must work together to plan the infrastructure and necessary funding required to support the projected housing development and related population growth across the borough. Continued partnership working with the Council is encouraged to help secure the appropriate infrastructure to support sustainable development in the borough. A vital part of this is ensuring that the NHS has the resources required to develop additional healthcare infrastructure where necessary. This means updates to the Infrastructure Delivery Plan and where a CIL charging schedule is adopted, they must identify and help fund the delivery of healthcare infrastructure in order to ensure the Council meets the objectives of the Local Plan as a whole.</p>	
<p>Conclusion NHSPS strongly support the approach of securing infrastructure and contributions for health through planning obligations to ensure developments provide adequate measures to mitigate their impacts. NHSPS would welcome further engagement in relation to the above comments on the draft document.</p>	

Mr Marc Hoenen

Amended
Paragraph 3.19 of the draft SPD already refers to using the index-linked retail prices index. The Retail Price Indexation measures the best rate of inflation from the date of the signed agreement to when the development starts implementing works and is therefore considered a fair rate to apply. However, the SPD is a guide for case officers and developers for negotiations on applications. It is recognised that each application will need to be addressed on a case-by-case basis. No change required.
Noted. This SPD is based on the adopted 2005 plan. The emerging new local plan seeks to address future needs and will review this SPD and produce an infrastructure delivery plan. No change required.
Noted

<p>No matter where new residential developments take place, the incoming residents will need to access local services, which normally would be found in the town and village centres in the district.</p> <p>It is important that those town and village centres are well maintained and are able to evolve over time in response to changing needs. Contributions from developers should be able to be used in town and village centres as they play an essential role in the life of all residents.</p>	Linda Howells		<p>Noted. Developer contributions can only apply to the development to which it reasonably relates. The new emerging local plan will seek to address future needs and will review this SPD and produce an infrastructure delivery plan. No change required.</p>
<p>Paragraph 3.9 states that failure to complete the s106 within the given timescale will result in the application being refused. However, it does not indicate what the timescale is. We suggest that the SPF provides clarity on this. We would also suggest that meeting any timescale for completing a s106 will be dependent on both the applicant and the Council engaging in S106 discussions at the earliest opportunity and as such we would encourage the SPD to confirm that the Council be willing to engage in s106 discussions (and instruct solicitors) prior to an application going to planning committee.</p>			<p>The s106 instructions is discretionary and dealt with on a case-by-case basis. Similarly an application can be refused as a result of failure to enter into a legal agreement. In addition, the purpose of this SPD is to assist with encouraging s106 negotiations at an early stage. Additional text has been added to the SPD which reflects that whilst these are '....not a requirement for the validation of a planning application, it is strongly recommended applicants do submit any PPA if prior engagement on the matter has already been undertaken.' No further change required.</p>
<p>Para 3.11 - It is important that any standard clauses are acceptable to Registered Providers. In particular, RPs may have different requirements in respect of Mortgagee in Possession clauses. Therefore a 'one-size fits all' standard may not be appropriate and the SPD should allow flexibility in this regard, in order to help boost the supply of affordable homes.</p>			<p>Noted. The SPD is a guide for case officers and developers. It is recognised that each application will need to be addressed on a case-by-case basis. No change required.</p>
<p>Para 3.14 - It may not be possible to agree trigger points, which should be linked to phasing of development, for outline planning applications. Therefore the SPD should allow for triggers to be agreed, through the submission of an Open Space Scheme for example, to allow the delivery of infrastructure to be phased with the overall scheme delivery, once the detailed design has been progressed to a sufficient point (i.e. at the submission of Reserved Matters).</p>			<p>The draft SPD is not prescriptive on triggers and timings in order to give flexibility. It will be part of the negotiations for the council and developers to agree and phasing of development and phasing of payments is included. No change required.</p>
<p>Para 3.19 - We would suggest the use of the BCIS index where financial contributions relate to construction or building works.</p>			<p>Paragraph 3.19 of the draft SPD already refers to using the index-linked retail prices index. The Retail Price Indexation measures the best rate of inflation from the date of the signed agreement to when the development starts implementing works and is therefore considered a fair rate to apply. However, the SPD is a guide for case officers and developers for negotiations on applications. It is recognised that each application will need to be addressed on a case-by-case basis. No change required.</p>
<p>Para 4.11 - We would suggest that the SPD should provide flexibility in respect of the affordable housing split to allow for changing circumstances and affordable housing needs, which are likely to vary as the Council's waiting list changes over time. Adopting an overly rigid approach runs the risk of reducing (rather than boosting) affordable housing supply.</p>			<p>Noted. The purpose of this SPD is to provide a guide to case officers and developers on which to base s106 negotiations. No change required.</p>
<p>Para 4.18 - The SPD should include details of the basis for £137.71/dwelling cost and provide details of what the monies will be spent upon.</p>			<p>The basis for the fee is explained in paragraph 4.15 of the draft SPD. This includes that monies will be spent on mitigation associated with development that impact on the Essex Coast RAMS. No change required.</p>
<p>Para 4.19 - The SPD should provide clarity on what is required in order to make development within the ZOI acceptable. The SPD as drafted does not provide sufficient clarity in respect of what may be required in order to mitigate impacts upon Hatfield Forest.</p>	Mr Rob Snowling		<p>There is nothing that can mitigate the impacts of any development that occurs within the Zone Of Influence (ZOI) for the Essex Coast RAMS. All the local planning authorities have agreed, as responsible bodies under the Habitat Regulations to contribute a proportionate fee depending on the extent to which the ZOI impacts on their local authority area. This fee is payable by all development occurring in the ZOI which goes towards mitigation projects to assist in the safeguarding of the protected habitat. No change required.</p>
<p>Para 4.30 - We assume that the reference to commuted sums is in relation to where a SuDS feature is adopted by the District or Town/Parish Council. However, the SPD should clarify this point and make clear that a commuted sum will not be required where SuDS are adopted by a resident management company, for example.</p>			<p>Paragraph 3.30 of the draft SPD has been updated to reflect the CIL Regulation tests. A paragraph has been added regarding the latest flood risk and coastal change national policy and guidance. Applications and s106 obligations will be addressed on a case-by-case basis. No further change required.</p>
<p>Para 4.35 - The paragraph states that "Mostly, it is anticipated that developments will need to provide open space via off-site contributions." We would suggest that whether open space is provided on or off-site will be determined by the scale and design of the scheme and the amount of open space being proposed. We would therefore suggest that this sentence should be deleted.</p>			<p>Amended</p>

<p>Para 4.36 - Whilst we fully support early engagement with Parish and Town Councils, there may be instances where a Parish or Town Council does not wish to adopt on-site green space. As such, the SPD should provide flexibility to enable the green space within a scheme to be managed and maintained by a range of bodies, including residents' management groups, landowners (particularly where they manage and maintain a wider land holding), as well as the Parish or Town Council. There may also be instances where a landowner wishes to provide green space in excess of the Council's policy requirements, in which case the SPD should provide flexibility for that space to be managed and maintained by the developer/landowner where they are able to do this more cost effectively than a public body in order to avoid discouraging applicants from including green space in excess of policy requirements (i.e. as a result of requiring commuted sums up front, for example).</p>			<p>Noted. The purpose of this SPD is to provide a guide to case officers and developers on which to base s106 negotiations. Applications will be dealt with on a case-by-case basis. No change required.</p>
<p>Para 4.38 - We would query the requirement for a 15-year maintenance period. A 10-year requirement is the normal requirement and would generally provide sufficient revenue to cover maintenance and the costs are covered by the Town or Parish Council (through Council Tax receipts). As per our response to paragraph 4.36 above, this requirement is likely to disincentivise the provision of green space in excess of policy requirements, which can often play an important part in creating high quality and beautiful places.</p>			<p>Noted. However, many green infrastructure features can take years to establish and if failure should occur, a mechanism is needed to ensure replacement, management and maintenance to ensure that features can reach their full potential as intended by the proposed scheme. No change required.</p>
<p>With population growth there will be the inevitable increases in traffic, associated congestion and emissions of pollutants. It is clear that the transition to hybrid and electric vehicles will result in some in emission reductions, but issues with pollutants such as particular matter will remain. It is acknowledged by the government that Air Quality remains the largest environmental risk to public health in the UK and in response to increasing evidence on the long term health impacts of air pollution they are introducing new national target levels.</p> <p>Clearly, nobody wants to live in a poorer environment and it is essential to ensure that funding is generated to support improvements to active travel infrastructure, incentivise their use and ultimately discourage private car ownership. These measures will ultimately serve existing communities and enhance development. Furthermore, contributions to reduce air quality emissions go hand in hand with local and national climate change policies, contributing to reductions in carbon emissions, supporting mitigation measures and adaption. There are great benefits from effective policies, infrastructure, and funding to improve air quality. The environment will improve, carbon emissions will reduce and people's health will improve as a result of the cleaner air but also as a consequence of increased activity.</p> <p>In respect of dedicated contributions towards AQ, DEFRA has produced a damage cost calculation for specific pollutant emissions that identifies the environmental damage costs associated with a proposed development and determines the amount or value of mitigation that is expected to be spent on measures to reduce the impacts. Further information on this is here: Air quality appraisal: damage cost guidance - GOV.UK (www.gov.uk). Contributions based on the damage costs approach is seen to be good practice within the IAQM guidance IAQM planning guidance.pdf.</p> <p>Economic appraisal and guidance on the use of the damage cost approach can also be found here: Assess the impact of air quality - GOV.UK (www.gov.uk) . It may be that this approach could be a suitable tool for the purposes of securing dedicated contributions to mitigate the impacts of emissions.</p> <p><i>One other point to note is that there may be a benefit to developing a matrix that will</i></p>	<p>Mr Marcus Watts</p>		<p>Noted. Text added with regards to the DEFRA damage cost calculation. Other aspects will be picked up as part of the development of the emerging new local plan, which will seek to address future needs and will review this SPD and produce an infrastructure delivery plan.</p>

<p>Purpose of Supplementary Planning Documents (SPDs)</p> <p>SPDs are not subject to the same degree of consultation and examination as policies contained in Local Plans and should only be prepared, therefore, to provide additional guidance to those bringing forward development proposals across the district. The National Planning Policy Framework (NPPF 2021) confirms this in Annex 2: Glossary where it defines SPDs as:</p> <p>“Documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.”</p> <p>The role of the SPD should therefore seek to provide guidance on existing planning policy contained in the adopted Development Plan. It is important to note that this does not present an opportunity to reinvent existing planning policies contained in the adopted Local Plan.</p> <p>Scope of the draft Developer Contributions SPD</p> <p>Gladman welcome the preparation of the SPD which sets out how the Council will seek contributions from developers via planning obligations and replaces previous guidance from 2015. It is noted that the SPD is primarily intended for use by developers of residential schemes alongside that all applications will be determined on a case-by-case basis and that the SPD will not cover all circumstances and bespoke approaches to contributions may sometimes be required.</p> <p>Gladman welcome the acknowledgement in paragraphs 1.2 and 2.16 of the document that a new draft SPD will be prepared as preparation of the new Local Plan progresses.</p> <p>Notwithstanding the above, Gladman are concerned that the proposed obligations and monitoring charges set out in the SPD do not appear to have been informed by a proportionate viability assessment which accounts for all relevant policies, local & national standards and the cost implications of the planning obligations proposed¹. Such assessments are required to ensure that the cumulative cost of all relevant policies and proposed planning obligations do not undermine the viability of a plan and indeed</p>			<p>Noted. The purpose of this SPD is as a guide for case officers and developers. Applications will be based on a case-by-case basis. The SPD has been amended to reflect the CIL Regulations.</p>
<p>Charges for Monitoring of Obligations</p> <p>Appendix A of the draft Developer Obligations SPD sets out the monitoring charges schedule set out to allow the Council to fulfil its role to monitor all clauses for S106 obligations.</p> <p>Firstly, Gladman are concerned that there does not appear to be any robust evidence justifying the proposed charges, including the general administration fee or hourly rate for admin and site visits or how the proposed charges vary across development scales. It cannot be determined whether the proposed fees reflect the actual costs of monitoring and preparing legal agreements</p> <p>Furthermore, the proposed charges do not appear to have been informed by a proportionate assessment of viability that takes into account relevant policies</p> <p>The PPG also advises that authorities must report all monitoring fees in their Infrastructure Funding Statements (IFS) and this information should be fed into reviews of Local Plans to ensure that policy</p> <p>1 PPG Paragraph: 005 Reference ID: 23b-005-20190315</p> <p>2 See footnote 1.</p> <p>requirements for contributions are realistic and do not undermine the deliverability of the plan³. The latest IFS does not appear to report this and it is also not clear whether the latest IFS has fed into the preparation of the SPD⁴.</p> <p>It might be more appropriate for the Council to pause preparation of this SPD and align the development of the document alongside the emerging Local Plan and utilise historic data in the IFS.</p> <p>Finally, the PPG suggests that authorities could implement a monitoring fee cap to ensure that fees do not become excessive, it may be prudent for the Council to consider this alongside any corresponding viability assessment.</p> <p>Conclusions</p> <p>Gladman welcome the opportunity to comment on the draft Developer Contributions SPD and would like to be kept informed as the document is progressed. Gladman reserve the right to provide further comments on the SPD at any later stage of public consultation.</p>	<p>Josh Plant</p>		<p>This SPD is based on the Adopted 2005 plan. Charges are considered standard public sector rates. The emerging new local plan will seek to address future needs and will review this SPD and produce an infrastructure delivery plan. No change required.</p>

<p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. Our remit includes protected sites and landscapes, biodiversity, geodiversity, soils, protected species, landscape character, green infrastructure and access to and enjoyment of nature.</p> <p>Whilst we welcome this opportunity to give our views, the topic of the Supplementary Planning Document does not appear to relate to our interests to any significant extent. We therefore do not wish to comment on the details of the SPD other than to support the references to the developer contributions required in relation to the Essex Coast RAMS and the strategic solution being developed to address recreational pressure at Hatfield Forest SSSI/NNR.</p> <p>Should the SPD be amended in a way which significantly affects its impact on the natural environment, then, please consult Natural England again.</p> <p>Strategic Environmental Assessment/Habitats Regulations Assessment</p> <p>A SPD requires a Strategic Environmental Assessment only in exceptional circumstances as set out in the Planning Practice Guidance here. While SPDs are unlikely to give rise to likely significant effects on European Sites, they should be considered as a plan under the Habitats Regulations in the same way as any other plan or project. If your SPD requires a Strategic Environmental Assessment or Habitats Regulation Assessment, you are required to consult us at certain stages as set out in the Planning Practice Guidance.</p>	Tessa Lambert	Natural England	Noted
<p>Para 1.1 - This document comprises over 100 sections plus appendices. The many documents referenced cumulatively number many hundred pages. A period of under six weeks, including the Christmas/New Year holiday period, has been given in which to respond. This cannot amount to a full consultation.</p>			<p>The Statutory period for consultation is 6 weeks. We offered a longer period of time to take account of the festive period. The document was 24 pages long with 5 sections. The documents referenced are for the eventual end users such as case officers and developers. Comments were not expected on linked documents. No change required.</p>
<p>Para 1.5 - There is evidently something awry with the wording of the penultimate line. We suggest it should read: communal facilities integrated into residential areas . . .</p>			Amended
<p>Para 1.7 - The SCI does not only assist developers; it also places obligations on UDC, including: 6.8 Prior to submission or during determination of an application, discussions will be held between planning officers, and applicants and representative of the parish council to discuss issues such as infrastructure, amenities and matters subject to any S106. The Parish Council has pointed out on many occasions that UDC has failed to abide by its own policy in this respect. Policy statements are all very well, but of no value if there is no mechanism to ensure compliance.</p>			<p>Noted. The purpose of this SPD is to provide a guide for case officers and developers. No change required.</p>
<p>Para 1.9 - 'The best' is too ambitious, and not susceptible to confirmation. It should be amended to: making Uttlesford a good place . . . Referring to the CCP, Putting Residents First, 1) a) The influence of residents in planning matters cannot be increased when all decisions are subject to Government policy. UDC's Planning Committee attempted to listen to residents by refusing applications, with the consequence that the Council has now been 'designated' for major applications, and developers have the option of applying direct to PINS. There is much by way of pious hopes in the CCP; rather less as to how these hopes are to be achieved. See the comment on 1.10 below.</p>			Noted
<p>Para 1.1 - How will you enforce this last bullet point? A major new development (350 dwellings) commenced recently in our parish; the PC have asked the developers several times for contact details where residents might address problems or questions, without success. Concerning the commitment to put residents first, there should be a greater and more effective commitment to engage with town and parish councils.</p>			<p>Noted. The purpose of this SPD is as a guide for case officers and developers. Parish and town councils will be engaged and involved. The Development Management Team are drafting a new protocol for engaging parish and town councils in pre-app discussions alongside the preparation of this SPD. Applications will be based on a case-by-case basis. No change required.</p>
<p>Para 2.1 - It is very important that the allocations in the new Local Plan take account of all the new developments approved since the previous Local Plan expired in 2011.</p>			<p>This SPD is based on the Adopted 2005 plan. The emerging new local plan will seek to address future needs and will review this SPD and produce an infrastructure delivery plan. No change required.</p>

Para 3.1 - After: as the local planning authority insert: and with the town or parish council
Para 3.4 - After with the Council insert: and with the town or parish council
Para 3.5 - line 2: after the developer and others insert: , including the town or parish council,
Para 3.6 - line 1: a definition of major planning applications is needed
Para 3.8 - line 3: insert the word developer after: will want to agree with the
Para 3.10 - The Parish Council is firmly of the view that developers should be required to use UDC's S106 agreement template, unless there is some very good reason otherwise. It would ensure that all issues are covered which UDC has identified as needing attention; it would result in a large saving of time for UDC officers and also for interested parties such as members of town and parish councils, all of whom become used to locating particular items in the document as a whole. Permitting S106 agreements to be drawn up by solicitors for the developer can only mean that the wording will tend to advantage the developer, sometimes in subtle and opaque ways.
Para 3.12 - Appendix A is in Section 5. There is no Section 6 in the document as presented.
Para 3.15 - line 2. It was stated at a meeting with the Development Manager many months ago that the Council's S106 database would be accessible to the public, read only, in November 2022. The expected date for delivery should now be given.
Para 3.17 - lines 4/5 say: if the money is not spent within a set period, it must be paid back to the developer with interest. Elsenham Parish Council enquired whether funds held by UDC over a long period were in a fund attracting interest, and the answer was in the negative. Clearly, UDC should hold these funds in an interest-bearing account if there is any possibility that they will be repaid later with interest; if the funds do attract interest, then that interest should be included in payments made to the town or parish council.
Para 4.20 - The SHMA link above also gives access to a later document, Housing for New Communities in Uttlesford and Braintree, 2020. Is this no longer current?
Para 4.25 - It is extraordinary that ECC's Developers' Guide to Infrastructure Contributions, Revised 2020 (the document referred to above) contains no provision, as far as can be ascertained, for consulting town and parish councils regarding S106 provisions. This remark applies to all the topics covered by the guide, including education and, most notably, transport (4.42 below). The result is a series of inappropriate provisions which take no account whatsoever of genuine local needs. The Parish Council takes the view that due involvement by town and parish councils in decisions and recommendations made by ECC is essential if UDC is to produce a Local Plan which will prove to be viable and effective.
Para 4.29 - The sentence at lines 5 to 6 is incomplete. It should be made clear to developers that when they are considering the offering of public open spaces to town or parish councils, SuDS should always be specifically excluded.
Para 4.32 - It is not at all clear how a financial contribution can pay for additional healthcare provision when all of the existing provision is used to capacity, there are no possibilities for the extension of existing facilities, and there is no possibility of new provision owing to the unavailability of land suitable for the purpose. In such circumstances, the lack of capacity for the extension of healthcare provision should be a sufficient reason for refusal of a planning application.

Louise Johnson

Pre-application discussions are voluntary, even with the district council. Paragraph has been amended to reflect that engagement is encouraged and parish and town council's have been added to this. The Development Management Team are drafting a new protocol for engaging parish and town councils in pre-app discussions alongside the preparation of this SPD.
This is a formality, no change required.
Amended
The definition of major applications is set by national policy and does not need to be reiterated in the SPD. In terms of planning obligations and the varying requirements these will be on a case-by-case basis on which this SPD should be used as a guide. No change required.
Amended
Noted. The SPD already states that the council strongly advises the use of the template. The council cannot require or insist on it. No change required.
Amended
The Exacom database is available on the council's website for public viewing. It was launched in January 2023 but is still being worked on in some areas but this does not affect the s106 agreements and obligations that are available to be seen publicly. No change required.
Noted
This SPD is based on the Adopted 2005 plan. The emerging new local plan will seek to address future needs and will review this SPD and produce an infrastructure delivery plan. No change required.
At paragraph 4.24 of the draft SPD it states: 'It is a particular requirement of the NPPF that local authorities work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues at the pre-application stage.' Statutory bodies include Parish and Town Councils. The Development Management Team are drafting a new protocol for engaging parish and town councils in pre-app discussions alongside the preparation of this SPD. No change required.
Sentence has been clarified. The maintenance of assets will be agreed on a case-by-case basis via the s106 negotiation process. No further change required.
Noted. The appropriate health providers are consulted on applications. Applications are assessed on a case-by-case basis. Section has been updated to include reference to new facilities as well as financial contributions. The new emerging local plan will seek to address future needs and will review this SPD and produce an infrastructure delivery plan.

<p>Para 4.36 - A provision is necessary to ensure that developers do not assure potential purchasers that open space will be transferred to the town or parish council unless a firm commitment has been made. Purchasers must know if there is a possibility that the assets will be transferred to a management company, with charges made direct to residents.</p>			<p>Noted. This would form part of any s106 agreement. Therefore a matter to be addressed on a case-by-case basis. No change required.</p>
<p>Para 4.37 - Town/parish councils must be included in the site inspection.</p>			<p>Safety inspections will be carried out by qualified individuals and do not need the presence of case officers, developers or members to undertake such assessments. No change required.</p>
<p>Para 4.42 - There should also be discussion with the town or parish council. It is extraordinary that ECC's Developers' Guide to Infrastructure Contributions, Revised 2020 contains no provision, as far as can be ascertained, for consulting town and parish councils regarding S106 provisions. This remark applies to all the topics covered by the guide, most notably transport. The result is a series of inappropriate provisions which take no account whatsoever of genuine local needs. ECC Highways' responses to planning applications are similarly ill-informed. Elsenham Parish Council takes the view that due involvement by town and parish councils in decisions and recommendations made by ECC is essential if UDC is to produce a Local Plan which will prove to be viable and effective.</p>			<p>At paragraph 4.24 of the draft SPD it states: 'It is a particular requirement of the NPPF that local authorities work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues at the pre-application stage.' Statutory bodies include Parish and Town Councils. The Development Management Team are drafting a new protocol for engaging parish and town councils in pre-app discussions alongside the preparation of this SPD. No change required.</p>
<p>Para 4.49 - line 4. After: the County Council may a word such as: request should be inserted.</p>			<p>Amended with 'require'.</p>
<p>Para 4.61 - As elsewhere, the Council should also consult with the town or parish council in order to determine local need. It is necessary to appraise the cumulative impact of new developments over a period of time.</p>			<p>There is no need to consult the parish and town councils in using the proposed Sport England pitch calculator. No change required.</p>
<p>Para 4.63 - As elsewhere, the Council should also consult with the town or parish council in order to determine local need. It is necessary to appraise the cumulative impact of new developments over a period of time.</p>			<p>There is no need to repeat in each paragraph that engagement with the parish and town councils is required. This is understood and as a statutory body will be engaged and involved as the SPD makes clear elsewhere. The Development Management Team are drafting a new protocol for engaging parish and town councils in pre-app discussions alongside the preparation of this SPD. No change required.</p>
<p>Para 4.64 - As elsewhere, the Council should also consult with the town or parish council in order to determine local need. It is necessary to appraise the cumulative impact of new developments over a period of time. Community facilities receives only a passing reference in bullet point 2 above, and only within the context of indoor sports facilities. There should be a strategy with regard to indoor provision for the local community, to include halls, meeting rooms, office space for the parish clerk if needed and indoor sports. Discussion with the town or parish council is essential.</p>			<p>The bullet pointed list that follows the draft SPD para 4.64 makes clear a wide list of facilities and services that could and should be considered. There is no need to repeat that engagement with the parish and town councils is required. The Development Management Team are drafting a new protocol for engaging parish and town councils in pre-app discussions alongside the preparation of this SPD. The purpose of the SPD is a guide and applications will be addressed on a case-by-case basis. No change required.</p>
<p>Para 4.65 - As elsewhere, the Council should also consult with the town or parish council in order to determine local need.</p>			<p>There is no need to consult the parish and town councils in using the proposed Sport England pitch calculator. But parish and town councils are involved in the s106 negotiations as a whole, however this does not need to be repeated here. No change required.</p>
<p>Para 5.19 - Whilst acknowledging that costs associated with monitoring S106 agreements have risen, the proposal suggests a circa 100% fee increase. This will be damaging for S.M.E. builders particularly those developing in smaller numbers. We would suggest an additional category to include these smaller developments. The proposed category of <40 units will capture smaller rural affordable Rural Exception Sites (commonly around 6 units) and will be an increased burden on already stretched Housing Association funds. We would like to see a discount implemented for schemes that are submitted by or on behalf of a Registered Provider of Social Housing.</p>	<p>Mr Graham Mann</p>		<p>The purpose of the SPD is a guide for case officers and developers. Each application will be based on a case-by-case basis via the s106 negotiations. No change required.</p>
<p>Thank you for this opportunity to comment and contribute to this planning document. I am secretary of Flitch Way Action Group, a registered charity formed to reconnect the Flitch Way by creating a safe off road link routes (bridleways) for walkers, horse riders and cyclists through Dunmow and from Start Hill into Bishops Stortford. I am also an Uttlesford area representative for Essex Bridleways Association, a charity established over 40 years ago with over 700 members to preserve and develop the bridleway network throughout Essex. I have lived in Uttlesford for over 28 years.</p>			<p>Noted</p>

Para 1.1 - Sections of the route reconnecting the Flitch Way through Dunmow have been constructed via funding from s106 Agreements. Developers have both funded and constructed routes through Maynard Park and The Brambles and there is a s106 Agreement (Staggs Farm) in place for construction of a route from The Brambles to Buttleys Lane. Further agreements will in time enable a route through the proposed development at Smiths Farm and across the road to Byway 57 at Hoblongs. However there is still much to be done. A new bridge over the river Chelmer suitable for walkers, equestrians and cyclists is needed to replace the existing wholly inadequate bridge and ford crossing. Funding will be needed to create a safe route from the severed end of the Flitch Way at Start Hill into Stortford. There is an opportunity to create link routes to Stansted airport for workers and anyone wishing to travel onwards by train, plane or coach.
Para 1.1 - A key part of the Council's climate change policy should be to provide residents and visitors with attractive safe means of travel which do not pollute the air by the use of motorised vehicles and do improve the user's physical and mental health via exercise in the open air. The Flitch Way would provide this if the severed sections were replaced with a safe off road route: a bridleway both for travel to school, work etc and for leisure use.
Para 2.1 - S106 agreements should as a matter of course include links to and funding for paths and bridleways to enable residents to travel safely without the need for cars.
Para 2.1 - The new local plan should name the Flitch Way and the proposed link routes and require that all larger developments in and around Dunmow contribute to the provision of routes to reconnect the Flitch way through Dunmow. Developments east of Dunmow should also be required to contribute to a link route into Stortford.
Para 3.13 - Trigger points should be backed up with a requirement that the work on s106 schemes be completed eg within 2 years of the date of the Agreement.
Para 3.17 - Pay back clauses seem to operate to deprive the community of agreed benefits that are then not provided. A case in point is the non-existent new bus service in Dunmow where all the developer has done is build a redundant bus shelter. Can something be done to avoid this kind of waste of resources...eg by diverting developer funding to other associated infrastructure improvements?
Para 2.8 - The infrastructure provision in and around Great Dunmow hasn't kept pace with the number of new houses built. Schools are full. GP surgeries have unacceptable long wait times for appointments. Roads are busy and will only get busier and more dangerous and there has been a woefully inadequate provision of paths and tracks for walkers, cyclists and equestrians. As a result residents rely wholly on their cars. Woodside Way is a case in point. Cyclists and runners use the road and equestrians avoid it altogether. Why were developers not required to provide a track for non-motorised users separate from the road? Hardly anyone cycles in an around Dunmow because it is perceived (rightly) to be too dangerous and unpleasant. We need more off-road provision and slower speed limits. There is no safe access to the Flitch Way from Dunmow town centre. The roads and in particular the road crossings are hazardous and discourage walking and cycling. The footbridge over the B1256 south of Dunmow needs to be modified to allow use by cyclists with the footpaths on either side being upgraded to shared cycle and footpath use. Pegasus/pelican crossing is needed on Ongar Road between the Brambles and the developments south of Ongar Road to enable everyone to cross in safety and use the paths/bridleway through the Brambles and Maynard Park. A Pegasus crossing is needed over the B1256 at Hoblongs to give access to the network of public rights of way, the David Cock community woodland and the Flitch way east of Dunmow. All of the above could be funded via s106 contributions.
Para 1.1 - It's a great idea to involve the local community but this is a really daunting document to respond to. I fear most people will be discouraged by its length and complexity. I very much hope that the responses will inform and influence council policy.

Ms Sarah Hodgson

Noted. This SPD is based on the adopted 2005 plan. The emerging new local plan seeks to address future needs and will review this SPD and produce an infrastructure delivery plan. No change required. We would recommend, if you are not already, signing up to notifications on the emerging local plan.
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Noted
Noted. This SPD is based on the adopted 2005 plan. The emerging new local plan seeks to address future needs and will review this SPD and produce an infrastructure delivery plan. No change required. We would recommend, if you are not already, signing up to notifications on the emerging local plan.
The SPD makes clear that triggers will vary for different schemes due to the different sized schemes that could come forward. It will be for the s106 negotiations to agree the details on a case-by-case basis. No change required.
Developer contributions can only be spent on that which was agreed in the s106. In accordance with national policy if these go unspent the developer has the right to claw back funds. The emerging new local plan seeks to address future needs and will review this SPD and produce an infrastructure delivery plan. No change required.
Noted. This SPD is based on the adopted 2005 plan. The emerging new local plan seeks to address future needs and will review this SPD and produce an infrastructure delivery plan. No change required. We would recommend, if you are not already, signing up to notifications on the emerging local plan.
Noted. The draft document is short at 24 pages in comparison to local plans. Its main audience is case officers and developers. The responses have been reviewed and have informed a review and a revised version of the final SPD.

Para 4.20 - The Flitch Way is both a means of access to Hatfield Forest and a means of syphoning off/ redirecting some of the footfall away from the Forest to the Flitch Way. Reconnecting the Flitch Way via bridleway links from Stortford to Start Hill and through Great Dunmow would greatly enhance the usefulness of the Flitch Way as a green resource for walkers, equestrians and cyclists.			Noted
Para 4.25 - The plan to move HRS and add a primary school to the site near Buttleys Lane offers an opportunity to encourage sustainable green travel to school on foot/ bike via the Flitch Way provided there is a link route from Dunmow town centre. The link route is already there in part. The "missing" sections now need to be constructed as a matter of urgency before the school move.			Noted
Para 4.46 - Reconnecting the Flitch Way will transform it from a purely leisure linear park to a safe all weather viable route for poeple travelling to work and school. Developers cite the proximity of the Flitch Way as a means of fulfilling their obligation to provide sustainable travel. Developers should be funding and undertaking the work needed to enable the Flitch Way to perform this function. The link routes through Dunmow and into Stortford are vital to this as is the provision of a bridleway bridge across the River Chelmer which is currently served by a very inadequate footbridge and a deep ford through the river which noone is going to attempt on their way to school/work.			Noted
Para 4.49 - Uttlesford is still a largely rural community in which public rights of way play a key part. During Covid lockdowns rights of way provided much needed respite from isolation indoors. It is sad to see that funding for rights of way has been severely cut and is wholly inadequate even to deal with emergency maintenance issues. Rights of Way need not only to be maintained but also developed and extended so as to provide useful and usable links between communities and encourage people to go out for walks, rides and for exercise and leisure and to connect with the natural world ...both for their physical and mental health. Developers should be required to contibute significant sums to improve and develop rights of way for ALL non motorised users including equestrians (mostly women and children) whose needs are all too often overlooked and who are the most vulnerable of all road users. Rights of way are existing means of green sustainable travel with the added advantage of historic interest and charm for their users to enjoy. A far higher value needs to be placed on their importance.			Noted. This SPD is based on the adopted 2005 plan. The emerging new local plan seeks to address future needs and will review this SPD and produce an infrastructure delivery plan. No change required. We would recommend, if you are not already, signing up to notifications on the emerging local plan.
NHS West Essex CCG became Hertfordshire and West Essex Integrated Care Board (HWEICB) 1st July 2022. At this time, CCG's ceased to exist.	Miss Alison Morris	Hertfordshire and West Essex Integrated Care Board	Noted and amended where necessary

<p>Absence of historic environment considerations in the draft SPD</p> <p>Paragraph 190 of the NPPF requires that local authorities set out in their Local Plan, a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In relation to this SPD, this means the provision of contributions to safeguard and encourage appropriate and viable uses for the historic environment. It is therefore surprising that historic environment is not mentioned within the draft SPD, especially when there are sections on biodiversity, community facilities, flood and water management, healthcare, landscape, transport, public rights of way and sports facilities).</p> <p>Historic England advocates a wide definition of the historic environment which includes not only those areas and buildings with statutory designated protection (e.g. listed buildings, scheduled monuments, registered parks and gardens) but also those which are locally valued and important, as well as the landscape and townscape components of the historic environment.</p> <p>We therefore request that the SPD is expanded to include a brief section on the historic environment, outlining instances in which contributions may be sought, for example:</p> <ul style="list-style-type: none"> • Repair, restoration and maintenance of heritage asset(s) and their setting; • Increased public access and improved signage to and from heritage assets; • Interpretation panels / historical information and public open days; • Production and implementation of up to date Conservation Area management plans and appraisals; • Measures for investigation, preservation and display of archaeological remains and sites; • Provision of local capacity for the storage of, and public access to, archives resulting from archaeological and/or historical investigation; • Dissemination of historic environment information for public/school education and research, including museum displays for popularisation of archaeological discoveries; <p>Contributions to improve access (such as left insulation) for historic buildings</p>		Historic England	Amended
<p>Para 4.20 - The National Trust supports the inclusion of Paragraphs 4.19 and 4.20 which refer to Hatfield Forest, which the National Trust owns. These paragraphs reflect the work that has been undertaken to date. It also reflects the statutory advice from Natural England in terms of developing a strategic solution and the requirement for mitigation to be secured from residential developments within the agreed Zone of Influence. This will help ensure the conservation and resilience of the Forest to future visitor pressure, and to protect sensitive and notified features and habitats. The sentence 'The HFMS aims to secure 22% of the total site management costs from developer contributions based on the predicted 22% rise in visits to the Forest over the next 15 years' is slightly ambiguous as it would not secure 22% of the total management costs for Hatfield Forest. It would secure 22% of the agreed strategic access management and monitoring measures (SAMMs), as set out in the Mitigation Strategy. It is therefore requested that the text is amended to reflect this. Reference should be made to how the contributions will be secured (via planning obligation). Mitigation packages should also have regard to the most up to date assessments (including Zone of Influence), mitigation strategy and/or strategic solution.</p>	Nina Crabb	National Trust	Amended
<p>Para 1.2 - Please note this response has been prepared by Saffron Walden Town Council as considered at the Planning and Transport Committee meeting held on 15 December 2022. To note, our response refers to the adopted Saffron Walden Neighbourhood Plan (SWNP). Firstly a query regarding this SPD, when is this SPD document scheduled for adoption post consultation?</p> <p>Para 1.7 - Parish and Town Council's must be involved in HOTs and pre-app discussions with UDC and the developer. As town/parishes have a local understanding of the area and its needs. Saffron Walden Town Council has an adopted contrubtion wishlist attached to this comment. Also attached is the SWNP.</p> <p>Para 1.10 The SPD states "increase the transparency of the s106 agreement process and councillor engagement in it.." This should incldue the councillor AND town/ parish councils.</p>			<p>Noted. It is hoped the SPD will go to Cabinet in March 2023 for approval for adoption. No change required.</p> <p>Paragraph 1.7 of the draft SPD already refers to consultation with parish and town councils. The Development Management Team are drafting a new protocol for engaging parish and town councils in pre-app discussions alongside the preparation of this SPD. No change required.</p> <p>Amended</p>

Para 3.2 - Town and Parish Council and Councillors should be invited to PPAs for major applications. The SPD states "engagement with town/parish council and a presentation to its members" but not certain this formally happens currently because SWTC has not been involved within PPAs. (Some developers have engaged and presented to SWTC but this has been separate to the PPA with UDC.)
Para 3.4 - Town and Parish Councils should still be involved to ensure local level knowledge is circulated.
Para 3.10 - The draft S106 document says: Public Open Space shall mean all landscaped areas [and Sustainable Drainage Schemes] POS should exclude the SUDs. The Saffron Walden Neighbourhood Plan (SWNP) litmus test (11.3.8) states that POS should be usable, walkable and large enough to walk your dog / throw a ball. SUDs areas typically do not pass this litmus test and therefore should have their own management programme, contribution and be excluded from the POS calculation. The draft S106 does not include any community facility, art, culture contributions. Query, this model agreement relates to contributions for housing developments but no reference to non-housing development contributions (i.e., retail) should this be included?
Para 3.13 - SPD states "Development related triggers should be used.. rather than fixed dates.." This is still not helpful. i.e., a trigger point of 75% prior to occupation means payment can be made any point between occupation of the first dwelling or on 75% occupation. This statement is only helpful if the trigger point is enforced with UDC legal team. Query, should all contributions have the same trigger point or not? Assuming not should each contribution type trigger be considered within this SPD?
Para 3.15 - "The monitoring officer will also check that the transfer of land and/or buildings to third parties takes place on time and any agreed contributions paid (such as for future maintenance)." All trigger points must be complied with and all land on transfer must be at a satisfactory level. If not or when this happens UDC enforcement / legal MUST take action, this should be defined within this SPD.
Para 3.18 - Again, if there is a reason the trigger points can not be met. Suitable enforcement action and conversations must be carried out with a time agreed extension. Whilst it is the developer's responsibility to contact the monitoring officer - should UDC become aware of a potential breach it is their responsibility to action and contact the developer. This should be detailed within the SPD.
Para 4.1 - This comment refers to the Detailed Consideration section as a whole. The SPD has no reference to: CCTV & Safety Community facilities (i.e., community centres) Cemetery/ burial land Culture & tourism The Arts Air Quality Biodiversity Allotments Waste / Recycling These should be included as part of developer contributions SPD and are in other councils. (i.e., Exeter City Council, Cherwell District Council, Vale of White Horse District Council & South Oxfordshire District Council, copies of two SPDs attached). Th SPD should include a requirement for appropriate contributions to be made.
Para 4.3 - This is inconsistent with paragraph 4.8, major development should be 10+ dwellings
Para 4.8 - Inconsistent with paragraph 4.3, major development should be 10+ dwellings SWNP states a major development being 10+ homes. What would take precedence in a SW development, 10 or 15 dwellings?
Para 4.10 - For note, this complies with SWNP, SW2 Affordable housing units will be distributed through the development in appropriately sized, non-contiguous clusters.

The purpose of the SPD is a guide for case officers and developers. Pre-application discussions are voluntary, even with the district council. Paragraph 3.1 has been amended to reflect that engagement is encouraged and parish and town council's have been added to this. The Development Management Team are drafting a new protocol for engaging parish and town councils in pre-app discussions alongside the preparation of this SPD.
Noted
The SPD has been made more specific to residential development. Community facilities are addressed such as libraries, schools, transport, water management, healthcare, open space, green infrastructure and heritage and landscape and townscape have been added, and sports facilities are also included. The purpose of the SPD is a guide for case officers and developers. Applications and s106 negotiations will be determined on a case-by-case basis and therefore this SPD is not necessarily an exhaustive list of assets for contributions. Text on open space and SuDS have been clarified with some additional text, for example around ensuring '...well-designed SuDS, including multi-functional SuDS such as open spaces that can retain surface rainwater runoff during periods of heavy rainfall and likely flood events.' No further changes required.
No, not all contributions should have the same trigger. Different schemes will be of varying scales and sizes. The purpose of the SPD is a guide for case officers and developers. Each application will be based on a case-by-case basis via the s106 negotiations, where individual triggers can be agreed and set. No change required.
The planning obligation will be subject of a planning condition to a planning approval, which sets out the necessary legal requirements should conditions not be met. The purpose of this SPD is to provide a guide on contributions to case officers and developers. No change required.
The planning obligation will be subject of a planning condition to a planning approval, which sets out the necessary legal requirements should conditions not be met. The purpose of this SPD is to provide a guide on contributions to case officers and developers. No change required.
The main Community facilities are addressed and green infrastructure and heritage and landscape and townscape have been added. The purpose of the SPD is a guide for case officers and developers. Applications and s106 negotiations will be determined on a case-by-case basis and therefore this SPD is not necessarily an exhaustive list of assets for contributions to be considered. This SPD is based on the adopted 2005 plan. The emerging new local plan seeks to address future needs and will review this SPD and produce an infrastructure delivery plan. No further changes required.
Paragraph 4.8 in the draft plan is referring to affordable housing thresholds. No change required.
This would depend on your understanding of the difference between the affordable housing threshold of 15 dwellings and 10+ dwellings for major development. Major development is 10+ dwellings. In the case of affordable housing contributions these will be sought at 40% from developments of 15 dwellings or more or over a certain site size threshold. No change required.
Noted

Para 4.11 - Query, this differs to SWNP 4.2.9, 11+ homes have to provide 40% of them in the form of affordable housing. 70% of these are Affordable Rent and 30% are Shared Ownership
Para 4.21 - Should a species be offset to another area of land, that land must be safeguarded. (I.e., another development proposal should not develop where the species has been offset.)
Para 4.22 - Libraries are not the only community facility. There should be consideration for other services (i.e., allotments, the arts, tourism and /or a depot for operational matters for town and parish councils) Town and parish councils should be involved in these discussions as they would know what is required in the area.
Para 4.23 - Generally regarding the Education and school transport section: No contributions are listed for early years or nursery. Can UDC request education provisions within their policy, even if Essex County Council don't? ECC is not currently asking for secondary contributions in SW, can UDC request a secondary contribution?
Para 4.30 - SUDS should be built correctly so they can be adopted by the water authority for responsibility (please see SWNP appendix 6.2). The POS calculation should exclude the SUDS land so: One, it is not offered for adoption by town or parish councils and two the poor land is not considered usable POS.
Para 4.34 - Clarity is required here - is the OSSP 2019 formally adopted, if so the SPD should directly included reference to it. It is recommended the SPD includes the table in the OSSP 2019, 4.3.1 as a required standard contribution.
Para 4.35 - "One piece of advice in the OSSP is that small areas of open space hold less recreational use and value." Does this SPD agree with this statement or not? This SPD should be in line with the SWNP litmus test question for whether a site is suitable for consideration as an open space for informal recreation. Can several people use it at once for activities such as flying a kite and throwing a ball for a dog ? If the answer is no, then it is likely to be too small to be useful for and counted as recreational space, although it may serve as a small piece of land of environmental value if for example the grass inside the fence was left long. This is detailed within SWNP policy SW17 and should be replicated in the SPD. SWNP Appendix 6.2 is also relevant detailing that very small parcels of land on new developments which are of little public value should not be permitted.
Para 4.36 - SPD "The Council considers that the best owners and maintainers of landscaping and/or open space are the appropriate town/parish council. " SWTC Response: Town and parishes therefore should be contacted at the earliest stage (PPA) regarding the maintenance contributions within the S106/HOTs SPD "Developers should open pre-app..." SWTC Response: Developers should not be responsible for opening the PPA discussion with town and parishes. UDC should contact the third parties. SPD " and any play equipment prior to submitting..." SWTC response: SWNP SW17 states equipment must be located centrally to a development and built with durable materials, please replicate this within the SPD. SPD " This should avoid subsequent delay..." The POS tiger point must be clear and enforced to avoid delays in transfer.

Miss Georgia Arnold

Saffron Walden Town Council

Developments that occur in the Neighbourhood Area for Saffron Walden would need to comply with the Made NDP policy in this regard. SPD amended to make this clear.
Paragraph has been amended with a new sentence to include reference to safeguarding thereafter, as follows: Details should be set out in a Habitat / biodiversity mitigation strategy and secured by condition and the site should be safeguarded thereafter.
The main Community facilities are addressed and green infrastructure and heritage and landscape and townscape have been added. The purpose of the SPD is a guide for case officers and developers. Applications and s106 negotiations will be determined on a case-by-case basis and therefore this SPD is not necessarily an exhaustive list of assets for contributions to be considered. This SPD is based on the adopted 2005 plan. The emerging new local plan seeks to address future needs and will review this SPD and produce an infrastructure delivery plan. No further changes required.
Amendments have been made following representations from Essex County Council, including inclusion of early years and childcare. Unclear what is meant by secondary contributions? If this refers to secondary education, this is understood to be included in schools generally. The purpose of the SPD is a guide for case officers and developers. Each application will be based on a case-by-case basis via the s106 negotiations. No further changes required.
Flood and water management section has been updated. Text on open space and SuDS have been clarified for example around ensuring '...well-designed SuDS, including multi-functional SuDS such as open spaces that can retain surface rainwater runoff during periods of heavy rainfall and likely flood events.' No further changes required.
The OSSP 2019 is a piece of evidence base on which to inform development plans and policies such as this SPD. It does not require adoption. No change required.
Flood and water management section has been updated. Text on open space and SuDS have been clarified with additional text, for example around ensuring '...well-designed SuDS, including multi-functional SuDS such as open spaces that can retain surface rainwater runoff during periods of heavy rainfall and likely flood events.' What you describe here is what planners call SLOAP - Space Left Over After Planning and through good design and place making these should be avoided and planning conditions should control this. The purpose of the SPD is to offer a guide and to 'seek planning obligations from developers where financial or other contributions are required to make development proposals acceptable in planning terms (but <u>cannot</u> be achieved through conditions on any planning permission).' Each application will be based on a case-by-case basis via the s106 negotiations. No further changes required.
The s106 instructions is discretionary and dealt with on a case-by-case basis. Similarly an application can be refused as a result of failure to enter into a legal agreement. In addition, the purpose of this SPD is to assist with encouraging s106 negotiations at an early stage. Additional text has been added to, which reflects that whilst these are '...not a requirement for the validation of a planning application, it is strongly recommended applicants do submit any PPA if prior engagement on the matter has already been undertaken.' No further change required.

Para 4.37 - This paragraph details the inspection requirement but does not have a timeframe limit for transferring to the town/parish council/management company. Can there be a transfer time limit/deadline to avoid delays? If so this should be included in this SPD.		S106 negotiations will be dealt with on a case-by-case basis. Schemes will be of varying scales and sizes and therefore the purpose of the SPD is a guide for case officers and developers. No change required.
Para 4.38 - The SWNP appendix 6.2 suggests monetary contributions should be for 20 years not 15. Which should be favoured in Saffron Walden developments? SUDS should not be included in the POS contribution because they fail the SWNP litmus test of POS requirements (SWNP 11.3.8 and policy SW17). This should be reflected in this SPD/		SPD has been updated to reflect Made NDPs.
Para 4.39 - It would be useful for town and parishes to be provided with the calculation. SPD says " it would save time if the developer can do the calculations and table them for the Council to consider. " It should be clear in the SPD that developer calculations will be checked and approved by UDC and not simply considered.		The calculations are set out in the appendices to the SPD. The figures may be different for different applications. The SPD is seeking developers to complete the calculations for their schemes for the council to consider. This is the correct language to use in the case of the balance of planning judgement on planning applications and viability of applications. No change required.
Para 4.41 - Highway contributions must conform with SWNP SW12, particularly any off-site highways schemes or improvements must conform to the hierarchy outlined in the NPPF which is to give priority to pedestrian and cycle movement first, then facilitate access to high quality public transport. The SPD should contain a similar provision. Exeter City Council has SPD's for developer contributions AND sustainable transport. Both refer to Car Clubs contributions within S106s. This should be included in UDCs developer contribution SPD.		Amendments have been made following representations from Essex County Council. Developments that occur in any Neighbourhood Area with a Made Neighbourhood Development Plan would need to comply with policies in that plan. This SPD is based on the adopted 2005 plan. The purpose of the SPD is a guide for case officers and developers. Each application will be based on a case-by-case basis via the s106 negotiations. The emerging new local plan seeks to address future needs and will review this SPD and produce an infrastructure delivery plan. No changes required.
Para 4.46 - It is not clear here when the travel plans will be formulated and whether third parties can have any input. Travel Plans must conform to SWNP policy SW13 by having measurable objectives, this SPD should contain a similar provision.		Amendments have been made following representations from Essex County Council. The purpose of the SPD is a guide for case officers and developers. The SPD makes clear that parish and town councils will be consulted. The Development Management Team are drafting a new protocol for engaging parish and town councils in pre-app discussions alongside the preparation of this SPD. Each application will be based on a case-by-case basis via the s106 negotiations. No change required.
Para 4.50 - It is not clear here if the PPS&AP is adopted or just being referred to. A clear requirement must be listed within the SPD.		The Playing Pitch Strategy is not a document that requires adoption as it is not part of the development plan for Uttlesford. 'Evidence base' added to sentence to make this clearer.
Para 4.51 - Most provisions are at a shortfall, the PPS&AP is almost four years out of date. So the provisions that are expected to have a future shortfall will be currently or soon be facing that shortfall. Please refer to SWNP paragraph 11.2.10 which states " In order to meet demand, identified by their own waiting lists and confirmed by the UDC Sports Strategies, the Saffron Walden sports groups have identified the need for a multi-sports campus, which would achieve economies of scale by hosting several different sports across one site, as well as solving important shortages in capacity by providing modern sports facilities." The SPD should be reworded to the above affect or note within Uttlesford the town and parishes have a varying demand and any developments will be considered individually, per their respective Neighbourhood Plans, where relevant.		Noted. A later paragraph in this section has been updated with: Where an area has a Made Neighbourhood Development Plan with associated sports evidence base this should be considered.
Para 4.61 - To note this is in line with SWNP. The SWNP SW16 states Developer contributions will be sought to contribute towards sports provision, and the calculation will be subject to the Sport England Playing Pitch New Development Calculator and Sport England Facilities Calculator or its successor.		Noted
Para 4.50 - Support is offered for the general approach to securing developer contributions towards outdoor sports facilities because it is consistent with the advice in the Councils current evidence base in the Playing Pitch Strategy. It is suggested that the sub-title of this section is changed from Playing Pitches to Outdoor Sports Facilities to reflect that the scope of this section of the SPD extends beyond playing pitches. For example, bowls, tennis, athletics and netball facilities are not technically playing pitches although they are covered within the Playing Pitch Strategy.		Amended

Paragraphs 4.51-4.60 summarise the Playing Pitch Strategy conclusions relating to quantitative deficiencies for the various sports. However, there should be recognition in this section that the Playing Pitch Strategy has identified a range of qualitative deficiencies for the existing outdoor sports facility stock as well as the quantitative findings. This is important because for some sports or for some sub-areas of the district there may not be any quantitative deficiencies but there may be qualitative deficiencies which is not addressed will result in facilities not being fit for and potentially falling out of operational use. The ability for existing facilities to meet the needs of housing growth will depend on the pitches, courts and the facilities that support them (especially changing/toilet facilities) being fit for purpose for the duration of the local plan period. It is considered reasonable and justifiable for developer contributions to be used for helping to address qualitative deficiencies if this will assist to maintain capacity of facilities. This is recognised in paragraph 4.63 of the SPD. It would therefore be helpful if a paragraph was added to this section which highlights that the Playing Pitch Strategy has also identified a range of qualitative deficiencies and that these will be taken into account when determining whether a financial contribution should be sought.

Para 4.61 - The proposed use of the Playing Pitch Calculator <https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport/playing-pitch-calculator> for determining developer contributions is welcomed as this is consistent with the advice in the Councils Playing Pitch Strategy and the appropriate use of the calculator would be consistent with the tests in the CIL Regulations because it calculates the additional demand generated by the population of a development using data derived from the Councils evidence base. However, for accuracy the calculator is now called the Playing Pitch Calculator rather than the Playing Pitch New Development Calculator. Furthermore, it is requested that paragraph 4.61 recognises that the principal purpose of the calculator is to estimate the demand for playing pitches that may be generated by a new population. The calculator also identifies the current capital cost of meeting this demand which can then be used for informing the amount of any financial contributions that are secured but this is not its main purpose.

Para 4.62 For accuracy, it is requested that the relevant statutory bodies is replaced with the relevant bodies such as Sport England and the sports national governing bodies. This would recognise that Sport England and the governing bodies are not technically statutory bodies for the purpose of providing advice on sports facility provision in new development and to provide clarity to developers on who the bodies may be that are being referred to.

Para 4.63 - For accuracy it is suggested that references to playing fields and pitches be replaced with outdoor sports facilities to reflect that the scope of this section of the SPD extends beyond playing pitches. For example, bowls, tennis, athletics and netball facilities are not technically playing fields or playing pitches although they are covered by the Playing Pitch Strategy.

Para 4.64 - Support is offered for the general approach to securing developer contributions towards indoor sports facilities because it is consistent with the advice in the Councils current evidence base in the Indoor and Built Facilities Strategy. It is suggested that this section makes reference to the strategy making recommendations for indoor facility types (e.g. sports halls and swimming pools) and specific facilities as well as sports specific recommendations because the needs and priorities identified in the strategy are broader than just the sports specific recommendations.

Mr Roy Warren

Sport England

Amended

Amended

Amended

Amended

Amended

<p>Para 4.65 - The proposed use of the Sports Facilities Calculator https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport/sports-facility-calculator for calculating developer contributions is welcomed as this is consistent with the advice in the Councils Indoor and Built Facilities Strategy and the appropriate use of the calculator would be consistent with the tests in the CIL Regulations because it calculates the additional demand generated by the estimated population of a development for the principal indoor sports facility types. However, it is requested that paragraph 4.65 confirms that the Council will use the calculator to estimate the demand for indoor sports facilities that may be generated by an additional population as well as calculating the contribution. This would that the principal purpose of the calculator is to estimate the demand for indoor sports facilities that may be generated by a new population. The calculator also identifies the current capital cost of meeting this demand which can then be used for informing the amount of any financial contributions that are secured but this is not its main purpose.</p>		Amended
<p>Para 1.4 - Why is this consultation taking place now? Why not wait until the new Local Plan is completed and base the document on the new policies?</p>		<p>This SPD is based on the Adopted 2005 plan. The purpose of the SPD is a guide for case officers and developers to use now. The emerging new local plan seeks to address future needs and once adopted this SPD will be reviewed and an infrastructure delivery plan produced. No change required.</p>
<p>Para 1.5 - Contributions should be able to be allocated towards improvement of existing roads which link to new development, whether this is the condition of the road, widening of a footway, installation of street-lighting etc.</p>		<p>Developer contributions have to be directly related to the development and therefore will be assessed on a case by case basis. No change required.</p>
<p>Para 2.3 - Hopefully "acceptable in planning terms" means the ability of the new development to link to the existing community and funds can be allocated for the improvement of the highway links as previously commented.</p>		<p>Acceptable in planning terms' refers to how planning obligations can be used in accordance with the CIL regulations. The purpose of a S106 and developer contributions is to 'seek planning obligations from developers where financial or other contributions are required to make development proposals acceptable in planning terms (but cannot be achieved through conditions on any planning permission).' I.e. planning obligations and contributions can only be sought where a planning condition cannot resolve the matter. So yes, that could mean resolving management issues or landscaping on larger schemes but as every scheme is different in terms of scale and size each will be determined on a case-by-case basis. This SPD is based on the Adopted 2005 plan. The purpose of the SPD is a guide for case officers and developers. The emerging new local plan seeks to address future needs and once adopted this SPD will be reviewed and an infrastructure delivery plan produced. No change required.</p>
<p>Para 1.7 - Community involvement is only "effective" if the wishes of the community are listened to. As a Parish Council, we have had input into, for example, landscaping proposals for a large development, making alternative suggestions for land which will eventually be handed over to us to manage, and have been completely ignored.</p>		<p>Noted. Planning is often a balance of local need, viability for the developer, and policy compliance. Local engagement and involvement is important. The Development Management Team are drafting a new protocol for engaging parish and town councils in pre-app discussions alongside the preparation of this SPD. The purpose of the SPD is a guide for case officers and developers. The emerging new local plan seeks to address future needs and once adopted this SPD will be reviewed and an infrastructure delivery plan produced. No change required.</p>
<p>Para 1.10 - Support and look forward to seeing all of these in practice.</p>		Noted
<p>Para 2.4 - We would always prefer to see a S.106 or CIL agreement rather than a unilateral undertaking. Agreements that cannot be enforced are pointless.</p>		<p>Noted. S106 agreements are often conditions of planning application approvals. An application can be refused as a result of failure to enter into a legal agreement.</p>
<p>Para 1.11 - What kind of climate change contributions are requested?</p>		<p>The SPD provides a link to the interim Climate Change policy document. Every scheme will be different given size and scale and therefore developments will be considered on a case-by-case basis on what they might be able to offer regarding climate change mitigation and adaptation, and contributions. No change required.</p>
<p>Para 2.5 - Referring to the final sentence, this is why it is essential that planning conditions are robust and are meticulously and promptly enforced.</p>		Noted

Mrs Ruth Clifford

Para 3.2 - We would like to see PPAs, and therefore engagement with the local Town or Parish Council, a formal requirement. What is the role of planning officers in "strongly urging" developers to engage and what guidance is given to the developers?			The purpose of the SPD is a guide for case officers and developers. Pre-application discussions are voluntary, even with the district council. Paragraph 3.1 of the draft plan has been amended to reflect that engagement is encouraged and parish and town council's have been added to this. The Development Management Team are drafting a new protocol for engaging parish and town councils in pre-app discussions alongside the preparation of this SPD.
Para 3.15 - UDC needs to provide additional resources to ensure timely action is taken when developers do not pay contributions within reasonable timescale.			Noted. The council does have a s106 officer. No change required.
Para 3.10 - Why can UDC not REQUIRE developers to use the template?			There is no requirement in legislation or national policy. The SPD goes as far as it can by strongly advising developers use the template. No change required.
Para 4.25 - How is the cumulative impact of smaller developments accounted for?			Developer contributions have to be directly related to the development. This SPD is based on the Adopted 2005 plan. The purpose of the SPD is a guide for case officers and developers. The emerging new local plan seeks to address future needs and once adopted this SPD will be reviewed and an infrastructure delivery plan produced. No change required.
Para 4.32 - How is the impact on dispensing pharmacies accounted for?			The SPD makes reference to Community facilities as a whole such as libraries, schools, transport, water management, healthcare, open space, green infrastructure and heritage and landscape and townscape have been added, and sports facilities are also included. The purpose of the SPD is a guide for case officers and developers. Applications and s106 negotiations will be determined on a case-by-case basis and therefore this SPD is not necessarily an exhaustive list of assets for contributions. No further changes required.
Para 4.36 - Suggest re-wording the second sentence to read "Developers MUST" and to see this rigorously enforced.			The purpose of the SPD is a guide for case officers and developers. Pre-application discussions are voluntary, even with the district council. Paragraph 3.1 of the draft plan has been amended to reflect that engagement is encouraged and parish and town council's have been added to this. The Development Management Team are drafting a new protocol for engaging parish and town councils in pre-app discussions alongside the preparation of this SPD.
Para 4.40 - We would like Parish/Town Councils to be involved in discussions about Management Companies. There needs to be a fallback provision for cases where the Management Company defaults on its obligations or goes out of business.			Noted. Parish and town councils are involved in s106 discussions as a statutory consultee and this is made clear in this SPD. It does not need to be repeated here. No change required.
<p>CONTEXT</p> <p>Landsec welcomes the preparation of a Developer Contributions SPD, in order to provide greater certainty and consistency in the approach to seeking contributions from development in the district. On adoption the SPD will also assist in ensuring a proportionate approach is taken to ensure obligations are fair, reasonable and justified in accordance with the tests set out in Regulation 122(2) of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and paragraph 57 of the National Planning Policy Framework (NPPF).</p> <p>We note that the draft SPD is based on the policies of the adopted Local Plan (2005) and confirms the Council's intention to replace the SPD, following adoption of the new Local Plan, scheduled to take place in 2025. It is also anticipated that CIL will be adopted alongside the new Local Plan and SPD.</p>			Noted

<p>GENERAL</p> <p>Landsec also supports the overarching requirement, set out in the draft SPD, that developer obligations must meet the CIL regulation tests and also not undermine the viability of the development.</p> <p>Landsec supports the acknowledgment in the draft SPD that there may be occasions when a bespoke approach to contributions is required. In particular, we consider this is likely to be the case in relation to strategic sites, such as new Garden Communities.</p> <p>As set out in the PPG, planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition (Reference ID: 23b-003-20190901). The draft SPD (Paragraph 2.5) confirms that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. However, the draft SPD is inconsistent in its approach to referencing on site provision, to be secured by planning condition. In particular, the Biodiversity and Landscaping and Open Space sections should include greater clarity to confirm that appropriate mitigation could potentially be addressed on site, and secured by planning condition, as opposed to a planning obligation.</p>	Marie Jasper	<p>Noted. A new green infrastructure (GI) section has been added.</p> <p>Landscape has been removed from open space and a new heritage and landscape/townscape section has been inserted. Text has been added to the GI section that reflects that 'appropriate mitigation could potentially be addressed on site, and secured by planning condition, as opposed to a planning obligation.' No further changes required.</p>
<p>MODEL AGREEMENTS</p> <p>We note Uttlesford District Council's (UDC's) preference to use their template clauses to avoid delays in the S106 negotiation process. While Landsec supports this approach in principle, we consider the draft SPD should recognise that there are circumstances where the standard template clauses may not be appropriate, in order to provide flexibility to agree an alternative form of wording. In this regard, we note that the existing s106 template (February 2022) includes several definitions and provisions which would need to be adjusted to reflect site specific circumstances, including viability and design considerations.</p> <p>We also note that the existing s106 template states that UDC is continually reviewing it's template agreements. Therefore, it is only pertinent to comment on the applicable template, at the time a S106 negotiation is underway, and not as part of a formal consultation process. Given this situation, it is imperative that the draft SPD acknowledges the need for flexibility in the approach to use of the template clauses.</p>		<p>The purpose of the SPD is to guide case officers and developers. The s106 template is not a requirement but is strongly advised to be used. The council recognise that schemes will need to be based on case-by-case basis hence this flexibility. Flexibility is already recognised in the text with the existing wording ' If the standard wording is used,...'. No change required.</p>
<p>AFFORDABLE HOUSING</p> <p>Landsec notes UDC's affordable housing target and preferred tenure split, including the introduction of First Homes, as set out in the draft SPD. All S106 negotiations will need to reflect site specific circumstances, including viability and design considerations.</p> <p>Additionally, in relation to affordable homes, it will be important to ensure that the proposed tenure split is aligned to local needs, at the time the development is brought forward, in particular given that First Homes are a relatively new and untested concept in the district. As such, we suggest that the draft SPD confirms that there is flexibility in the approach to the affordable housing provision and tenure split.</p>		<p>The purpose of the SPD is to guide case officers and developers. Applications will be determined on a case-by-case basis including through s106 negotiations. No change required.</p>
<p>EDUCATION AND SCHOOL TRANSPORT</p> <p>Landsec consider that the draft SPD should provide clarity on how financial contributions for employment floorspace (over 2,500 sqm) will be calculated with regard to viability testing in order to provide certainty in the consideration of development proposal.</p> <p>Additionally, paragraph 4.26 appears to relate to employment and skills obligations. For clarity we consider that this should be covered within a separate section in the draft SPD.</p>		<p>The SPD has been refined to be more specifically relevant to residential development. The council are aware flexibility on a case by case basis is required including for non-residential development.</p>

<p>Para 4.11 - First Homes Thank you for the opportunity to comment on the Uttlesford DC draft Developer Contributions SPD. McCarthy Stone is the leading provider of specialist housing for older people in the UK. Paras 4.4 to 4.7 and 4.11 introduce First Homes to the Affordable housing mix. As a minimum the SPD should clarify that certain specialist housing schemes such as those meeting the needs of older people should be exempt from providing First Homes and Starter Homes on site. This is because it would not be appropriate to mix First Homes, Starter Homes and general discount market sales in specialist housing schemes for older people which by their very nature are based around communal facilities and communal living. Older persons housing schemes are also more likely to be delivered on smaller sites usually in central locations where it is be likely to be unviable to deliver significant levels of affordable housing, if at all. This would be in accordance with NPPF para 65 which exempts older persons housing from delivering an affordable home ownership element. Recommendation: Add after para 4.11. Older persons housing schemes will be exempt from providing affordable home ownership and First Homes in line with para 65 of NPPF.</p>			Amended
<p>Para 4.28 - Education provision Thank you for the opportunity to comment on the Uttlesford DC draft Developer Contributions SPD. McCarthy Stone is the leading provider of specialist housing for older people in the UK. Para 4.23 to para 4.28 looks to ensure that education contributions are provided for with any housing development. This section should exempt older persons housing schemes from needing to provide education contributions as such developments will not have children living within them given the age restrictions attached to such developments. Recommendation: Add after para 4.28: Older peoples housing schemes will be exempt from providing education contributions.</p>			<p>The purpose of the SPD is to provide a guide to case officers and developers. Applications will be based on a case-by-case basis when determining s106 contributions. No change required.</p>
<p>Para 4.31 to 4.33 confirms that the CCG will assess planning applications for the effect on primary healthcare provision and will set a financial contribution based on any deficit in provision. The para 4.33 confirm that this will be assessed on an occupancy assumption of 2.4 persons per dwelling. The council should note that there is a common misconception that older persons housing places an additional burden on healthcare infrastructure and the SPD should recognise this. Specialist Retirement Accommodation produces a large number of benefits which can help to reduce the demands exerted on Health and Social Services and other care facilities, not only in terms of the fact that many of the residents remain in better health, both physically and mentally, but also doctors, physiotherapists, community nurses, hairdressers and other essential practitioners can all attend to visit several occupiers at once. This leads to a far more efficient and effective use of public resources. The report 'Healthier and Happier' An analysis of the fiscal and wellbeing benefits of building more homes for later living by WPI Strategy for Homes for Later Living explored the significant savings that Government and individuals could expect to make if more older people in the UK could access this type of housing. The analysis showed that: Each person living in a home for later living enjoys a reduced risk of health challenges, contributing to fiscal savings to the NHS and social care services of approximately £3,500 per year. Building 30,000 more retirement housing dwellings every year for the next 10 years would generate fiscal savings across the NHS and social services of £2.1bn per year. On a selection of national well-being criteria such as happiness and life satisfaction, an average person aged 80 feels as good as someone 10 years younger after moving from mainstream housing to housing specially designed for later living. This is supported by PPG that in June 2019 the PPG was updated to include a section on Housing for Older and Disabled People, recognising the need to provide housing for older people. Paragraph 001 Reference ID: 63-001-20190626 states: Offering older people a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to the social care and health systems. Therefore, an understanding of how the ageing population affects housing needs is something to be considered from the early</p>	Natasha Styles	The Planning Bureau	<p>Noted. This SPD is based on the Adopted 2005 local plan. The emerging new local plan seeks to address future needs and once adopted this SPD will be reviewed and an infrastructure delivery plan produced. No change required.</p>

Para 4.63 - Playing pitches and indoor and built sports facilities Thank you for the opportunity to comment on the Uttlesford DC draft Developer Contributions SPD. McCarthy Stone is the leading provider of specialist housing for older people in the UK. Paras 4.50 to 4.65 look at how playing pitches and indoor and built sports facilities will be provided through developer contributions. However, the SPD should note that the open space needs of older people are much less than mainstream housing. For older people the quality of open space either on site or easily accessible for passive recreation is much more important than formal open space. The draft SPD should therefore note this and ensure that provision of open spaces for older peoples housing is based on the quality of the space is negotiated on a site-by-site basis. Recommendation: Add after para 4.63: Older persons housing schemes will be exempt from the above playing pitch requirement so long as on site amenity space is of a high quality for passive recreation. Add after para 4.65: Older persons housing schemes will be exempt from the above indoor and built sports facilities so long as on site amenity space is of a high quality for passive recreation.

Para 4.65 - Playing pitches and indoor and built sports facilities Thank you for the opportunity to comment on the Uttlesford DC draft Developer Contributions SPD. McCarthy Stone is the leading provider of specialist housing for older people in the UK. Paras 4.50 to 4.65 look at how playing pitches and indoor and built sports facilities will be provided through developer contributions. However, the SPD should note that the open space needs of older people are much less than mainstream housing. For older people the quality of open space either on site or easily accessible for passive recreation is much more important than formal open space. The draft SPD should therefore note this and ensure that provision of open spaces for older peoples housing is based on the quality of the space is negotiated on a site-by-site basis. Recommendation: Add after para 4.65: Older persons housing schemes will be exempt from the above indoor and built sports facilities so long as on site amenity space is of a high quality for passive recreation.

Noted. A new green infrastructure section has been added. The purpose of the SPD is a guide for case officers and developers. Applications and s106 negotiations will be determined on a case-by-case basis and therefore this SPD is not necessarily an exhaustive list of assets for contributions to be considered. This SPD is based on the adopted 2005 plan. The emerging new local plan seeks to address future needs and will review this SPD and produce an infrastructure delivery plan. No further changes required.

Noted. A new green infrastructure section has been added. The purpose of the SPD is a guide for case officers and developers. Applications and s106 negotiations will be determined on a case-by-case basis and therefore this SPD is not necessarily an exhaustive list of assets for contributions to be considered. This SPD is based on the adopted 2005 plan. The emerging new local plan seeks to address future needs and will review this SPD and produce an infrastructure delivery plan. No further changes required.

Agenda Item 10

Committee: Cabinet

Date:

Title: Members New Homes Bonus Spend and Recipients 2022/23

Thursday, 16
March 2023

Portfolio Holder: Councillor Maggie Sutton, Portfolio Holder for Communities, Health, Youth, Public Safety, Emergency Planning and liaison with the Police and Fire & Rescue Service

Report Author: Adrian Webb, Director - Finance and Corporate Services
awebb@uttlesford.gov.uk
Tel: 01799 510421

Key decision:
No

Summary

1. This report provides details of the 2022/23 New Homes Bonus Member Ward Initiative grant allocations.

Recommendations

2. To note the report

Financial Implications

3. There are no additional implications for the District Council's budget.

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	Funding allocations are made in consultation with the relevant communities
Community Safety	Some of the allocations have community safety benefits
Equalities	No specific implications
Health and Safety	Some of the allocations have health and safety benefits

Human Rights/Legal Implications	No specific implications
Sustainability	No specific implications
Ward-specific impacts	No specific implications
Workforce/Workplace	No specific implications

Situation

6. In April 2011 the Council introduced the Members New Homes Bonus Scheme whereby each year each Member receives a sum of money to be spent in their Ward.
7. In terms of governance, the way in which the scheme works is that the Leader delegates to each Ward Member power to undertake executive functions within their Ward, which they can fund from their New Homes Bonus allocation.
8. The amount given to each Member has varied over time
 - a. 2011/12 was £1,000
 - b. 2012/13 – 2014/15 was £2,000 per annum
 - c. 2015/16 – 2016/17 was £3,000 per annum
 - d. 2017/18 onwards is £2,000 per annum
9. The full criteria for the scheme is set out in Appendix One. Key points include:
 - a) It has to be spent for the direct community benefit of the member's ward.
 - b) Any unspent allocation can be carried forward to the following year, providing the amount is less than 50% of the allocation for that year. If it exceeds 50% of the in-year allocation only 50% shall be carried forward. In the year prior to a district council election there is no carry forward.
 - c) In the year prior to the district council elections allocations must be spent by 31 December.
 - d) It must not commit the Council to expenditure in future years.
 - e) The member must not have a disclosable pecuniary interest or a personal and prejudicial interest in the organisation receiving the award, and must declare any personal interest which is not prejudicial.

- f) In a district council election year the money only becomes available from 1 June (i.e. to the newly elected Member)

10. Appendix Two sets out the total amount of monies allocated by councillor for the 2022/23 financial year.

11. Appendix Three gives a breakdown of recipients by councillor.

Ward Councillors' Initiative 2022/23 Guidance for Ward Members

1. If part of a multi-Member ward, consider pooling your £2,000 with your counterparts so that there is a larger pot available. This is entirely optional however.
2. The funding has to be spent for the direct community benefit of the Member's ward.
3. Consult with town/parish councils and other local organisations as you feel appropriate.
4. Identify suitable community projects and/or causes, for example:
 - Grant to the town/parish council for a specific project/activity
 - Grant to a voluntary organisation or local charity
 - Grant to a community organisation e.g. village hall
 - Grant to a sports or social club (subject to appropriate rules on membership)
 - Grant to a local school, church, doctors surgery, hospital etc
 - Grant to local scouts, cubs, or guides etc
 - Funding a community event or celebration
5. The £2,000 may be allocated across different items. There is no minimum value on any payment.
6. The project should be for one-off funding and must not commit the Council to expenditure in future years.
7. The Ward Member Initiative grant cannot be used to match fund any other grant awarded by the council.
8. In order to check suitability of proposed allocations, please e-mail or send the Community Development Officer, Sue Hayden (shayden@uttlesford.gov.uk.) a completed copy of the Ward Members Initiative Request Form setting out proposed use of the money, specifying the intended recipient(s) and what the money is to be used for. Please make clear at this stage if you are pooling money with other Ward Members. It is emphasised that this is not to judge the merits of proposals, just their compliance with the parameters of the scheme. The form **must** be completed fully and signed.
9. The Community Development Officer will respond within 10 working days to either confirm that the intended payment(s) are acceptable; or in the unlikely event of any concerns, contact you to suggest appropriate adjustments.
10. An invoice should be obtained prior to money being sent. If you are unable to obtain an invoice prior to giving permission, you will need to ensure the organisation submits this to the Community Development Officer as soon as the money is spent. Failure to do so could mean the money being returned.
11. Consideration should be given to ensure that any projects funded should support the Council's corporate plan.
12. As a Member you must not have a 'Disclosable Pecuniary Interest' or a 'Personal and Prejudicial Interest' in the award of the grant and must declare any "Personal Interest" which is not prejudicial, all as defined in the Members' Code of Conduct. Possession of a personal interest which is not prejudicial will not bar a Member from awarding a grant.
13. The Community Development Officer will arrange for the payment to be sent directly to each recipient. The payment should be received by the beneficiary within 21 days of the Community Development Officer receiving their invoice and your completed form.
14. All payments made will be formally reported to the District Council Cabinet for information and to ensure full transparency.

15. In the financial year preceding an election year (is the current municipal year) allocations must be awarded by 31 December otherwise it will be lost. In any other year any unspent allocation can be carried forward to the following year, providing the amount is less than 50% of the allocation for that year. If it exceeds 50% of the in-year allocation only 50% shall be carried forward.
16. In election year the money only becomes available from 1 June (i.e. to the newly elected Member) and there will be no carry forward from the preceding year.

Appendix Two
Spend by Councillor 2022/23

Councillor	Total Spent
Alexander Armstrong	£2,000.00
Heather Asker	£2,000.00
Geoff Bagnall	£2,000.00
Susan Barker	£2,000.00
Melvin Caton	£2,000.00
Arthur Coote	£1,783.47
Christian Criscione	£0.00
Colin Day	£2,000.00
Alan Dean	£0.00
Geof Driscoll	£2,000.00
Deryk Eke	£1,800.00
Judy Emanuel	£2,000.00
John Evans	£2,000.00
Paul Fairhurst	£2,000.00
Martin Foley	£2,000.00
Richard Freeman	£2,000.00
Neil Gregory	£1,960.56
Neil Hargreaves	£2,000.00
Vere Isham	£0.00
Ayub Khan	£2,000.00
Rod Jones	£2,000.00
Patrick Lavelle	£1,000.00
Garry LeCount	£2,000.00
Petrina Lees	£2,000.00
Mark Lemon	£2,000.00
Barbara Light	£2,000.00
John Lodge	£2,000.00
Janice Loughlin	£2,000.00
Stewart Luck	£2,000.00
Sandi Merifield	£2,000.00
Edward Oliver	£2,000.00
Richard Pavitt	£1,960.56
Neil Reeve	£2,000.00
Louise Pepper	£2,000.00
Geoffrey Sell	£1,649.64
George Smith	£1,500.00
Maggie Sutton	£0.00
Mike Tayler	£2,000.00
James De Vries	£2,000.00
	£67,654.23

Appendix Three
Beneficiaries by Councillor 2022/23

Councillor	Organisation	Project	Amount
Cllr Alexander Armstrong	Take Note Concert Band	Costs towards music equipment	£605.00
Cllr Alexander Armstrong	Helena Romanes School	Costs towards mental health counselling services for pupils	£1,395.00
Cllr Heather Asker	Saffron Walden Town Council	Free Christmas family events in saffron Walden	£500.00
Cllr Heather Asker	Saffron Walden Town Council	Warm spaces project in Saffron Walden	£700.00
Cllr Heather Asker	Uttlesford Buffy Bus	Costs towards service	£500.00
Cllr Heather Asker	Fairycroft House CIC	Costs towards music equipment	£300.00
Cllr Geoff Bagnall	Molehill Green Village Hall	Costs towards refurbishment of hall	£2,000.00
Cllr Susan Barker	Rodings Friendship Club	Costs towards trips for the elderly	£500.00
Cllr Susan Barker	Clogham Cricket Club	Costs toward refurbishment of the facilities	£1,000.00
Cllr Susan Barker	Aythorpe Roding PC	Costs towards creating a new allotment	£500.00
Cllr Melvin Caton and Ayub Khan	Stansted Mountfitchet Parish Council	Costs towards putting on Jubilee event	£297.50
Cllr Melvin Caton and Ayub Khan	Birchanger Church Hall	Costs to hiring for councillor surgeries	£165.00
Cllr Melvin Caton and Ayub Khan	Touchpoint	Costs towards gift for vulnerable children	£1,000.00
Cllr Melvin Caton and Ayub Khan	St Mary's C of E Primary school	Costs towards school dinners	£1,000.00
Cllr Melvin Caton and Ayub Khan	Birchanger Church of England VC Primary School	Costs towards School dinners	£600.00
Cllr Melvin Caton and Ayub Khan	Touchpoint	Costs towards gifts for vulnerable children	£937.50
Cllr Arthur Coote	Katherine Semar School	Costs towards flight simulator	£560.88
Cllr Arthur Coote	Saffron Walden Town Council	Purchase grit bins and salt	£370.00
Cllr Arthur Coote	Saffron Walden Chess Club	Purchase equipment	£194.99
Cllr Arthur Coote	John Dane Player Court	Bench for residents to use	£657.60
Cllr Colin Day	Watts Close Residents Group	Costs towards putting on a Jubilee celebration for the residents of Watts Close	£500.00

Appendix Three

Cllr Colin Day	Helena Romanes School	Costs towards mental health counselling sessions for pupils	£1,500.00
Cllr Geof Driscoll and Neil Reeve	Hatfield Broad Oak PCC	Costs towards Jubilee Celebrations	£200.00
Cllr Geof Driscoll and Neil Reeve	Little Hallingbury PC	Costs towards Jubilee Celebrations	£200.00
Cllr Geof Driscoll and Neil Reeve	Great Canfield, Easters and South Roding Benefice	Costs towards trip for Ukrainian families and hosts	£500.00
Cllr Geof Driscoll and Neil Reeve	Hatfield Broad Oak Friday Club	Costs towards trips, meetings and Christmas lunch	£600.00
Cllr Geof Driscoll and Neil Reeve	Hatfield Broad Oak PCC	About the Parishes - village magazine	£300.00
Cllr Geof Driscoll and Neil Reeve	Accuro Care Services	Costs towards providing their service	£500.00
Cllr Geof Driscoll and Neil Reeve	Uttlesford Citizens Advice	Costs towards winter poverty fuel allowance	£400.00
Cllr Geof Driscoll and Neil Reeve	Uttlesford Food bank	Costs towards providing their service	£750.00
Cllr Geof Driscoll and Neil Reeve	Hatfield Broad Oak Youth Football Club	Purchase full size goals and nets	£300.00
Cllr Geof Driscoll and Neil Reeve	Little Hallingbury Parochial Church Council	Costs towards Tudor weekend	£250.00
Cllr Deryk Eke	Saffron Walden Heritage Development	Costs of putting on heritage event in Saffron Walden	£200.00
Cllr Deryk Eke	The Enterprise East Group CIC	Costs towards community café	£350.00
Cllr Deryk Eke	Saffron Walden Town Council	Free Christmas family events in saffron Walden	£250.00
Cllr Deryk Eke	Saffron Walden Town Council	Towards Warm spaces project	£250.00
Cllr Deryk Eke	Saffron Walden Initiative	Costs towards Dance in the Square	£250.00
Cllr Deryk Eke	Uttlesford Foodbank	Costs towards providing the service	£250.00
Cllr Deryk Eke	Saffron Walden Youth Outreach Project	Costs towards delivering the service	£250.00
Cllr Judy Emanuel	Newport Primary School	Refurbishment of Toilets	£2,000.00
Cllr John Evans and Sandi Merifield	Felsetd PCC	Costs towards warm spaces project	£321.80

Appendix Three

Cllr John Evans and Sandi Merifield	Stebbing Primary School	Costs towards sensory/memorial garden	£1,000.00
Cllr John Evans and Sandi Merifield	Uttlesford Foodbank	Costs towards putting on the service	£2,000.00
Cllr John Evans and Sandi Merifield	Uttlesford CA	Costs towards fuel poverty	£678.20
Cllr Paul Fairhurst	Saffron Walden Museum Society	Costs towards pargetting project for schools	£800.00
Cllr Paul Fairhurst	St Thomas More Catholic Primary School	Costs towards music project	£1,200.00
Cllr Martin Foley	Thaxted Parish Council	Costs towards Jubilee Event	£250.00
Cllr Martin Foley	Great Easton Parish Council	Costs toward play area	£750.00
Cllr Martin Foley	Thaxted Parish Council	Costs towards food parcels for residents in need	£500.00
Cllr Martin Foley	Little Easton Parish Council	Purchase new play equipment	£500.00
Cllr Richard Freeman	Fairycroft House CIC	Costs towards sound equipment	£88.03
Cllr Richard Freeman	Saffron Walden Town Council	Costs towards pop up cinema	£1,911.97
Cllr Neil Gregory and Richard Pavitt	Dr Jones	Fundraising event in aid of Ukrainian Red Cross appeal	£3.48
Cllr Neil Gregory and Richard Pavitt	The Chesterfords, Ickleton and Hinxton WI	Projector	£300.00
Cllr Neil Gregory and Richard Pavitt	Great Chesterford Steam Up Association	Costs towards event	£300.00
Cllr Neil Gregory and Richard Pavitt	Chesterford Community Centre	Purchase new chairs	£300.00
Cllr Neil Gregory and Richard Pavitt	Wendens Ambo and Littlebury Parish Magazine	Costs towards producing magazine	£300.00
Cllr Neil Gregory and Richard Pavitt	Catmere End Fireworks	Purchase fireworks for display	£100.00
Cllr Neil Gregory and Richard Pavitt	Elmdon Duddenhoe End & Wenden Lofts Parish Council	Costs towards winter warm project	£600.00
Cllr Neil Gregory and Richard Pavitt	Wendens Ambo Parish Council	Costs towards refurbishing village notice board	£117.64
Cllr Neil Gregory and Richard Pavitt	Great Chesterford PC	Costs towards over 60's Christmas lunch	£300.00
Cllr Neil Gregory and Richard Pavitt	Uttlesford Buffy Bus	Costs towards providing the service	£100.00

Appendix Three

Cllr Neil Gregory and Richard Pavitt	Young Saints - Youth Group	Costs towards running the service	£500.00
Cllr Neil Gregory and Richard Pavitt	Wendens Ambo Society	Costs towards excavation of Wenden Parva church	£100.00
Cllr Neil Gregory and Richard Pavitt	Littlebury Parish council	Equipment for play area	£250.00
Cllr Neil Gregory and Richard Pavitt	Church Mice Group	Costs towards toddler group	£400.00
Cllr Neil Gregory and Richard Pavitt	Wendens Ambo Parish Council	Costs towards new bus shelter	£250.00
Cllr Hargreaves	Uttlesford Citizens Advice	Costs towards fuel poverty	£732.00
Cllr Hargreaves	Newport Primary School	Costs towards toilet refurbishment	£733.00
Cllr Hargreaves	Friends of St Mary's Church	Investigation work on the Newport chest a "portable" alter	£535.00
Cllr Rod Jones	Watts Close Residents Group	Costs towards putting on a Jubilee celebration for the residents of Watts Close	£250.00
Cllr Rod Jones	Dunmow Town Council	Costs towards jubilee event for resident in care homes in Dunmow	£500.00
Cllr Rod Jones	Dunmow Rovers	White line pitch marker	£300.00
Cllr Rod Jones	1st Dunmow Scouts	Jubilee celebrations for scouts	£500.00
Cllr Rod Jones	Uttlesford Food bank	Costs towards running the service	£450.00
Cllr Patrick Lavelle	Uttlesford Foodbank	Costs towards providing their service	£1,000.00
Cllr Petrina Lees & LeCount	Elsenham Community Association	Purchase infrared heaters for community hall	£1,308.40
Cllr Petrina Lees & LeCount	Elsenham C of E Primary School	Outdoor bench	£745.80
Cllr Petrina Lees & LeCount	Uttlesford Citizen Advice	Costs towards fuel poverty	£400.00
Cllr Petrina Lees & LeCount	TouchPoint	Costs towards delivering their service	£400.00
Cllr Petrina Lees & LeCount	Henham and Ugley Primary and Nursery School	Costs towards sensory area	£745.80
Cllr Petrina Lees & LeCount	Daisy May Farm	Costs towards running the farm	£400.00
Cllr Mark Lemon	Hatfield Heath Parish Council	Costs towards purchasing a defibrillator	£397.93
Cllr Mark Lemon	Hatfield Heath United Reform Church	Costs towards new mower	£600.00
Cllr Mark Lemon	White Roding Sports and Social Club	Costs towards older persons lunch	£700.00

Appendix Three

Cllr Mark Lemon	Uttlesford Food Bank	Costs towards running the service	£302.07
Cllr Barbara Light	Saffron Walden Heritage Development	Costs towards putting on heritage event in Saffron Walden	£250.00
Cllr Barbara Light	Saffron Walden Initiative	Costs towards Dance in the Square	£500.00
Cllr Barbara Light	Volunteer Uttlesford	Costs towards Forget Me Not - dementia sessions	£250.00
Cllr Barbara Light	Uttlesford Foodbank	Costs towards running the service	£250.00
Cllr Barbara Light	Joanna Eden Project	Venue hire for The Garden Project	£500.00
Cllr Barbara Light	Parkinson's Disease Society	Venue hire and costs towards Christmas lunch	£250.00
Cllr John Lodge	Saffron Walden Heritage Development	Costs towards putting on heritage event in Saffron Walden	£622.56
Cllr John Lodge	Joanna Eden Project	Venue hire for The Garden Project	£500.00
Cllr John Lodge	Parkinson's Disease Society	Venue hire and Christmas lunch	£250.00
Cllr John Lodge	Saffron Walden Town Council	Free Christmas family events in saffron Walden	£400.00
Cllr John Lodge	Uttlesford Foodbank	Costs towards providing their service	£227.44
Cllr Janice Loughlin	Berden Parish Council	Heating source for the defibrillator	£500.00
Cllr Janice Loughlin	Manuden Parish Council	Costs towards Jubilee event	£500.00
Cllr Janice Loughlin	Farnham Parish Council	Costs towards Jubilee event - tree planting	£500.00
Cllr Janice Loughlin	Ugley Parish Council	Costs towards village magazine and website	£500.00
Cllr Stewart Luck	Debden Village Hall	Costs towards running the hall	£110.00
Cllr Stewart Luck	Wimbish Parochial Church Council	Costs towards village magazine	£200.00
Cllr Stewart Luck	Uttlesford Foodbank	Costs towards delivering the service	£150.00
Cllr Stewart Luck	Uttlesford Citizen advice	Costs towards delivering the service	£150.00
Cllr Stewart Luck	Debden Village Residents Fund	Costs towards celebrations Kings Coronation	£390.00
Cllr Stewart Luck	1st Debden Brownies	Costs towards running the group	£500.00
Cllr Stewart Luck	SW Explora Scout	Costs towards trip	£300.00
Cllr Stewart Luck	Wimbish Good Companions Club	Costs towards events	£200.00

Appendix Three

Cllr Edward Oliver	Clavering Bowls Club	Repairs to the green	£25.00
Cllr Edward Oliver	Uttlesford Foodbank	Costs towards delivering their service	£975.00
Cllr Edward Oliver	Langley Parish Council	Costs towards play equipment	£1,000.00
Cllr Louise Pepper	Uttlesford Foodbank	Assist with purchasing food for people in poverty	£1,000.00
Cllr Louise Pepper	Uttlesford Citizen Advice	Assist with people experiencing fuel poverty	£500.00
Cllr Louise Pepper	Helena Romanes School	Costs towards mental health counselling sessions for pupils	£500.00
Cllr Geoffrey Sell	Stansted Mountfitchet Parish Council	Costs towards Jubilee event	£624.64
Cllr Geoffrey Sell	Stansted Tennis Club	Costs towards defib	£225.00
Cllr Geoffrey Sell	Uttlesford Community Travel	Costs towards providing the service	£300.00
Cllr Geoffrey Sell	Touchpoint	Costs towards gift for vulnerable children	£500.00
Cllr George Smith	Great Sampford Parish Council	Costs towards repairing village clock at St Michaels church	£1,000.00
Cllr George Smith	St Michaels Church Gt Sampford	Maintenance of mature trees	£500.00
Cllr Mike Tayler	Thaxted Parish Council	Costs towards Jubilee Event	£250.00
Cllr Mike Tayler	Thaxted Church Hall	Costs towards running the centre	£500.00
Cllr Mike Tayler	Thaxted Parish Council	Food packages for vulnerable residents	£500.00
Cllr Mike Tayler	Great Easton and Tilty Parish Council	New equipment for play area	£750.00
Cllr James de Vries	Ashdon Village hall	Hall hire for councillor surgeries	£52.00
Cllr James de Vries	Hadstock Village Hall	Hall hire for councillor surgeries	£48.00
Cllr James de Vries	Ashdon Parish Council	Contribution towards war memorial gates	£224.00
Cllr James de Vries	Ashdon Parish Council	Costs towards nest swing	£224.00
Cllr James de Vries	Nature of Learning	Free places on Forest School for low-income families	£224.00
Cllr James de Vries	Accuro Care Services	Costs towards their services	£307.00
Cllr James de Vries	Uttlesford CA	Costs towards providing their service	£307.00
Cllr James de Vries	Support 4 Sight	Costs towards providing their service	£307.00
Cllr James de Vries	Uttlesford Mind	Costs towards providing their service	£307.00

Committee: Cabinet

Date:

Title: Workforce Plan 2023 to 2027

Thursday, 16
March 2023

Report Author Nicola Roberts, Human Resources Manager
nroberts@uttlesford.gov.uk

Angela Knight, Assistant Director – Business &
Change Management
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Key Decision:
No

Summary

1. The Workforce Plan (Appendix A) shows how we intend to create an agile workforce that can help achieve the ambitious goals set out in the Corporate Plan and Blueprint Uttlesford. A workforce that is skilled for the future, diverse, motivated and engaged to deliver for the people of Uttlesford.
2. It is our mechanism for ensuring that we have the right people, in the right place, with the right skills, at the right time and at the right cost to deliver the Council's priorities to the residents and businesses of Uttlesford.
3. It provides a framework to all staff by providing direction on; workforce planning, performance, learning and development, leadership and management, engagement, reward and wellbeing.
4. It is a four year plan which will be reviewed annually to ensure it remains fit for purpose and continues to meet the needs of the council.
5. An Action Plan will sit behind the Workforce Plan setting out specific actions to achieve the aspirations of the Workforce Plan and setting target dates for each. A draft high level Action Plan is attached at appendix B. This is a 'work in progress' and is subject to staff engagement and feedback.

Recommendations

6. Cabinet is recommended to note the Workforce Plan and High Level Action Plan

Financial Implications

7. There are no implications for the Council's budget beyond those approved as part of the 2023/24 budget setting process.

Background Papers

8. 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

9.

Communication/Consultation	None
Community Safety	None
Equalities	EqHIA attached as Appendix C
Health and Safety	None
Human Rights/Legal Implications	None
Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	This Workforce Plan and supporting documents are subject to staff engagement and feedback

Situation

10. The Workforce Plan shows how we intend to create an agile workforce that can help achieve the ambitious goals set out in the Corporate Plan and Blueprint Uttlesford. A workforce that is skilled for the future, diverse, motivated and engaged to deliver for the people of Uttlesford.
11. The Council will be going through significant change over the next four years and will be smaller than it is now.
12. We will need different skill sets in some areas, including more commercial, contract and performance management skills, data insight and analysis, enhanced customer service skills, and improved ways of working with our communities and partners.
13. The Workforce Plan is our mechanism for ensuring that we have the right people, in the right place, with the right skills, at the right time and at the right cost to deliver the Council's priorities to the residents and businesses of Uttlesford.
14. It provides a framework to all staff by providing direction on; workforce planning, performance, learning and development, leadership and management, engagement, reward and wellbeing.
15. An Action Plan will sit behind the Workforce Plan setting out specific actions to achieve the aspirations of the Workforce Plan and setting target dates for

each. A draft high level Action Plan is attached at Appendix B. This is a 'work in progress' and is subject to staff engagement and feedback.

16. We need to understand the profile of our staff and local community, so a staff and resident profile document is being created to sit alongside the Workforce Plan and to inform the action plan.
17. We intend to introduce the Workforce Plan across the organisation in June 2023 at the Staff Conference. We will engage with staff and seek their feedback continuously which will help to formulate a more detailed action plan and ensure it remains fresh, realistic and current.
18. This is a four year plan and so it is important to see this as a journey. If it is done properly, we will be able to predict the demands ahead, how we will meet them and adapt and mould our workforce as we go.

Risk Analysis

19.

Risk	Likelihood	Impact	Mitigating actions
Workforce and Action plan is not delivered within the life of the Workforce plan	2 – The Workforce and Action plan may change in line with the corporate change programme	2 – The workforce will not be in a position to meet future organisational needs	The Workforce and Action plan is a live and evolving document, reviewed regularly to ensure it meets the needs of the workforce and the council

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 Workforce Plan 2023 – 2027

Vision

To be an employer of choice, demonstrated by a highly performing diverse workforce, capable of managing and planning innovative and financially robust service delivery to enable the district to grow and ensure that Uttlesford is the best place to live, work and play.

Purpose

The Workforce Plan shows how we intend to create an agile workforce that can help achieve the ambitious goals set out in the Corporate Plan & Blueprint Uttlesford. A workforce that is skilled for the future, diverse, motivated and engaged to deliver for the people of Uttlesford. The council will be going through significant change over the next 4 years and will be smaller than it is now. We will need different skill sets in some areas, including more commercial, contract and performance management skills, data insight & analysis, enhanced customer service skills, and improved ways of working with our communities and partners. The Workforce Plan is our mechanism for ensuring that the council has the right people, in the right place, with the right skills, at the right time and at the right cost to deliver our priorities.

Scope

This plan provides a framework to all staff by providing direction on; workforce planning, performance, learning and development, leadership and management, engagement, reward and wellbeing.

Delivery

The delivery of the plan will enable the council to develop a high performing workforce, composed of diverse, skilled, adaptable, engaged, empowered and creative teams. Our structures will bring us closer to our customers where a solution focused approach is supported by a modern and progressive organisational culture.

We will deliver value for money services, underpinned by core values and behaviours, ensuring that Uttlesford is the best place to live, work and play.

Links to



This plan will sit alongside a number of other plans, strategies and the medium-term financial planning cycle which will enable us to be fit for the future and to be the right kind of organisation to deliver better outcomes for our residents.

“One Council”











We will be more innovative, developing and embracing smarter ways of working, and breaking down silos to function as ‘one council’ including doing much more in collaboration and partnership, both internally and externally to meet the expectations of residents, budgets and achieve the standards set by our national peers and legislation.

Outcomes – where do we need to be?

Embedded throughout these outcomes are our values and behaviours. This will support the development of our future organisational culture and will continue to promote a diverse and inclusive workforce

<p>Effective financial management and accountability which reduces duplication, drives efficiencies, and balances the books</p> <p>A resilient workforce where the risk of single point of failure has been mitigated</p>	<p>High performing workforce where we have the right skills and behaviours, supported by an induction, appraisal and development programme. Change is embraced through effective internal communications and visible leadership to reinforce the direction of travel.</p>	<p>Recognised as a modern and fit for purpose employer of choice where our recruitment, career development and reward and recognition structure align with workforce plans and employee satisfaction levels and the number of people wanting to come and work for us increases.</p>
<p>Staff empowered to make creative and innovative decisions and equally participate in all aspects of service delivery and development.</p>	<p>Excellent management across the council supported by a regular leadership and management development programme and robust HR policies and processes, underpinned with positive industrial relations.</p>	<p>A highly motivated and engaged workforce who value the opportunity to feedback opinions and feelings through on-going engagement initiatives and an annual staff survey, in the knowledge that these are heard and acted upon.</p>
<p>Evidence based decision making, planning and delivery supported by accurate workforce data and projections of workforce needs and efficiencies both of our workforce and those we need to commission services from.</p>	<p>Effective political leadership and managerial leadership, working as a constructive partnership which generates solutions at the pace required.</p>	<p>Workforce policies and practices are positively embraced, embedded and consistently applied into everyday practice, supporting a culture of diversity & inclusion, transparency and trust which embraces change and supports the Climate action work and other strategies, plans & policies.</p>

Our success measures

 Staff able to work more flexibly resulting in a reduction in work related travel miles and office accommodation	 Increased numbers of opportunities for Care Leavers, Work Experience, Apprentices, Interns and Graduates	 Attendance rates are higher, and sickness and Agency costs reduced	 Employees feel proud to work at UDC	 All staff receive an appraisal
 Majority of staff have a development plan	 Staff survey completion rates increase	 We have more job applications from local residents	 All new starters receive a planned induction process	 Corporate Training priorities are identified and planned

Making it happen

PRIORITY ONE - WORKFORCE PLANNING AND MANAGING POTENTIAL

- Build upon our positive working relationship with our trade union colleagues to make a positive difference
- Develop a workforce planning tool to increase resilience and help services think about, and plan, their workforce requirements
- Revise our induction programme to successfully on-board new colleagues
- Provide more talent pipeline opportunities to boost skills of the wider workforce through work experience, apprenticeships and graduate schemes that help build resilience for the future and utilises our apprenticeship levy
- Design career frameworks linked to service specific workforce plans to address recruitment and retention of hard to fill roles
- Organisational agility and new ways of working is supported by the ICT Strategy and Blueprint Uttlesford
- Review recruitment processes to ensure we attract a workforce that is representative of our community, promoting an inclusive and diverse workforce to enable us to recruit the best people according to our values and behaviours
- Manage potential across our diverse workforce to ensure all staff have the opportunity to develop skills for the future that can be applied across the organisation and support people who are leaving the organisation to find alternative employment

PRIORITY TWO - PERFORMANCE AND DEVELOPMENT

- Enable managers to support staff to take personal responsibility for their own performance and development with development planning, supporting them to reflect on their performance, giving and receiving feedback and helping staff to be solution focused.
- Focus development activities on increasing our leadership capability and capacity for leading employees through change and creating a culture of collaborating with others, having a commercial and contract focus, and building a resilient customer focused workforce
- Review performance processes, systems and technology to ensure they are fit for purpose for a smaller more agile and adaptable workforce
- Ensure that staff understand their role, the contribution they make to the council and what they can do to achieve the required levels of high performance
- Ensure our learning and development offer is accessible to all, affordable, efficiently delivered and aligned to emerging development priorities
- Ensure systems and processes facilitate the extraction of valid and reliable data to inform financial planning, business forecasts and monitoring of the “organisational health”

PRIORITY THREE - LEADERSHIP AND MANAGEMENT

- Managers develop their leadership capability at all levels to build trust and resilience, maximise the potential of their teams and lead the way in enhancing our capacity for working in collaboration and partnership
- Leadership is found at all levels of the organisation and we encourage our dispersed leadership to grow
- Launch a management development programme for existing and aspiring managers which focuses on the core management objectives such as managing staff, resources and budgets, service planning etc
- “Balance the books” through strategic planning, enhanced business acumen and clear understanding of the impact of financial decision making
- Effective joint working between members and officers will be evident through induction, governance, information sharing and peer support as part of member and senior officer development programmes
- Senior officer development programme cements cross directorate team working and peer learning, effective governance and improved communication and engagement

PRIORITY FOUR - ENGAGEMENT, REWARD AND WELLBEING

- Work together to revisit our values and behaviours that allow us to live them every day and express our sense of personal responsibility and pride in working at Uttlesford District Council
- Be recognised as an employer of choice and celebrate diversity in our workforce and local community through staff awareness and a culture of respect and inclusivity
- Revisit policies and practice to support staff to genuinely feel they can be who they are and feel confident in a supportive environment, able to contribute their ideas and opinions and work in partnership with others
- Create development and network opportunities so staff relay to others positive stories about our council as a supportive employer that encourages confidence and diversity
- Provide timely information and guidance to enable the proactive and consistent management of sickness absence
- Promotional campaigns to ensure staff are aware of the benefits and well-being support available to them
- Review our staff recognition and rewards scheme to offer a more flexible and personal touch to celebrating the commitment and hard work of staff

PRIORITY ONE - WORKFORCE PLANNING AND MANAGING POTENTIAL				
Ref	What we are going to do	Activities	Measures of success	Date
1.1	Build upon our positive working relationship with our trade union colleagues to make a positive difference	<ul style="list-style-type: none"> •Design and agree a programme of work with trade union colleagues to review policies, processes and practices •Review employee engagement channels to improve channels of communication which encourages employees to provide feedback in the transformation of the council •Design and agree an annual staff survey with trade union colleagues 	<ul style="list-style-type: none"> •A modern and fit for purpose council reduces the number or threat of industrial disputes •Clearer data and understanding on reasons and numbers of employee relations case work •The number of staff surveys returned increases year on year •Improved levels of staff confidence and performance is evidenced through the take up of training and through appraisal personal development plans •Staff survey results indicate staff feel involved in decisions which impact on them 	
1.2	Develop a workforce planning tool to increase resilience and help services think about, and plan, their workforce requirements	<ul style="list-style-type: none"> •Design and agree a workforce planning tool and roll out across the organisation 	<ul style="list-style-type: none"> •A modern and fit for purpose workforce. •Directorate workforce planning is integral to financial and business planning 	
Page 108	Revise our induction programme to successfully on-board new colleagues	<ul style="list-style-type: none"> •Design and agree a Corporate Induction programme •Design and agree Service specific Induction programmes across the organisation 	<ul style="list-style-type: none"> •Robust, thorough and consistently applied staff induction process implemented which contains “one council” messaging. •Completion rates for induction modules will be at least 90% and all new colleagues attend corporate induction within 2 months of start •Number of applicant withdrawals or staff choosing to leave within the first 6 months of employment is reduced •Staff surveys indicate improved motivation and morale in employees •New appointees are “business ready” in terms of knowledge, skills and behaviours within recognised probationary period •Newly appointed managers have the confidence to quickly demonstrate timeliness, grip and informed decision making in line with Council Plan 	
1.4	Provide more talent pipeline opportunities to boost skills of the wider workforce through work experience, apprenticeships and graduate schemes that help build resilience for the future and utilises our apprenticeship levy	<ul style="list-style-type: none"> •We will work collaboratively with partners and training providers to meet or exceed the government’s apprenticeship requirements for employers •Launch a new Apprenticeship and work placement programme •Talent pipelines will be included in the Workforce planning tool 	<ul style="list-style-type: none"> •HR Team working in collaboration with managers, schools and training providers within requirements of levy. •Additional support from LGA secured to explore options •New apprenticeship/work placement annual planned programme which is valued by managers •Less vacancies in our hard to recruit to jobs •Apprenticeship targets achieved 	
1.5	Design career frameworks linked to service specific workforce plans to address recruitment and retention of hard to fill roles	<ul style="list-style-type: none"> • Work with the business to undertake heat mapping of critical workforce issues/ critical areas requiring intervention and/or support •Identify areas for succession planning 	<ul style="list-style-type: none"> •Improved organisational capacity, a reduction in skills shortages and improved opportunities for career development •Staff surveys show staff feel they have a clear career framework 	

1.6	Organisational agility and new ways of working is supported by the ICT Strategy and Blueprint Uttlesford	<ul style="list-style-type: none"> •System and workforce redesign projects are driven by the Workforce Plan. •Blueprint Uttlesford drives plans to engage and embed new technology •Working with IT software providers such as Microsoft to explore new ICT products and successful IT skills growth 	<ul style="list-style-type: none"> •The council has a reputation amongst its peers and with its partners as an innovative workplace with a positive culture. •Staff surveys indicate that staff have the right equipment and training to do their job. 	
1.7	Review recruitment processes to ensure we attract a workforce that is representative of our community, promoting an inclusive and diverse workforce to enable us to recruit the best people according to our values and behaviours	<ul style="list-style-type: none"> •Define and map our current workforce profile and local demographics to determine areas for improved positive action, (e.g. increase number of apprentices, develop career pathways) •Council wide equality groups are set up and hold regular meetings to drive the equality agenda •Employee networks reviewed and relaunched as required •Explore options on Itrent to simplify the application process and ensure data is captured. •Expand and explore opportunities through other internet platforms (LinkedIn and Google) in order to maximise coverage and reputation 	<ul style="list-style-type: none"> •The council confidently participates in and achieves self and external assessment and accreditation (e.g. Disability Confident, Armed Forces) to encourage employee participation and benchmark progress. •Workforce is more representative of our communities demographic profile •Increased number of applicants •Reduced time taken from advert to onboarding •Number of applications increase as a result of searches on internet platforms 	
1.8	Manage potential across our diverse workforce to ensure all staff have the opportunity to develop skills for the future that can be applied across the organisation and support people who are leaving the organisation to find alternative employment	<ul style="list-style-type: none"> •Undertake a skills analysis and agree an affordable and sustainable development programme which drives continual efficiency and improvement •Incorporate L&D into our workforce planning and appraisal processes •Review our current Learning Management System(s) to enhance our on-line learning capacity and L&D data collection •Design a suite of training for staff leaving the organisation such as CV writing, retirement/self employment advice 	<ul style="list-style-type: none"> •Better utilisation of our LMS system/new system procured resulting in better value for money •Targetted training for our priority areas/statutory requirements •Staff will be developed for the future with improved organisational agility •Improved compliance for mandatory training •Improved council performance •Staff survey results will show that staff feel they have good developmental opportunities and feel valued •Staff leaving the organisation will feel valued and be better equipped to gain employment 	

PRIORITY TWO - PERFORMANCE AND DEVELOPMENT

Ref	What we are going to do	Activities	Measures of success	Date
2.1	Enable managers to support staff to take personal responsibility for their own performance and development with development planning, supporting them to reflect on their performance, giving and receiving feedback and helping staff to be solution focused.	<ul style="list-style-type: none"> •Review the performance management processes such as uperform and 1:1 •Include this in manager and staff training programmes •Embed into our values and behaviours 	<ul style="list-style-type: none"> •Staff survey results show staff feel they have development opportunities •Increase in attendance on training courses •Increase in staff having a development plan •Performance management processes have been reviewed 	
2.2	Focus development activities on increasing our leadership capability and capacity for leading employees through change and creating a culture of collaborating with others, having a commercial and contract focus, and building a resilient customer focused workforce	<ul style="list-style-type: none"> •Review the current management development offer to ensure future programmes include, reflection, resilience, collaboration and business acumen •Develop a Coaching and mentoring programme •Reflective practice used as a model of learning •Transparency and sharing learning 	<ul style="list-style-type: none"> •Managers are clear of their role definition and opportunities for development •Staff survey results show staff feel change is managed effectively and feel involved in decisions which impact on them •UDC is recognised as a reputable business which others are keen to invest in and do business with •More internal staff are successful in gaining promotion •Directorates will no longer work in silos and activity across directorates will complement rather than duplicate 	

2.3	Review performance processes, systems and technology to ensure they are fit for purpose for a smaller more agile and adaptable workforce	<ul style="list-style-type: none"> •Review all current policies/processes and system •Explore options within existing Itrent Platform/explore other options 	<ul style="list-style-type: none"> •Reviewed performance appraisal in place, embedded, used purposefully and delivering improved performance year on year. •Employees welcome their annual appraisal and their feedback is utilised to continually improve the process •All eligible employees receive a timely appraisal •All employees receive regular check-in meetings with their manager 	
2.4	Ensure that staff understand their role, the contribution they make to the council and what they can do to achieve the required levels of high performance	<ul style="list-style-type: none"> •Embed within the uperform and 1:1 processes and team meetings. •Undertake a promotional campaign to ensure that staff are aware of the 'Golden Thread' • Review the intranet pages 	<ul style="list-style-type: none"> • Staff survey results indicate that staff are aware of how they contribute to the council priorities. 	
2.5	Ensure our learning and development offer is accessible to all, affordable, efficiently delivered and aligned to emerging development priorities	<ul style="list-style-type: none"> •Undertake a skills analysis and agree an affordable and sustainable development programme which drives continual efficiency and improvement •Incorporate L&D into our workforce planning and appraisal processes •Review our current Learning Management System(s) to enhance our on-line learning capacity and L&D data collection 	<ul style="list-style-type: none"> •Better utilisation of our LMS system/new system procured resulting in better value for money •Targetted training for our priority areas/statutory requirements •Staff will be developed for the future with improved organisational agility •Improved compliance for mandatory training •Improved council performance •Staff survey results will show that staff feel they have good developmental opportunities and feel valued 	
Page 110	Ensure systems and processes facilitate the extraction of valid and reliable data to inform financial planning, business forecasts and monitoring of the “organisational health”	<ul style="list-style-type: none"> •Undertake a review of the 'workforce inteelligence requirements of the organisation and assess what gaps, if any, there are 	<ul style="list-style-type: none"> •Workforce intelligence is centrally sourced and consistently reported in line with business planning cycle and workforce planning •Decisions are based on evidence and receipt of accurate and timely workforce intelligence 	

PRIORITY THREE - LEADERSHIP AND MANAGEMENT

Ref	What we are going to do	Activities	Measures of success	Date
3.1	Managers develop their leadership capability at all levels to build trust and resilience, maximise the potential of their teams and lead the way in enhancing our capacity for working in collaboration and partnership	<ul style="list-style-type: none"> •Deliver a programme of blended learning which improves confidence and capability in people and performance management •Review HR policies and procedures to be relevant, clearer, accessible and inclusive 	<ul style="list-style-type: none"> •Staff Survey results show that staff feel engaged, developed and valued by their manager. •Council will not operate on a blame culture basis and managers and officers will instead be confident owning problems, challenges and poor performance •More internal staff are successful in the recruitment of management and leadership roles and are representative of our community. •Strong culture of performance management embedded across the organisation where good performance is recognised and celebrated and poor performance is dealt with effectively. •Officers will be confident in making difficult decisions and having challenging conversations 	
3.2	Leadership is found at all levels of the organisation and we encourage our dispersed leadership to grow	<ul style="list-style-type: none"> •Leadership training is offered to aspiring leaders •Coaching and mentoring programme is developed •Reflective practice used as a model of learning •Transparency and sharing learning enbedded across the organisation •Staff encouraged to join relevant external networks with other councils and partners 	<ul style="list-style-type: none"> •Improved resilience to recruit within the organisation •Staff survey results show that staff feel they have development opportunities •Lessons are learnt and improvements to services made 	

3.3	Launch a management development programme for existing and aspiring managers which focuses on the core management objectives such as managing staff, resources and budgets, service planning etc	<ul style="list-style-type: none"> •Develop and deliver a senior officer development programme in good governance and compliance to include an understanding of Council constitution, standing orders, financial regulations, people management, service planning etc and a commitment to the council's corporate agenda. 	<ul style="list-style-type: none"> •Revised induction and development programme attended •Improved management compliance with core management objectives •Improved planning resulting in better performance for our residents 	
3.4	"Balance the books" through strategic planning, enhanced business acumen and clear understanding of the impact of financial decision making	<ul style="list-style-type: none"> •Financial standards reviewed and/or communicated •Budget/Commercial/Contract skills training included in Induction and on-going core training 	<ul style="list-style-type: none"> •Budget Managers will operate at a higher level of financial management, demonstrating best value for money. •Financial monitoring will be more efficient and effective and resources targetted to priority areas 	
3.5	Effective joint working between members and officers will be evident through induction, governance, information sharing and peer support as part of member and senior officer development programmes	<ul style="list-style-type: none"> •Review the members and officers induction and governance training •Get feedback from members and officers •Establish/Review system and network for shared working, communication and peer support 	<ul style="list-style-type: none"> •Rolling programme of induction and briefings •Members/officers working collaboratively with others in joint approach to deliver priorities 	
3.6	Senior officer development programme cements cross directorate team working and peer learning, effective governance and improved communication and engagement	<ul style="list-style-type: none"> •A senior officer development programme includes cross directorate, team working and peer learning, effective governance and improved communication and engagement 	<ul style="list-style-type: none"> •Revised induction and development programme attended •Staff survey results will show an improvement in communication •Improved management compliance with core management objectives •Improved planning resulting in better performance for our residents •Directorates will no longer work in silos and activity across directorates will complement rather than duplicate 	

PRIORITY FOUR - ENGAGEMENT, REWARD AND WELLBEING

Ref	What we are going to do	Activities	Measures of success	Date
4.1	Work together to revisit our values and behaviours that allow us to live them every day and express our sense of personal responsibility and pride in working at Uttlesford District Council	<ul style="list-style-type: none"> •Staff surveys to seek employees views •Workshop volunteers via engagement events to review and agree revised values and behaviours •Revised values and behaviours to be launched and embedded through a series of engagement activities 	<ul style="list-style-type: none"> •Staff survey will evidence commitment to agreed values and behaviours •Values and behaviours will be evident in all that we do •Employees are advocates of UDC and feel proud to work here 	
4.2	Be recognised as an employer of choice and celebrate diversity in our workforce and local community through staff awareness and a culture of respect and inclusivity	<ul style="list-style-type: none"> •Revision of the values and behaviours •Intranet page provides guidance and resources on the equality and diversity agenda •Staff networks set up/utilised re employee engagement – regular meetings occur •Review of equalities monitoring and training •Targetted recruitment to ensure a staff profile representative of the community 	<ul style="list-style-type: none"> •100% of staff have undertaken identified Equality and Diversity training •Staff survey results show the majority of staff feel valued and able to challenge unacceptable behaviour •We have a workforce reflective of the local community •Importance of Equality and Diversity is recognised across council •Management are receiving regular data on their staff profile 	

4.3	Revisit policies and practice to support staff to genuinely feel they can be who they are and feel confident in a supportive environment, able to contribute their ideas and opinions and work in partnership with others	<ul style="list-style-type: none"> •Develop an Engagement Strategy to involve and engage staff •Revision of the current values and behaviours •Celebrate success and highlight positive practice/ innovative solutions/partnership working 	<ul style="list-style-type: none"> •We will be perceived by staff to be an inclusive employer and proud to say they work for the council. •Staff survey results indicate that staff are aware of and live by the council values. •Staff survey results indicate that staff feel safe to fully participate in organisational life without fear or favour, and trust that they will receive support if they ask for it. 	
4.4	Create development and network opportunities so staff relay to others positive stories about our council as a supportive employer that encourages confidence and diversity	<ul style="list-style-type: none"> •Wellbeing initiatives are made available to all staff and driven by staff engagement •Staff conference in June 2023 to also be a well-being fair •Menopause Mentors to promote menopause awareness •Other wellbeing initiatives promoted 	<ul style="list-style-type: none"> •Staff survey results and contact with wellbeing initiatives show that the majority of staff are ambassadors for working at UDC •Sickness absence due to anxiety/stress and depression is reduced •Success stories are told and published •Turnover figures reduce •Teams/Individuals are nominated for staff awards/external awards 	
4.5	Provide timely information and guidance to enable the proactive and consistent management of sickness absence	<ul style="list-style-type: none"> •HR Absence Reports provide management information. •CMT to ensure compliance in their areas •Management Development Programme to include managing sickness and Mental Health Awareness •HR intervention for targetted hotspot areas •Staff awareness and importance of well-being •Review Managing Absence Policy and associated policies and procedures 	<ul style="list-style-type: none"> •Sickness absence is consistently monitored by managers and appropriate action taken •Number of RTW undertaken is consistently at 90% or above •Mental Wellbeing is reported as improving •Overall average FTE days taken due to sickness has decreased •Focus is on prevention •Managing Absence Policy has been updated 	
4.6	Promotional campaigns to ensure staff are aware of the benefits and well-being support available to them	<ul style="list-style-type: none"> •Undertake a promotional campaign to ensure staff know of and are able to access the benefits and well-being support available to them. •Update the intranet pages and corporate induction •Obtain staff feedback on what benefits are most important to them 	<ul style="list-style-type: none"> •Staff feel that the council values employee wellbeing. •Staff take responsibility for their own health and wellbeing using support available through the council and our partners •Reduction in level of staff turnover 	
4.7	Review our staff recognition and rewards scheme to offer a more flexible and personal touch to celebrating the commitment and hard work of staff	<ul style="list-style-type: none"> •Annual staff awards programme devised •Online Award initiatives explored such as sending an online “thank you” •Regular dedicated sessions at CMT to recognise success stories •Good work and initiatives recognised by the Chief Executive in weekly video •Feedback from staff is utilised to inform improvement work 	<ul style="list-style-type: none"> •Reward and recognition activities will be embedded as part of organisational life •Staff feedback (e.g. as part of the staff survey) that they see increased visibility of senior management •Staff feel recognised when their work is acknowledged •Improved staff morale •Staff are advocates for UDC and proud to work here 	



Uttlesford District Council

Equality & Health Impact Assessment (EqHIA)

Document control

Title of activity:	Workforce Plan
Lead officer:	Nicola Roberts, HR Manager, Human Resources
Approved by:	Angela Knight, Asst Director, Business & Change Management
Date completed:	22/02/2023
Scheduled date for review:	01/04/2024

Does the EqHIA contain any confidential or exempt information that would prevent you publishing it on the Council's website?	No
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Please note that EqHIAs are **public** documents and must be made available on the Council's [EqHIA webpage](#).

When completed, a copy of this form should be saved with the activity a policy, strategy, procedure, project, new or change in service, initiative or other's file for audit purposes and in case it is requested under the Freedom of Information Act.

When the EqHIA is completed send a copy to the following email address - EqHIA@Uttlesford.gov.uk

1. Equality & Health Impact Assessment Checklist

Please complete the following checklist to determine whether or not you will need to complete an EqHIA and ensure you keep this section for your audit trail. If you have any questions, please contact your Divisional Equality Lead. Please refer to the Guidance in Appendix 1 on how to complete this form. **When EqHIA is completed send a copy to the following email address EqHIA@Uttlesford.gov.uk**

About your activity

1	Title of activity	New Workforce Plan		
2	Type of activity	New four year Plan		
3	Scope of activity	This Plan applies to all staff who are employed by Uttlesford District Council. The Workforce Plan is our mechanism for ensuring that the council has the right people, in the right place, with the right skills, at the right time and with the right cost to deliver our priorities.		
4a	Are you changing, introducing a new, or removing a service, policy, strategy or function?	Yes	If the answer to <u>any</u> of these questions is 'YES', please continue to question 5.	If the answer to <u>all</u> of the questions (4a, 4b & 4c) is 'NO', please go to question 6.
4b	Does this activity have the potential to impact (either positively or negatively) upon people (9 protected characteristics)?	Yes		
4c	Does the activity have the potential to impact (either positively or negatively) upon any factors which determine people's health and wellbeing?	Yes		
5	If you answered YES:	Please complete the EqHIA in Section 2 of this document. Please see Appendix 1 for Guidance.		
6	If you answered NO:			

Completed by:	Nicola Roberts, HR Manager, Human Resources
Date:	22/02/2023

2. The EqHIA – How will the strategy, policy, plan, procedure and/or service impact on people?

Background/context:

The Workforce Plan shows how we intend to create an agile workforce that can help achieve the ambitious goals set out in the Corporate Plan & Blueprint Uttlesford. A workforce that is skilled for the future, diverse, motivated and engaged to deliver for the people of Uttlesford.

The council will be going through significant change over the next 4 years and will be smaller than it is now. We will need different skill sets in some areas, including more commercial, contract and performance management skills, data insight & analysis, enhanced customer service skills, and improved ways of working with our communities and partners.

The Workforce Plan is our mechanism for ensuring that the council has the right people, in the right place, with the right skills, at the right time and at the right cost to deliver our priorities.

It provides a framework to all staff by providing direction on; workforce planning, performance, learning and development, leadership and management, engagement, reward and wellbeing.

An Action Plan will sit behind the Workforce Plan setting out specific actions to achieve the aspirations of the Workforce Plan and setting target dates for each. A draft high level Action Plan has been drafted. This is a 'work in progress' and is subject to staff engagement and feedback.

The trade union has been consulted and we intend to introduce the Workforce Plan across the organisation in June 2023 at the Staff Conference. We will engage with staff and seek their feedback continuously which will help to formulate a more detailed action plan and ensure it remains fresh, realistic and current.

We are committed to creating a workplace that respects and values each other's differences, that promotes dignity and combats prejudice, discrimination and harassment. This Plan seeks to benefit the welfare of individual members of staff; recruit & retain valued employees; improve morale and performance and enhance the reputation of Uttlesford District Council as an employer of choice.

Who will be affected by the activity?

This Plan applies to all staff who are employed by Uttlesford District Council

Protected Characteristic - Age: Consider the full range of age groups*Please tick (✓)
the relevant box:***Overall impact:****Positive**

✓

We have an ageing workforce with 47% of our staff aged 50 and over and 26% under the age of 40.

Neutral

Uttlesford is committed to providing an inclusive and supportive working environment for everyone who works here. This Plan seeks to benefit the welfare of individual members of staff; recruit, retain and develop valued employees; improve morale and performance and enhance the reputation of Uttlesford District Council as an employer of choice.

Negative**Evidence:**

Row Labels	Count of Age band	Percentages
16 to 24	14	4%
25 to 39	68	22%
40 to 49	83	27%
50 to 64	131	42%
65 and older	17	5%
Grand Total	313	100%

Sources used:**UDC Workforce Data****Protected Characteristic - Disability:** Consider the full range of disabilities; including physical mental, sensory and progressive conditions*Please tick (✓)
the relevant box:***Overall impact:****Positive**

✓

5% of our staff have declared that they have a disability, albeit we have a high number who have not made a declaration (34%).

Neutral

Uttlesford is committed to providing an inclusive and supportive working environment for everyone who works here. This Plan seeks to benefit the welfare of individual members of staff; recruit, retain and develop valued employees; improve morale and performance and enhance the reputation of Uttlesford District Council as an employer of choice.

Negative

Evidence:

Row Labels	Count of Disabled	Percentages
No	192	61%
not declared	105	34%
Yes	16	5%
Grand Total	313	100%

Sources used:

UDC Workforce Data

Protected Characteristic - Sex/gender: Consider both men and women

Please tick (✓) the relevant box:

Positive

**Overall impact:**

53% of our staff are female and 47% male.

Neutral



Our gender pay gap figures demonstrate there are no significant gender pay gap issues and that women are paid 2.9% higher on average (median) and men are paid 1.4% higher on average (mean). Which is significantly lower than the national average of 14.9% in all sectors and 5% in local authorities.

Negative



Uttlesford is committed to providing an inclusive and supportive working environment for everyone who works here. This Plan seeks to benefit the welfare of individual members of staff; recruit, retain and develop valued employees; improve morale and performance and enhance the reputation of Uttlesford District Council as an employer of choice.

Evidence:

Row Labels	Count of Sex	Percentages
Female	166	53%
Male	147	47%
Grand Total	313	100%

Sources used:

UDC Workforce Data
Office for National Statistics (ONS)

Protected Characteristic - Ethnicity/race: Consider the impact on different ethnic groups and nationalities

Please tick (✓) the relevant box:

Overall impact:

Positive

✓

93% of our staff are white which is reflective of our local community.

Neutral

Uttlesford is committed to providing an inclusive and supportive working environment for everyone who works here. This Plan seeks to benefit the welfare of individual members of staff; recruit, retain and develop valued employees; improve morale and performance and enhance the reputation of Uttlesford District Council as an employer of choice.

Negative

Evidence:

Row Labels	Count of Ethnic Origin	Percentages
Asian Indian	3	1.0%
Asian Other	1	0.3%
Black African	4	1.3%
Chinese	1	0.3%
Gypsy Traveller Other	1	0.3%
Mixed White and Asian	3	1.0%
Mixed White and Black African	1	0.3%
Mixed White and Black Caribbean	1	0.3%
White British	279	89.1%
White Irish	2	0.6%
White Other	10	3.2%
Not declared	7	2.2%
Grand Total	313	100.0%

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Sources used:

UDC Workforce Data

Uttlesford Census data

Protected Characteristic - Religion/faith: Consider people from different religions or beliefs including those with no religion or belief

Please tick (✓) the relevant box:

Overall impact:

Positive

✓

38% of staff have declared that they have a religion, albeit we have almost a third of our workforce who have not made a declaration.

Neutral

Uttlesford is committed to providing an inclusive and supportive working environment for everyone who works here. This Plan seeks to benefit the welfare of individual members of staff; recruit, retain and develop valued employees; improve morale and performance and enhance the reputation of Uttlesford District Council as an employer of choice.

Negative

Evidence:

Row Labels	Count of Religion	Percentages
Agnostic	4	1.3%
Atheist	12	3.8%
Christian - Orthodox	2	0.6%
Christian - Protestant	14	4.5%
Christian - Roman Catholic	12	3.8%
Christian (All denominations)	67	21.4%
Hinduism	3	1.0%
No Religion	92	29.4%
Not declared	100	31.9%
Other	7	2.2%
Grand Total	313	100.0%

Sources used:**UDC Workforce Data**

Protected Characteristic - Sexual orientation: Consider people who are heterosexual, lesbian, gay or bisexual

Please tick (✓) the relevant box:

Positive**Neutral****Negative****Overall impact:**

3% of staff have declared that they are either Bisexual, Lesbian or Gay, albeit 36% of staff have not made a declaration.

Uttlesford is committed to providing an inclusive and supportive working environment for everyone who works here. This Plan seeks to benefit the welfare of individual members of staff; recruit, retain and develop valued employees; improve morale and performance and enhance the reputation of Uttlesford District Council as an employer of choice.

Evidence:

Row Labels	Count of Sexual Orientation	Percentages
Bisexual	5	2%
Gay	2	1%
Heterosexual	193	62%
Lesbian	1	0%
not declared	112	36%
Grand Total	313	100%

Sources used:**UDC Workforce Data**

Protected Characteristic - Gender reassignment: Consider people who are seeking, undergoing or have received gender reassignment surgery, as well as people whose gender identity is different from their gender at birth

Please tick (✓) the relevant box:

Positive	✓	Overall impact: 1% of staff have declared that they are undergoing or have received gender reassignment surgery, albeit 46% of staff have not made a declaration. Uttlesford is committed to providing an inclusive and supportive working environment for everyone who works here. This Plan seeks to benefit the welfare of individual members of staff; recruit, retain and develop valued employees; improve morale and performance and enhance the reputation of Uttlesford District Council as an employer of choice.
Neutral		
Negative		

Evidence:

Row Labels	Count of Gender Reassignment	Percentages
No	167	53%
Not declared	144	46%
Yes	2	1%
Grand Total	313	100%

Sources used:

UDC Workforce Data

**Expand box as required*

Protected Characteristic - Marriage/civil partnership: Consider people in a marriage or civil partnership

Please tick (✓) the relevant box:

Positive	✓	Overall impact: 43% of staff have declared that they are in a marriage or civil partnership. Uttlesford is committed to providing an inclusive and supportive working environment for everyone who works here. This Plan seeks to benefit the welfare of individual members of staff; recruit, retain and develop valued employees; improve morale and performance and enhance the reputation of Uttlesford District Council as an employer of choice.
Neutral		
Negative		

Evidence:

Row Labels	Count of Marital Status	Percentages
Civil Partnership	3	1%
Cohabiting Partner	34	11%
Divorced	18	6%
Married	132	42%
Not declared	57	18%
Partner	3	1%
Separated	3	1%
Single	62	20%
Widowed	1	0%
Grand Total	313	100%

Expand box as required*Sources used:****UDC Workforce Data****Expand box as required*

Protected Characteristic - Pregnancy, maternity and paternity: Consider those who are pregnant and those who are undertaking maternity or paternity leave

Please tick (✓)
the relevant box:

Positive

✓

Overall impact:

1% of staff are either pregnant or undertaking maternity or paternity leave.

Neutral**Negative**

Uttlesford is committed to providing an inclusive and supportive working environment for everyone who works here. This Plan seeks to benefit the welfare of individual members of staff; recruit, retain and develop valued employees; improve morale and performance and enhance the reputation of Uttlesford District Council as an employer of choice.

Expand box as required*Evidence:**

Row Labels	Count of Maternity/Paternity/Expecting	Percentages
Expecting	2	0.6%
Maternity Leave	2	0.6%
no	309	98.7%
Grand Total	313	100.0%

Expand box as required*Sources used:****UDC Workforce Data****Expand box as required*

Socio-economic status: Consider those who are from low income or financially excluded backgrounds	
<i>Please tick (✓) the relevant box:</i>	
Positive	<input checked="" type="checkbox"/>
Neutral	<input type="checkbox"/>
Negative	<input type="checkbox"/>
Overall impact: Uttlesford is committed to providing an inclusive and supportive working environment for everyone who works here. This Plan seeks to benefit the welfare of individual members of staff; recruit, retain and develop valued employees; improve morale and performance and enhance the reputation of Uttlesford District Council as an employer of choice.	
Evidence:	
Sources used:	

Health & Wellbeing Impact: Consider both short and long-term impacts of the activity on a person's physical and mental health, particularly for disadvantaged, vulnerable or at-risk groups. Can health and wellbeing be positively promoted through this activity? Please use the Health and Wellbeing Impact Tool in Appendix 2 to help you answer this question.	
<i>Please tick (✓) all the relevant boxes that apply:</i>	
Positive	<input checked="" type="checkbox"/>
Neutral	<input type="checkbox"/>
Negative	<input type="checkbox"/>
Overall impact: Uttlesford is committed to providing an inclusive and supportive working environment for everyone who works here. This Plan seeks to benefit the welfare of individual members of staff; recruit, retain and develop valued employees; improve morale and performance and enhance the reputation of Uttlesford District Council as an employer of choice Do you consider that a more in-depth HIA is required as a result of this brief assessment? Please tick (✓) the relevant box <div style="text-align: right;"> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> </div>	
Evidence:	
Sources used:	

Committee:	Cabinet	Date:
Title:	Budget Forecast Outturn - 2022/23 Quarter 3	16 March 2023
Portfolio Holder:	Portfolio Holder for Finance and Budget	
Report Author:	Jody Etherington, Assistant Director - Finance jetherington@uttlesford.gov.uk	Key decision: N

Summary

1. This report details the financial performance of the General Fund, Housing Revenue Account, Capital Programme and Treasury Management. It is based upon actual expenditure and income from April to December and predicts a forecast for the end of the 2022/23 financial year.
2. The General Fund is predicting a net overspend of £572,000, made up of various under and overspends which are detailed in the body of this report.
3. The Housing Revenue Account is forecasting a net overspend before capital financing of £1.996 million. This means that there is less funding available for the Capital Programme than initially budgeted, and as a result several capital projects have had to be delayed as part of the 2023/24 budget setting process. After capital financing, there is a forecast surplus on the HRA for 2022/23 of £593,000.
4. The Capital Programme is forecasting a net underspend of £9.636 million, with an estimated £5.748 million of individual project underspends to be carried forward as capital slippage. This leaves an actual full year predicted net underspend of £3.888 million, of which £3.330 million relates to the HRA capital projects which have been delayed as set out in the paragraph above.

Recommendations

5. The Cabinet is recommended to
 - I. Note the General Fund, Housing Revenue Account and Capital Programme forecast outturn positions; and
 - II. Approve the General Fund virements set out at paragraph 19.

Financial Implications

6. Included in the main body of the report.

Background Papers

7. None

Impact

Communication/Consultation	Corporate Management Team (CMT) and Informal Cabinet Briefing (ICB)
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

8. The forecast for net operating expenditure is an overspend of £78,000. This includes various specific over and underspends which are taken through earmarked reserves, and after adjusting for these the net forecast overspend on the General Fund is £572,000. The following table provides a summary of the current forecast, and a detailed budget summary and the predicted position for each service is shown in Appendix A.

£'000	2021/22 Outturn	2022/23			
		Original Budget	Current Budget	Forecast Outturn	Forecast Variance
<u>Direct Service Budgets</u>					
Net Service Expenditure	13,468	17,342	17,523	19,190	1,667
<u>Corporate Items</u>					
Capital Financing and MRP	2,672	5,131	7,266	4,204	(3,062)
Recharge to HRA	(1,700)	(1,747)	(1,747)	(1,806)	(59)
Investment Income	(8,202)	(11,774)	(11,774)	(11,268)	506
Borrowing Cost	1,343	2,835	2,835	4,457	1,622
Other Corporate Items	454	425	425	54	(371)
Net Expenditure	(5,433)	(5,130)	(2,995)	(4,359)	(1,364)
<u>Funding</u>					
New Homes Bonus Grant	(2,823)	(1,343)	(1,343)	(1,343)	0
Business Rates Retention	885	(4,367)	(4,367)	(4,604)	(237)
Rural Services Grant	(293)	(293)	(293)	(293)	0
Other Government Grants	(948)	(1,552)	(1,552)	(1,521)	31
Council Tax - Collection Fund	(79)	5	5	(14)	(19)
	(3,258)	(7,550)	(7,550)	(7,775)	(225)
Net Operating Expenditure	4,777	4,662	6,978	7,056	78
Net transfers to/(from) other earmarked reserves	363	1,742	(574)	(80)	494
Council Tax (precept levied on Collection Fund)	(6,159)	(6,404)	(6,404)	(6,404)	0
(Under)/Overspend	(1,019)	0	0	572	572

Direct Service Budgets

9. The forecast overspend of £1.667 million on the delivery of direct services includes an exceptional £2.100 million compensation payment in respect of the Stansted Airport planning appeal.
10. Of the total overspend amount, £1.137 million will be funded from earmarked reserves, leaving a net overspend after reserve transfers of £530,000. This is summarised in the table below:

£'000	2021/22 Outturn	2022/23				2022/23	
		Original Budget	Current Budget	Forecast Outturn	Forecast Variance	Variance funded through earmarked reserves	Net forecast variance after reserve transfers
Portfolio Budgets							
Communities & Partnerships	1,076	1,066	1,054	1,294	240	(61)	179
Housing & Economic Development	1,489	2,699	2,679	2,119	(560)	227	(333)
Environmental Services	3,993	5,812	5,812	5,249	(563)	751	188
Finance & Administration	6,910	7,765	7,978	8,428	450	46	496
Airport compensation	0	0	0	2,100	2,100	(2,100)	0
Subtotal - Portfolio Budgets	13,468	17,342	17,523	19,190	1,667	(1,137)	530

11. The most significant service variances which are not funded through earmarked reserves are as follows:-

Overspends or reduced income

- Development management – overspend of £310,000 on legal fees and consultancy related to planning appeals (excluding Stansted Airport).
- Canfield – underachievement of rental income of £241,000 due to voids at the start of the year and planning delays.
- Asset management – overspend of £202,000 on planned and ad hoc repairs and maintenance of the General Fund estate (e.g. council offices).
- Finance – overspend of £196,000 on staff costs due to the use of agency staff and one-off restructuring costs.
- Development management – overspend of £195,000 on staff costs due to the extensive use of agency staff to cover hard to fill vacancies.
- PFI – overspend of £177,000 due to additional support given to the operator in light of increased utility costs, and higher than budgeted inflationary increases to other contract costs.
- Corporate management – overspend of £139,000 on staff costs and consultancy, including use of agency staff to cover in-year vacancies and one-off severance costs.
- Taxi licensing – income reduction of £135,000 as a result of lower than anticipated volumes of work post-Covid.

- Legal – overspend of £122,000 on staff costs due to the use of agency staff to cover hard to fill vacancies.
- Waste management – overspend of £115,000 on staff costs due to the use of agency staff to cover vacancies during the year.

Underspends or increased income

- Development management – overachievement of income of £529,000 as the impact of planning designation on application income has not been as large as anticipated.
- Council tax – increased income from preceptor shareback arrangements of £226,000 due to higher than budgeted collection rates.
- Public health – unbudgeted government grant income of £159,000 to support expenditure in year.

12. All individual service variances >£30,000 are set out in detail at Appendix B.

Corporate Items

13. The forecast underspend of £3.062 million on capital financing and MRP includes the following significant variances:-

- A net underspend of £1.573 million on capital projects to be funded from revenue. The majority of this (£1.028 million) relates to the Council's commercial property portfolio – this amount was put aside in the capital slippage reserve to finance ancillary acquisition costs but is now unlikely to be required. For the purpose of this forecast it has been assumed that any unspent amount will be transferred to the Medium Term Financial Strategy reserve at year-end. There is also an underspend of £600,000 forecast for the superfast broadband project which is now anticipated to slip into 2023/24 – funding for this has already been set aside in the capital slippage reserve to be drawn down when spend is incurred.
- An underspend of £1.409 million on minimum revenue provision (MRP) charges due to the late completion of two significant commercial property assets, and a review of the annuity rates used in accordance with the Council's MRP policy. Whilst both of these factors reduce the MRP charge payable in the current year, the total amount to be charged over the life of the Council's assets will remain the same.

14. The Council's commercial investments continue to generate a significant positive contribution to the General Fund, currently forecast at £4.830 million net of associated borrowing costs and MRP. However, the recent increase in borrowing costs as a result of the wider economic situation has meant an underachievement against budget of £716,000. This is summarised in the table below:

Investment Income Analysis	Budget	Forecast	Variance
	£'000	£'000	£'000
Income			
Aspire (CRP)	(2,449)	(2,420)	29
Other commercial investments	(9,599)	(9,208)	391
	(12,048)	(11,628)	420
Costs			
Commerical consultancy and fees	274	360	86
	274	360	86
Net Investment Asset Income	(11,774)	(11,268)	506
Borrowing costs	2,835	4,457	1,622
Treasury Investment Income (included within Other Corporate Items)	(8)	(372)	(364)
Minimum Revenue Provision (included within Capital Financing and MRP)	3,280	2,211	(1,069)
Brokerage fees (included within Direct Service Budgets - Financial Services)	121	142	21
Total contribution from investment assets	(5,546)	(4,830)	716

Funding

15. The forecast favourable variance on business rate income of £237,000 is due to higher than expected section 31 grant income in year. This is income which the Council receives from government as compensation for centrally determined business rate reliefs (such as expanded retail discount). Increased income in one year is usually offset by a larger deficit on the collection fund at year-end – for this reason it is Council policy that any additional income be transferred to the Business Rates reserve at year-end to fund future deficit repayments.

General Fund Reserves

16. The total General Fund reserves balance at 1 April 2022 was £23,823,000. The current budget includes a net draw on reserves of £574,000. However, due to the variances in year set out above, the forecast draw on specific earmarked reserves is now £80,000. This, together with the forecast net overspend of £572,000, leaves a forecast closing reserve balance of £23,171,000.
17. Variances between budgeted reserve movements and the current forecast are set out in the following table:

Movement in Reserves - Forecast Change in Net Transfers		Drawn down	Additions	
		£'000	£'000	£'000
Budget (net use of reserves)				(574)
Direct services				
Airport Compensation	(2,100)			Contribution towards airport compensation costs.
Local Plan		603		Lower than anticipated drawdown of Sustainable Communities reserve due to delays in Local Plan process.
Climate Change		232		Slippage against 3 year Climate Change Programme - unspent amount will remain in reserves to be spent in future years.
Air Quality Grant		121		Grant received in 2022/23 to be spent in future years.
Economic Development		111		Slippage against 3 year Economic Development Programme - unspent amount will remain in reserves to be spent in future years.
Public Health Grants		92		Forecast underspend against grants received in year - to be spent in future years.
Development Control	(83)			Drawdown of Planning reserve to meet eligible service expenditure in year.
Homelessness Grants	(59)			Drawdown of previous years' homelessness grants to fund eligible expenditure in year.
Health & Wellbeing Grants	(57)			Net drawdown of health and wellbeing grants to fund eligible expenditure in year.
Community Grants & Contributions	(56)			Drawdown of underspent grants rolled forward from 2021/22, to be spent in 2022/23.
Neighbourhood Planning		25		Net underspend against budget on Neighbourhood Plan production and referendums.
Revenues Admin		22		Underspend against budget for additional reserve-funded posts due to in-year vacancy.
Council Tax Discounts - Household Support Fund		18		Underspend against budgeted Household Support Fund expenditure.
Licensing	(16)			Variance in forecast net expenditure on ringfenced licensing activities to be funded from previous surpluses held in reserves.
Elections Grants		16		New burdens grants related to voter identification received in 2022/23 to be spent in the following year.
Emergency Planning	(6)			Drawdown of 2021/22 new burdens funding to fund activity in-year.
Total reserve movements for direct services	(2,377)	1,240	(1,137)	
Other reserve movements				
Capital Slippage		1,633		Lower than anticipated drawdown due to slippage on capital programme. Remaining amount to be reviewed at year-end.
Business Rates		60		Transfer of excess S31 grant income to fund deficit repayments in future years.
Working Balance	(52)			Below budgeted increase in forecast working balance requirement due to variances elsewhere.
Capital Expenditure	(10)			Drawdown from Climate Change reserve to fund tree planting.
Total other reserve movements	(62)	1,693	1,631	
Forecast net use of reserves (before overspend)				(80)

18. A full table showing all forecast General Fund reserve movements is included at Appendix C.

Virements

19. Cabinet approval is sought for the following General Fund virements between service centres:-

- A virement of £98,130 to Corporate Management from Financial Services in respect of the salary and on-costs relating to the new Assistant Director – Finance post which was created as a result of the restructure of Financial Services which has taken effect during 2022/23.
- A virement of £43,920 to Contract, Performance and Risk Management from Leisure & Performance (£11,970), Customer Services Centre (£19,800) and Financial Services (£12,150). This is a new service centre which has been set up to bring together three related posts into one Contract, Performance and Risk Management team reporting to the Assistant Director – Commercial and Digital Change Management. Budget approval has already been granted for

this change for 2023/24 – this virement represents one quarter of the 2022/23 budget for associated staff costs (plus some small ancillary costs) thereby bringing forward the change to take effect from 1 January 2023.

20. For the purposes of the tables throughout this report, it has been assumed that approval for the above virements will be granted.

Housing Revenue Account (HRA)

21. The HRA budget anticipates a net operating surplus of £3.352 million. The current forecast is for a reduced surplus of £1.356 million (i.e. an adverse variance of £1.996 million). The most significant reasons for this variance are as follows:-

- Underachievement of dwelling rent income of £321,000. Since setting the 2022/23 budget, the Council has identified that many of its general needs tenants are being overcharged rent by approximately 1% as a result of administrative errors in calculating the rent increases for 2021/22 and 2022/23. The forecast takes into account the resultant decrease in rental income for the current year, and also an allowance for reimbursing tenants who were overcharged in 2021/22.
- Unplanned spending of £748,000 on a review of housing services following the Council's self-referral to the Regulator of Social Housing, together with a full stock condition survey and other revenue costs associated with resolving the issues highlighted by this review.
- An overspend of £193,000 on electricity and gas due to utility price increases which have taken effect during 2022/23 – this cannot be recharged to tenants as service charges are set in advance for the year.
- An overspend of £151,000 on Property Services consultancy relating mainly to revenue costs associated with capital projects (such as pre-planning feasibility and design costs).
- An overspend of £666,000 on depreciation charges as a result of increased property valuations as at 1 April 2022. Whilst this represents a revenue charge to the HRA, this amount is transferred to the Major Repairs Reserve in order to fund future capital works on the Council's housing stock.

22. The original budget anticipated applying most of the operating surplus, together with £270,000 from the Capital Projects reserve, to fund capital expenditure totalling £3.590 million in year. However, the significant reduction in forecast surplus for the year has necessitated a review of the Capital Programme as part of the 2023/24 budget setting round. The need for this was highlighted in the Budget Forecast Outturn 2022/23 – Quarter 2 report, which concluded that the HRA did not have sufficient revenue resources to finance its Capital Programme as originally planned.

23. The revised Capital Programme, which was approved by Full Council on 21 February 2023, included the decision to defer until 2024/25 both the redevelopment of sheltered units at Alexia House and Parkside, and the development of new build housing at Takeley.

24. Whilst these changes have little impact on the forecast capital spend in 2022/23, they allowed a budget to be set for 2023/24 which does not rely upon reserves to finance

its capital spend, removing the requirement to set aside amounts in the current year to top up the HRA capital reserves.

25. The result is a more sustainable position in the current year, as set out in the table below:

£'000	2021/22 Outturn	2022/23			
		Original Budget	Current Budget	Forecast Outturn	Forecast Variance
Housing Revenue Income					
Total Service Income	(16,056)	(16,832)	(16,832)	(16,474)	358
Total Service Expenditure	4,786	5,126	5,126	6,274	1,148
Total Corporate Costs	8,086	8,354	8,354	8,844	490
OPERATING (SURPLUS)/DEFICIT	(3,184)	(3,352)	(3,352)	(1,356)	1,996
Repayment of HRA loans	2,000	0	0	0	0
Funding of Capital Programme from HRA	2,239	3,590	3,590	3,047	(543)
Use of Reserves	(1,166)	(238)	(238)	(2,284)	(2,046)
Total Use of Reserves/Funding	3,073	3,352	3,352	763	(2,589)
(SURPLUS)/DEFICIT	(111)	0	0	(593)	(593)

HRA Reserves

26. The total balance on HRA revenue reserves (including earmarked reserves) at 1 April 2022 was £3.301 million. The forecast total balance at 31 March 2023 is now £1.610 million. This includes a prudent minimum 'working balance' of £555,000, and other earmarked reserves of £10,000, leaving usable revenue reserves of £1.045 million. HRA revenue reserves are set out in full at Appendix E.

Capital Programme

27. The current budget for the 2022/23 Capital Programme is £45.700 million, and this is made up of the original budget of £36.782 million and slippage of £8.918 million brought forward from 2021/22.
28. The forecast outturn spend is predicted to be £36.064 million, which represents a total net underspend of £9.636 million. It is estimated that year-end slippage requests will total £5.748 million, leaving a residual underspend on the capital budget of £3.888 million.
29. The most significant variances on individual capital projects are as follows:-

General Fund

- An underspend of £4.135 million on development of the commercial property portfolio, of which £914,000 represents retention payments to be paid in future years. Aside from these retention payments, there is currently no further spend anticipated in the Capital Programme, although the Council's Commercial Strategy does allow for future spend on the further development of Chesterford Research Park and/or acquisition of the remainder of Stane Retail Park should the opportunity arise, subject to budget approval being sought at the time.

- An overspend of £1.800 million on the new depot site in relation to car park resurfacing – there was no budget in 2022/23 for any further spend on this site.
- An underspend of £600,000 on superfast broadband – a slippage request is likely to be submitted for the full unspent amount.
- An underspend of £456,000 on the vehicle replacement programme – a slippage request is likely to be submitted for the full unspent amount.
- An underspend of £187,000 on ICT expenditure at new sites – a slippage request is likely to be submitted for the full unspent amount.

Housing Revenue Account

- An underspend of £3.330 million on three planned projects which have now been delayed following a review of the Capital Programme as part of the 2023/24 budget setting process. These are the sheltered accommodation redevelopment schemes at Alexia House and Parkside, and the development of new build housing at Takeley. The approved Capital Programme now includes provision for these projects to resume in 2024/25.
- An underspend of £1.347 million on the sheltered accommodation redevelopment scheme at Walden Place. It is anticipated that the full amount of the underspend will be required in future years.
- Total net underspends of £1.218 million on the repair and maintenance of the existing housing stock (undertaken by Norse), with a slippage request anticipated for the full net amount.
- An overspend of £711,000 on the development of new homes at Great Chesterford.
- An underspend of £638,000 on the purchase of new homes at Woodlands, Great Dunmow, with a slippage request anticipated for the full amount.
- An underspend of £111,000 against the budget allocated for new homes on future sites – a slippage request will be submitted at year-end for the final unspent amount.

30. The full Capital Programme is set out at Appendix F.

Treasury Management

31. Treasury management activities have been carried out in accordance with the Treasury Management Strategy approved by Council in February 2022.

32. For the period from April to December 2022, the Council's weighted average cost of borrowing was 2.10%, whilst the weighted average return on treasury investments was 1.78%. The Council's borrowing over the period is summarised in the table below, while a detailed list of all borrowing and investments is included at Appendix G.

Counterparties	Balance at 1 April 2022 (£)	Balance at 31 December 2022 (£)	Weighted Average Interest Rate (%)
Other Local Authorities	171,000,000	85,500,000	0.97%
Phoenix	36,702,686	36,401,121	2.86%
Public Works Loan Board	78,407,000	158,407,000	3.52%
Total Borrowing	286,109,686	280,308,121	2.10%

33. During the period, the Bank of England base rate increased from 0.75% to 3.50%. It was increased again to 4.00% in February 2023, and the Council's treasury management advisers are forecasting a further increase to 4.25% in March 2023. This has begun to impact upon the Council's cost of borrowing, particularly in relation to loans taken out more recently. In the first nine months of the year the Council has continued to benefit from low rates on fixed term loans agreed in previous years, but as these come to an end and need to be refinanced the cost of borrowing will increase further. It is currently forecast that the Council's average cost of borrowing for the full year will be 2.40%.

Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
Actual income and expenditure will vary from forecast, requiring adjustments to budget and/or service delivery	2 – some variability is inevitable	2 – budget will be closely monitored and prompt action taken to deal with variances	Budgetary Monitoring and regular 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

Appendix A

General Fund Budget Summary

£'000	2021/22 Outturn	2022/23			
		Original Budget	Current Budget	Forecast Outturn	Forecast Variance
Portfolio Budgets					
Communities & Partnerships	1,076	1,066	1,054	1,294	240
Housing & Economic Development	1,489	2,699	2,679	2,119	(560)
Environmental Services	3,993	5,812	5,812	5,249	(563)
Finance & Administration	6,910	7,765	7,978	8,428	450
Airport compensation	0	0	0	2,100	2,100
Subtotal - Portfolio Budgets	13,468	17,342	17,523	19,190	1,667
Corporate Items					
Capital Financing Costs	2,491	1,771	3,906	1,993	(1,913)
IFRS 16 charge	0	80	80	0	(80)
Investment Asset - MRP	181	3,280	3,280	2,211	(1,069)
Investment Asset income	(8,202)	(11,774)	(11,774)	(11,268)	506
Treasury Investment Income	(10)	(8)	(8)	(372)	(364)
Borrowing costs	1,343	2,835	2,835	4,457	1,622
PFI interest cost	360	348	348	348	0
Pension Fund - Added Years	92	85	85	78	(7)
Exceptional corporate item - bad debt	12	0	0	0	0
HRA share of Corporate Core	(372)	(360)	(360)	(361)	(1)
Recharge to HRA	(1,328)	(1,387)	(1,387)	(1,445)	(58)
Subtotal - Corporate Items	(5,433)	(5,130)	(2,995)	(4,359)	(1,364)
Funding					
Council Tax - Collection Fund Balance	55	33	33	33	0
Council Tax - S31 Funding	(134)	(28)	(28)	(47)	(19)
Business Rates - Collection Fund Balance	4,837	(593)	(593)	(593)	0
Business Rates - UDC Share (net of tariff)	(1,112)	(1,477)	(1,477)	(1,477)	0
Business Rates - Levy Payment (safety net reimbursement)	988	724	724	911	187
Business Rates - Renewable Energy Scheme	(134)	(140)	(140)	(140)	0
Business Rates - Section 31 Funding	(3,694)	(2,881)	(2,881)	(3,305)	(424)
New Homes Bonus	(2,823)	(1,343)	(1,343)	(1,343)	0
Rural Services Delivery Grant	(293)	(293)	(293)	(293)	0
Government Support funding	(948)	(1,552)	(1,552)	(1,521)	31
Subtotal - Funding	(3,258)	(7,550)	(7,550)	(7,775)	(225)
Subtotal - Net Operating Expenditure	4,777	4,662	6,978	7,056	78
Net Transfers to/(from) Reserves					
Ringfenced Reserves	(1,291)	979	(1,156)	(658)	498
Core Reserves - Airport Compensation	0	0	0	(2,100)	(2,100)
Core Reserves - Other	792	1,838	1,657	3,433	1,776
Member Priority Reserve	854	(1,075)	(1,075)	(868)	207
Grants Reserve	8	0	0	113	113
Subtotal - Movement in Earmarked Reserves	363	1,742	(574)	(80)	494
COUNCIL TAX REQUIREMENT	5,140	6,404	6,404	6,976	572
Council Tax (precept levied on Collection Fund)	(6,159)	(6,404)	(6,404)	(6,404)	0
OVERALL NET POSITION (Under) / Over spend	(1,019)	0	0	572	572

Portfolio Service Variances**Communities and Partnerships**

£'000	2021/22 Outturn	2022/23			
		Original Budget	Current Budget	Forecast Outturn	Variance
Community Information	35	21	21	23	2
Day Centres	76	95	95	94	(1)
Emergency Planning	32	34	34	38	4
Grants & Contributions	617	518	518	571	53
Leisure & Performance	41	48	36	0	(36)
Saffron Walden Museum	217	238	238	265	27
New Homes Bonus	78	78	78	92	14
Private Finance Init	4	34	34	211	177
Renovation Grants	(24)	0	0	0	0
Portfolio Total	1,076	1,066	1,054	1,294	240

Housing & Economic Development

£'000	2021/22 Outturn	2022/23			
		Original Budget	Current Budget	Forecast Outturn	Variance
Building Surveying	(105)	(40)	(40)	(81)	(41)
Committee Admin	289	311	311	302	(9)
Customer Services Centre	501	612	592	556	(36)
Democratic Represent	323	351	351	335	(16)
Economic Development	181	504	504	366	(138)
Climate Change	62	381	381	106	(275)
Health Improvement	102	193	193	215	22
Homelessness	89	138	138	120	(18)
Lifeline	(136)	0	0	0	0
Communications	183	249	249	200	(49)
Portfolio Total	1,489	2,699	2,679	2,119	(560)

Portfolio Service Variances**Environmental Services**

£'000	2021/22 Outturn	2022/23			
		Original Budget	Current Budget	Forecast Outturn	Variance
Animal Warden	3	7	7	7	0
Grounds Maintenance	407	373	373	366	(7)
Car Park	(474)	(458)	(458)	(445)	13
Development Control	(506)	591	591	607	16
Depots	60	65	65	36	(29)
Street Cleansing	390	425	425	430	5
Housing Strategy	57	60	60	64	4
Highways	(3)	7	7	10	3
Local Amenities	(14)	(12)	(12)	(13)	(1)
Licensing	(186)	(206)	(206)	(80)	126
Vehicle Management	457	477	477	502	25
Public Health	580	758	758	442	(316)
Planning Management	389	467	467	473	6
Planning Policy	1,274	1,931	1,931	1,294	(637)
Planning Specialists	240	218	218	225	7
Waste Management	720	428	428	656	228
Community Safety	315	383	383	364	(19)
Street Services	284	298	298	311	13
Portfolio Total	3,993	5,812	5,812	5,249	(563)

Portfolio Service Variances

£'000	2021/22 Outturn	2022/23			
		Original Budget	Current Budget	Forecast Outturn	Variance
Asset Management	165	95	95	318	223
Benefits Admin	239	343	343	334	(9)
Contract, Performance and Risk Management	0	0	44	34	(10)
Corporate Management	1,557	1,724	1,822	1,756	(66)
Central Services	350	432	432	410	(22)
Conducting Elections	(40)	0	0	7	7
Electoral Registration	34	35	35	38	3
Financial Services	1,154	1,210	1,099	1,350	251
Housing Benefits	(44)	149	149	165	16
Human Resources	333	383	383	337	(46)
Internal Audit	157	162	162	137	(25)
Information Technology	1,593	1,710	1,710	1,742	32
Land Charges	(53)	(57)	(57)	(43)	14
Legal Services	461	325	325	479	154
Local Taxation	(44)	(100)	(100)	(90)	10
Norse Partnership	379	409	409	410	1
Non Domestic Rates	(130)	(146)	(146)	(143)	3
Offices	398	406	406	635	229
Revenues Admin	443	739	739	683	(56)
Council Tax Discounts	(42)	(54)	128	(131)	(259)
Portfolio Total	6,910	7,765	7,978	8,428	450

Appendix B

General Fund Variances

Direct Services - Overspends >£30,000	Forecast Variance £'000	Commentary
Financial Services	251	Includes £196k overspend on staff costs due to use of agency staff to fill hard to recruit vacancies and one-off reorganisation costs. Also includes £55k overspend on treasury management costs due mainly to increased borrowing activity in year.
Offices	229	Mainly underachievement of rental income from Canfield site, due to voids at start of the year and ongoing delays to planning which is required for full revenue realisation.
Waste Management	228	Includes £115k overspend on staff costs due mainly to use of agency staff to cover vacancies during the year, £60k overspend on contract vehicle hire, and £46k overspend on diesel.
Asset Management	223	Mainly due to overspend on repairs and maintenance of operational estate.
Private Finance Init	177	Additional support to operator in respect of increased utility costs, plus higher than budgeted inflationary increases to other contract costs.
Legal Services	154	Includes £122k overspend on staff costs due mainly to the use of agency staff to fill hard to recruit vacancies, and £55k overspend on external legal and consultancy fees due mainly to Code of Conduct investigations conducted in year.
Licensing	126	Mainly due to underachievement of taxi licensing income as volume of work has still not returned to pre-Covid levels.
Grants & Contributions	53	Includes £56k of major sports and other community grants rolled forward from 2021/22 - to be funded from prior year underspend set aside in reserves.
Information Technology	32	Includes net overspend of £33k on communication costs (telephone and broadband), due in part to the late billing of 2021/22 amounts which were not accrued in the prior year, and other contractual changes.

Direct Services - Underspends >£30,000	Forecast Variance £'000	Commentary
Planning Policy	(637)	Includes £603k underspend due to delays to Local Plan - this will be transferred to the Sustainable Communities reserve for use in future years. Also includes underspend of £35k on Neighbourhood Plans which will again be transferred to reserves.
Public Health	(316)	Includes £372k of unbudgeted government grant income including grants for transitional funding, air quality and asylum seekers. Some of this will be used to support additional spend in year, whilst £213k will be transferred to reserves to be spent in future years. Also £36k overachievement of food inspection income relating mainly to additional inspections of green beans. Offset against this is an overspend of £78k on Commercial Team staff costs arising mainly from use of agency staff to cover vacancies.
Climate Change	(275)	Includes £232k slippage against 3 year Climate Change Programme - unspent amount will remain in reserves to be spent in future years. Also underspend of £40k on core salary budget due to this being funded from the air quality budget under Public Health.
Council Tax Discounts	(259)	Includes £226k forecast overachievement of income from preceptor shareback scheme (due to higher than budgeted collection of council tax), and £36k underspend on local council tax discounts.
Economic Development	(138)	Includes £111k slippage against 3 year Economic Development Programme - unspent amount will remain in reserves to be spent in future years.
Corporate Management	(66)	Budget includes £250k central provision for staff pay award which is no longer required as pay award has been actioned and costs reflected in individual service centres. Taking this out leaves an underlying overspend of £183k, which includes £139k on staff costs and consultancy (including one-off severance costs and use of agency staff to cover in-year vacancies), and £35k on unbudgeted legal costs.
Revenues Admin	(56)	Mainly due to receipt of additional new burdens grant funding not included in the budget.
Communications	(49)	Includes £31k underspend on staff costs as a result of in-year vacancies.
Human Resources	(46)	Mainly due to underspend on staff costs as a result of a vacancy in year.
Building Surveying	(41)	Includes £59k overachievement of fee income due to increased volume of work.
Leisure & Performance	(36)	Nil costs in year due to staff vacancy.
Customer Services Centre	(36)	Includes £54k underspend on staff costs due to in-year vacancies.

Appendix C

General Fund Reserves

£'000	Balance 1 April 2022	Transfer From General Fund	Transfer to General Fund	Transfer Between Reserves	Balance 31 March 2023
<u>Ringfenced Reserves</u>					
Business Rates	4,571	831	0	0	5,402
Capital Slippage	2,350	45	(547)	(1,126)	722
Licensing	66	0	(21)	0	45
Leisure/Private Finance Initiative	1,102	0	0	0	1,102
Working Balance	1,517	160	0	0	1,677
TOTAL RINGFENCED RESERVES	9,606	1,036	(568)	(1,126)	8,948
<u>Core Reserves</u>					
Commercial Assets	1,060	2,200	0	740	4,000
Medium Term Financial Strategy	6,432	25	(970)	1,001	6,488
Strategic Initiatives	1,663	0	(1,663)	0	0
Total Core Reserves	9,155	2,225	(2,633)	1,741	10,488
<u>Member Priorities</u>					
Economic Development	1,484	0	(219)	(615)	650
Planning	794	20	(93)	0	721
Sustainable Communities	1,470	0	(117)	0	1,353
Major Sports Facilities	105	0	(50)	(55)	0
Climate change	625	320	(108)	0	837
Voluntary Sector	41	0	(6)	0	35
Coronation Celebration Grants	0	0	0	55	55
Total Member Priorities	4,519	340	(593)	(615)	3,651
<u>Grants</u>					
Homelessness	357	0	(59)	0	298
Health & Wellbeing	186	24	(81)	0	129
Air Quality	0	121	0	0	121
Public Health	0	92	0	0	92
Elections	0	16	0	0	16
Total Grants	543	253	(140)	0	656
TOTAL USABLE RESERVES	14,217	2,818	(3,366)	1,126	14,795
NET FORECAST OVERSPEND	0	0	(572)	0	(572)
TOTAL RESERVES	23,823	3,854	(4,506)	0	23,171

Appendix D

Housing Revenue Account Summary

£'000	2021/22 Outturn	2022/23			
		Original Budget	Current Budget	Forecast Outturn	Forecast Variance
Housing Revenue Income					
Dwelling Rents	(14,817)	(15,553)	(15,553)	(15,232)	321
Garage Rents	(222)	(225)	(225)	(222)	3
Other Rents etc	0	(1)	(1)	(5)	(4)
Charges for Services & Facilities	(1,016)	(987)	(987)	(1,015)	(28)
Contributions towards Expenditure	(1)	(66)	(66)	0	66
TOTAL INCOME	(16,056)	(16,832)	(16,832)	(16,474)	358
Housing Finance & Business Management					
Rents, Rates & Other Property Charges	104	78	78	118	40
	104	78	78	118	40
Housing Maintenance & Repairs Service					
Common Service Flats	176	256	256	461	205
Estate Maintenance	1	2	2	1	(1)
Housing Sewerage	16	16	16	19	3
Newport Depot	4	5	5	3	(2)
Property Services	86	49	49	993	944
Housing Repairs (Norse Services)	3,371	3,743	3,743	3,699	(44)
Housing Repairs (Other)	58	0	0	0	0
	3,712	4,071	4,071	5,176	1,105
Housing Management & Homelessness					
Housing Services	491	516	516	532	16
Sheltered Housing Services	479	461	461	448	(13)
	970	977	977	980	3
Total Service Expenditure	4,786	5,126	5,126	6,274	1,148
Other Costs					
Bad Debt Provision	(1)	100	100	23	(77)
Depreciation - Dwellings (to MRR)	3,751	3,935	3,935	4,445	510
Depreciation - Non-Dwellings (to MRR)	137	22	22	178	156
Interest/Costs re HRA Loan	2,574	2,570	2,570	2,581	11
Investment Income	(3)	(10)	(10)	(115)	(105)
Uttlesford Norse Partnership Profit Share	(69)	0	0	(74)	(74)
Pension Costs - Added Years	18	0	0	16	16
Recharge from General Fund	1,328	1,387	1,387	1,445	58
HRA Share of Corporate Core	372	360	360	361	1
Right to Buy Admin Allowance	(21)	(10)	(10)	(16)	(6)
Total Non-Service Expenditure	8,086	8,354	8,354	8,844	490
TOTAL EXPENDITURE	12,872	13,480	13,480	15,118	1,638
OPERATING (SURPLUS)/DEFICIT	(3,184)	(3,352)	(3,352)	(1,356)	1,996
MRP - Repayment of HRA Loan	2,000	0	0	0	0
Funding of Capital Programme from HRA					
Capital Schemes Funded from Revenue	2,239	3,590	3,590	3,047	(543)
	2,239	3,590	3,590	3,047	(543)
Transfers to/from Reserves					
Capital Projects	0	(270)	(270)	(884)	(614)
HRA Slippage Reserve	(1,166)	0	0	(1,484)	(1,484)
Working Balance	0	32	32	84	52
Movement in Reserves	(1,166)	(238)	(238)	(2,284)	(2,046)
(SURPLUS)/DEFICIT	(111)	0	0	(593)	(593)

Appendix E

Housing Revenue Account Reserves

Reserve	Balance	Transfer from HRA	Transfer to HRA	Transfer between Reserves	Balance
£'000	1 April 2022				31 March 2023
<u>RINGFENCED RESERVES</u>					
Working Balance	471	84	0	0	555
TOTAL RINGFENCED RESERVES	471	84	0	0	555
<u>USABLE RESERVES</u>					
Revenue Reserves	292	0	0	0	292
Revenue Projects	160	0	0	0	160
	452	0	0	0	452
<u>Capital Reserves</u>					
Capital Projects	884	0	(884)	0	0
Potential Projects Reserve	10	0	0	0	10
HRA Slippage Reserve	1,484	0	(1,484)	0	0
	2,378	0	(2,368)	0	10
TOTAL USABLE RESERVES	2,830	0	(2,368)	0	462
NET FORECAST UNDERSPEND	0	593	0	0	593
TOTAL RESERVES	3,301	677	(2,368)	0	1,610

Capital Programme Expenditure Summary

SCHEME	ORIGINAL BUDGET 2022/23	SLIPPAGE FROM 2021/22	VIREMENTS 2022/23	CURRENT BUDGET 2022/23	FORECAST	FORECAST TO BUDGET VARIANCE	FORECAST SLIPPAGE TO 2023/24
Communities & Partnerships	110	71	0	181	151	(30)	40
Environmental Services	365	1,156	0	1,521	1,123	(398)	456
Finance & Administration	260	1,200	0	1,460	2,926	1,466	424
Housing and Economic Development	280	613	0	893	288	(605)	600
Commercial Investments	26,792	1,098	0	27,890	23,755	(4,135)	914
Total General Fund	27,807	4,138	0	31,945	28,243	(3,702)	2,434
Housing Revenue Account	8,975	4,780	0	13,755	7,821	(5,934)	3,314
TOTAL CAPITAL PROGRAMME	36,782	8,918	0	45,700	36,064	(9,636)	5,748

Capital Programme Financing Summary

£'000	GENERAL FUND	HOUSING REVENUE ACCOUNT	TOTAL
Borrowing	23,723	0	23,723
Grants and Contributions	268	0	268
Revenue Contribution (RCCO)	503	679	1,182
Internal Borrowing	2,613	0	2,613
Reserves	557	2,368	2,925
S106	18	0	18
Capital Receipts	561	1,656	2,217
Major Repairs Reserve	0	3,118	3,118
TOTAL FINANCING	28,243	7,821	36,064

Appendix F continued...

Capital Programme General Fund

SCHEME	ORIGINAL BUDGET 2022/23	SLIPPAGE FROM 2021/22	VIREMENTS 2022/23	CURRENT BUDGET 2022/23	FORECAST	FORECAST TO BUDGET VARIANCE	FORECAST SLIPPAGE TO 2023/24
GENERAL FUND							
COMMUNITY AND PARTNERSHIPS							
Community Project Grants	110	71	0	181	141	(40)	40
Tree Planting	0	0	0	0	10	10	0
TOTAL COMMUNITY AND PARTNERSHIPS	110	71	0	181	151	(30)	40
ENVIRONMENTAL SERVICES							
Vehicle Replacement Programme	240	1,066	0	1,306	850	(456)	456
Household Bins	70	0	0	70	86	16	0
Kitchen Caddies	10	0	0	10	16	6	0
Garden Waste Bins	20	0	0	20	28	8	0
Trade Waste Bins	10	0	0	10	39	29	0
Car Parking Machine Replacement	0	65	0	65	64	(1)	0
Electric Car Chargers	15	0	0	15	15	0	0
White Street Car Park	0	25	0	25	25	0	0
TOTAL ENVIRONMENTAL SERVICES	365	1,156	0	1,521	1,123	(398)	456

Capital Programme General Fund

SCHEME	ORIGINAL BUDGET 2022/23	SLIPPAGE FROM 2021/22	VIREMENTS 2022/23	CURRENT BUDGET 2022/23	FORECAST	FORECAST TO BUDGET VARIANCE	FORECAST SLIPPAGE TO 2023/24
FINANCE AND ADMINISTRATION							
ICT							
Minor Items IT	20	0	0	20	38	18	0
PCI Compliance	20	40	0	60	20	(40)	0
PSN CoCo	30	0	0	30	82	52	0
Asset Management System	0	30	0	30	30	0	0
Cyber Security	20	72	0	92	4	(88)	88
Grounds Maintenance & Vehicle Systems	0	43	0	43	0	(43)	43
Licensing - Lalpac to Idox Uni	0	0	0	0	9	9	0
Scanner Replacement & Postal Software	0	57	0	57	50	(7)	7
Sharepoint	0	18	0	18	18	0	0
Wifi	0	36	0	36	16	(20)	20
Northgate Housing Assets	0	20	0	20	0	(20)	0
Corporate Mobile Refresh	0	37	0	37	37	0	0
ICT - New Sites	0	326	0	326	139	(187)	187
Cloud Telephone system	49	0	0	49	20	(29)	29
Web-to-Print Solutions	0	9	0	9	7	(2)	0
Appoitment Reservation	0	0	0	0	7	7	0
Video Conferencing	0	0	0	0	(2)	(2)	0
Telephony System (8x8)	0	0	0	0	(7)	(7)	0
Sub Total	139	688	0	827	468	(359)	374
Council Asset Works							
Council Offices Improvements (General)	96	189	0	285	285	0	0
New Depot Site	0	0	0	0	1,800	1,800	0
Day Centre Cyclical Improvements	25	0	0	25	25	0	0
Swan Meadow Car Park Resurface	0	240	0	240	240	0	0
Museum Boiler	0	33	0	33	90	57	0
London Road - Fire Alarm Upgrade	0	50	0	50	0	(50)	50
Section 106 agreements	0	0	0	0	18	18	0
Sub Total	121	512	0	633	2,458	1,825	50
TOTAL FINANCE AND ADMINISTRATION	260	1,200	0	1,460	2,926	1,466	424

Appendix F continued...

Capital Programme General Fund

SCHEME	ORIGINAL BUDGET 2022/23	SLIPPAGE FROM 2021/22	VIREMENTS 2022/23	CURRENT BUDGET 2022/23	FORECAST	FORECAST TO BUDGET VARIANCE	FORECAST SLIPPAGE TO 2023/24
HOUSING AND ECONOMIC DEVELOPMENT							
Disabled Facilities Grants	200	0	0	200	255	55	0
Empty Dwellings	10	13	0	23	7	(16)	0
Private Sector Renewal Grant	70	0	0	70	20	(50)	0
Compulsory Purchase Order	0	0	0	0	6	6	0
Superfast Broadband	0	600	0	600	0	(600)	600
TOTAL HOUSING AND ECONOMIC DEVELOPMENT	280	613	0	893	288	(605)	600
INVESTMENTS							
Investments	26,792	1,098	0	27,890	23,755	(4,135)	914
TOTAL INVESTMENTS	26,792	1,098	0	27,890	23,755	(4,135)	914

Appendix F continued...

Capital Programme Housing Revenue Account

SCHEME	ORIGINAL BUDGET 2022/23	SLIPPAGE FROM 2021/22	VIREMENTS 2022/23	CURRENT BUDGET 2022/23	FORECAST	FORECAST TO BUDGET VARIANCE	FORECAST SLIPPAGE TO 2023/24
HOUSING REVENUE ACCOUNT							
Cash Incentive Scheme Grants	50	41	0	91	50	(41)	0
TOTAL	50	41	0	91	50	(41)	0
RTB SCHEMES							
The Moors	0	75	0	75	34	(41)	0
Thaxted Road	0	1,861	0	1,861	1,899	38	0
Great Chesterford	0	371	0	371	1,082	711	0
Gold Close	0	0	0	0	8	8	0
Future sites	2,000	0	(1,900)	100	100	0	0
Takeley	500	0	0	500	50	(450)	0
Woodlands, Gt Dunmow	0	0	1,789	1,789	1,151	(638)	638
Garden Sites	0	0	111	111	0	(111)	111
TOTAL RTB SCHEMES	2,500	2,307	0	4,807	4,324	(483)	749
SHELTERED SCHEMES							
Hatherley Court	0	0	0	0	35	35	0
Walden Place	0	1,641	0	1,641	294	(1,347)	1,347
Alexia House	1,400	0	0	1,400	0	(1,400)	0
Parkside	1,480	0	0	1,480	0	(1,480)	0
TOTAL SHELTERED SCHEMES	2,880	1,641	0	4,521	329	(4,192)	1,347
HRA - UTTLESFORD NORSE							
HRA Repairs	3,445	790	0	4,235	3,059	(1,176)	1,176
UPVC Fascias and Guttering	100	(6)	0	94	53	(41)	41
Resurfacing Access Road	0	(3)	0	(3)	6	9	(9)
Lift Replacement	0	10	0	10	0	(10)	10
TOTAL UTTLESFORD NORSE	3,545	791	0	4,336	3,118	(1,218)	1,218

Appendix F continued...

Section 106

With Conditions	Balance at 1 April 2022 £'000	Income £'000	Adjustment £'000	Drawn Down - Capital £'000	Balance at 31 Dec 2022 £'000
S106 Receipts in Advance					
Priors Green, Takeley	78	-	-	-	78
Land north of Ingrams, Felsted	10	-	-	-	10
Rochford Nurseries/Foresthall Park, Stansted	20	-	-	(18)	2
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	322	-	-	-	322
Land North side of Stansted Road Elsenham	377	-	-	-	377
Land South of Stansted Road, Elsenham	330	-	-	-	330
Total	1,459	-	-	(18)	1,441

Other Bodies	Balance at 1 April 2022 £'000	Income £'000	Adjustment £'000	Transferred to other bodies £'000	Balance at 31 Dec 2022 £'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	1	-	-	-	1
Ashdon Road Commercial Centre	34	-	-	(6)	28
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 at Elsenham Nurseries	14	-	-	-	14
Bury Water Lane, Newport	26	-	-	-	26
Walpole Farm, Cambridge Road, Stansted	53	-	-	-	53
14 Stortford Road, Gt Dunmow	35	-	-	-	35
Land west of Woodside Way, Gt Dunmow	264	-	-	-	264
Land west of Parsonage Road, Takeley	-	62	-	-	62
Grants and Contributions to Other Bodies	835	62	-	(6)	891

Without Conditions	Balance at 1 April 2022 £'000	Income £'000	Adjustment £'000	Drawn Down - Capital £'000	Balance at 31 Dec 2022 £'000
S106 Unapplied					
Affordable Housing	813	-	-	-	813
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	1,026	-	-	-	1,026

Appendix G

Treasury Management Investments April – December 2022

Date of Investment	Counterparty	Amount (£)	Date of Repayment	Interest Rate %
11-Jun-21	Thurrock Borough Council	2,000,000	10-Jun-22	0.55%
17-Jan-22	DMO	3,000,000	15-Jul-22	0.55%
21-Feb-22	North Lanarkshire Council	3,000,000	21-Nov-22	0.55%
30-Mar-22	DMO	10,600,000	01-Apr-22	0.55%
01-Apr-22	DMO	7,400,000	04-Apr-22	0.55%
05-Apr-22	DMO	1,000,000	12-Apr-22	0.55%
12-Apr-22	DMO	1,150,000	14-Apr-22	0.55%
19-Apr-22	DMO	2,500,000	21-Apr-22	0.55%
03-May-22	DMO	1,000,000	10-May-22	0.77%
16-May-22	DMO	3,000,000	19-May-22	0.80%
10-Jun-22	DMO	2,000,000	24-Jun-22	0.99%
15-Jun-22	DMO	3,200,000	16-Jun-22	0.80%
24-Jun-22	DMO	2,000,000	26-Sep-22	1.30%
15-Jul-22	DMO	1,300,000	19-Jul-22	1.05%
15-Jul-22	DMO	3,000,000	17-Oct-22	1.56%
15-Aug-22	DMO	3,400,000	18-Aug-22	1.55%
05-Sep-22	DMO	3,250,000	06-Sep-22	1.55%
06-Sep-22	DMO	2,000,000	08-Sep-22	1.55%
22-Sep-22	DMO	5,000,000	12-Oct-22	2.00%
22-Sep-22	DMO	8,000,000	19-Oct-22	2.00%
22-Sep-22	DMO	6,000,000	20-Oct-22	2.00%
22-Sep-22	DMO	4,000,000	21-Oct-22	2.00%
29-Sep-22	DMO	50,000,000	06-Oct-22	1.96%
30-Sep-22	Cheshire East Borough Council	2,000,000	16-Dec-22	2.65%
06-Oct-22	DMO	50,000,000	13-Oct-22	1.95%
12-Oct-22	DMO	1,600,000	17-Oct-22	1.95%
13-Oct-22	DMO	50,000,000	20-Oct-22	1.95%
17-Oct-22	DMO	4,000,000	07-Nov-22	2.04%
20-Oct-22	DMO	7,000,000	24-Oct-22	1.85%
20-Oct-22	DMO	34,000,000	27-Oct-22	1.85%
20-Oct-22	DMO	9,000,000	28-Oct-22	1.85%
27-Oct-22	DMO	20,000,000	21-Nov-22	2.34%
27-Oct-22	DMO	14,000,000	30-Nov-22	2.42%
01-Nov-22	DMO	4,500,000	17-Nov-22	2.45%
07-Nov-22	DMO	5,000,000	14-Nov-22	2.65%
14-Nov-22	DMO	5,000,000	21-Nov-22	2.70%
15-Nov-22	DMO	3,000,000	21-Nov-22	2.67%
21-Nov-22	DMO	6,000,000	28-Nov-22	2.70%
28-Nov-22	DMO	6,000,000	05-Dec-22	2.80%
30-Nov-22	DMO	10,000,000	08-Dec-22	2.80%
01-Dec-22	DMO	5,000,000	19-Dec-22	2.89%
05-Dec-22	DMO	6,000,000	13-Dec-22	2.82%
13-Dec-22	DMO	1,050,000	20-Dec-22	3.10%
15-Dec-22	London Borough of Newham	3,000,000	15-Jun-23	3.80%
20-Dec-22	Woking Borough Council	3,000,000	20-Jun-23	3.80%
Weighted average interest rate for period				<u>1.78%</u>

Money Market Funds

Fund Name	Opening Balance (£) 01/04/2022	Closing Balance (£) 31/12/2022	No. of days invested	Average 1 day yield
Aberdeen Standard Liquidity Fund (Lux) - Sterling Fund	450,000	1,800,000	275	1.70%
Aviva Investors Sterling Liquidity Fund	750,000	1,250,000	275	1.63%
CCLA - The Public Sector Deposit Fund	800,000	1,750,000	275	1.64%
Federated Short-Term Sterling Prime Fund	450,000	1,300,000	275	1.68%
Invesco Sterling Liquidity Portfolio (Institutional)	0	1,060,000	273	1.69%

Borrowing April – December 2022

Other Local Authorities

Date of borrowing	Institution	Amount (£)	Date of Repayment	Interest Rate %
18-Jun-20	Oxfordshire County Council	5,000,000	19-Jun-23	1.20%
30-Jun-20	Gloucestershire County Council	5,000,000	30-Jun-22	0.95%
24-Nov-20	Guildford Borough Council	3,000,000	24-May-22	0.45%
24-Nov-20	Spelthorne Borough Council	5,000,000	24-May-22	0.45%
20-Apr-21	West Yorkshire Combined Authority	3,500,000	12-Apr-22	0.12%
21-Apr-21	Devon County Council	2,500,000	20-Apr-22	0.13%
21-Apr-21	Hampshire County Council	3,000,000	20-Apr-22	0.13%
30-Apr-21	Brighton & Hove City Council	4,000,000	29-Apr-22	0.13%
30-Apr-21	London Borough of Newham	5,000,000	29-Apr-22	0.13%
02-Jun-21	St. Helens M.B.C	5,000,000	01-Jun-22	0.25%
07-Jun-21	Derbyshire County Council	11,500,000	06-Jun-22	0.35%
12-Aug-21	Vale of Glamorgan Council	2,000,000	11-Aug-22	0.06%
09-Sep-21	Middlesbrough Teeside Pension Fund	7,000,000	08-Sep-22	0.10%
09-Sep-21	Newcastle Upon Tyne, North Tyneside Authority	10,000,000	08-Sep-22	0.12%
09-Sep-21	West of England Combined Authority	10,000,000	08-Sep-22	0.12%
14-Sep-21	Crawley Borough Council	5,000,000	13-Sep-22	0.20%
14-Sep-21	East Sussex County Council	5,000,000	13-Sep-22	0.25%
14-Sep-21	Lancashire County Council	10,000,000	13-Sep-22	0.30%
14-Sep-21	West Midlands Combined Authority	10,000,000	13-Sep-22	0.20%
23-Sep-21	West Yorkshire Combined Authority	6,000,000	25-Jul-22	0.06%
21-Oct-21	Hyndburn Borough Council	2,000,000	17-Oct-22	0.15%
21-Oct-21	New Forest District Council	1,000,000	17-Oct-22	0.15%
22-Nov-21	Camb. & Peterborough Combined Authority	7,000,000	24-Oct-22	0.35%
22-Nov-21	Bridgend County Borough Council	3,000,000	21-Nov-22	0.25%
22-Nov-21	Flyde Borough Council	2,000,000	21-Nov-22	0.35%
22-Nov-21	Police & Crime Commissioner for Avon & Somerset	2,000,000	21-Nov-22	0.40%
22-Nov-21	Ryedale District Council	2,000,000	21-Nov-22	0.35%
22-Nov-21	Somerset County Council Pension Fund	5,000,000	21-Nov-22	0.40%
Continued...				

Date of borrowing	Institution	Amount (£)	Date of Repayment	Interest Rate %
02-Dec-21	Comhairle Nan Eilean Siar	3,000,000	21-Nov-22	0.20%
21-Jan-22	West Yorkshire Combined Authority	4,000,000	21-Nov-22	0.25%
17-Feb-22	Scarborough Borough Council	3,000,000	04-Apr-22	0.32%
08-Mar-22	Scarborough Borough Council	5,000,000	01-Aug-22	0.68%
17-Mar-22	Greater Manchester Pension Fund	2,000,000	03-May-22	0.50%
28-Mar-22	Newport City Council	3,000,000	04-Apr-22	0.59%
30-Mar-22	Vale of Glamorgan Council	1,500,000	03-May-22	0.58%
30-Mar-22	West Midlands Combined Authority	8,000,000	30-Sep-22	0.85%
12-Apr-22	West Yorkshire Combined Authority	3,500,000	12-Oct-22	0.85%
20-Apr-22	Barnsley Metropolitan Borough Council	5,500,000	20-Oct-22	0.85%
21-Apr-22	Bedford Borough Council	2,000,000	15-Jul-22	0.79%
21-Apr-22	City and County of Swansea	4,500,000	21-Oct-22	0.94%
29-Apr-22	London Borough of Newham	5,000,000	28-Oct-22	0.90%
29-Apr-22	London Borough of Newham	4,000,000	28-Oct-22	0.90%
03-May-22	Mid Devon District Council	2,000,000	01-Aug-22	0.86%
19-May-22	Cheshire West & Chester Council	2,000,000	07-Jun-22	0.82%
19-May-22	Cheshire West & Chester Council	3,000,000	01-Jul-22	0.85%
24-May-22	London Borough of Newham	8,000,000	23-May-23	1.20%
06-Jun-22	Barnsley Metropolitan Borough Council	5,000,000	06-Dec-22	1.21%
06-Jun-22	London Borough of Waltham Forest	5,000,000	06-Dec-22	1.21%
06-Jun-22	Vale of Glamorgan Council	1,500,000	06-Dec-22	1.21%
20-Jun-22	Cheshire West & Chester Council	1,000,000	27-Jun-22	1.07%
20-Jun-22	Cheshire West & Chester Council	2,000,000	01-Jul-22	1.07%
30-Jun-22	Local Government Association	1,500,000	29-Jun-23	1.30%
30-Jun-22	Local Government Association	1,500,000	29-Jun-23	1.30%
30-Jun-22	Salford City Council	2,000,000	29-Jun-23	1.30%
21-Jul-22	Greater Manchester Combined Authority	6,500,000	28-Jul-22	1.07%
25-Jul-22	West Yorkshire Combined Authority	6,000,000	07-Jun-23	1.25%
28-Jul-22	Greater Manchester Combined Authority	6,500,000	11-Aug-22	1.27%
11-Aug-22	Liverpool City Region Combined Authority	4,500,000	18-Aug-22	1.57%
11-Aug-22	Middlesbrough Council	4,000,000	18-Aug-22	1.57%
18-Aug-22	Blaenau Gwent Borough Council	5,000,000	08-Sep-22	1.57%
18-Aug-22	Scarborough Borough Council	5,000,000	08-Sep-22	1.57%
22-Aug-22	Bedford Borough Council	3,000,000	01-Sep-22	1.57%
05-Sep-22	Middlesbrough Borough Council	5,000,000	30-Nov-22	2.15%
08-Sep-22	Cheshire West & Chester Council	5,000,000	08-Dec-22	2.17%
08-Sep-22	Torfaen County Borough Council	5,000,000	08-Dec-22	2.17%
08-Sep-22	Buckinghamshire Council	10,000,000	04-Aug-23	3.00%
08-Sep-22	Blaenau Gwent Borough Council	5,000,000	07-Sep-23	3.00%
08-Sep-22	Northern Ireland Housing Executive	10,000,000	07-Sep-23	3.00%
13-Sep-22	Crawley Borough Council	5,000,000	13-Dec-22	2.20%
13-Sep-22	South Ribble Borough Council	3,000,000	07-Sep-23	3.00%
13-Sep-22	East Sussex County Council	5,000,000	12-Sep-23	3.00%
13-Sep-22	South Lakeland District Council	3,000,000	12-Sep-23	3.00%
13-Sep-22	South Oxfordshire District Council	7,000,000	12-Sep-23	3.00%
20-Sep-22	Scarborough Borough Council	2,000,000	03-Oct-22	1.78%
30-Sep-22	Rotherham Metropolitan Borough	7,000,000	30-Nov-22	2.05%
30-Nov-22	West Midlands Combined Authority	7,000,000	29-Nov-23	3.05%
06-Dec-22	West Midlands Combined Authority	11,500,000	05-Dec-23	1.80%
Weighted average interest rate				0.97%

Phoenix

Date of borrowing	Loan Type	Initial Loan Amount (£)	Loan Period	Loan Balance at 1 April 2022	Loan Balance at 31 Dec 2022	Date of Final Repayment	Interest Rate %
05-Jul-17	Annuity	10,000,000	40 years	9,919,645	9,838,141	05-Jul-57	2.86%
06-Jul-20	Annuity	12,000,000	37 years	11,903,574	11,805,769	05-Jul-57	2.86%
05-Jul-21	Annuity	15,000,000	36 years	14,879,467	14,757,211	05-Jul-57	2.86%
Weighted average interest rate for period							2.86%

Public Works Loan Board

Date of borrowing	Loan Type	Initial Loan Amount (£)	Loan Period	Loan Balance at 1 April 2022	Loan Balance at 31 Dec 2022	Date of Final Repayment	Interest Rate %
28-Mar-12	Maturity	2,000,000	11 years	2,000,000	2,000,000	28-Mar-23	2.56%
28-Mar-12	Maturity	3,000,000	12 years	3,000,000	3,000,000	28-Mar-24	2.70%
28-Mar-12	Maturity	3,000,000	13 years	3,000,000	3,000,000	28-Mar-25	2.82%
28-Mar-12	Maturity	3,000,000	14 years	3,000,000	3,000,000	28-Mar-26	2.92%
28-Mar-12	Maturity	3,000,000	15 years	3,000,000	3,000,000	28-Mar-27	3.01%
28-Mar-12	Maturity	3,000,000	16 years	3,000,000	3,000,000	28-Mar-28	3.08%
28-Mar-12	Maturity	3,000,000	17 years	3,000,000	3,000,000	28-Mar-29	3.15%
28-Mar-12	Maturity	4,000,000	18 years	4,000,000	4,000,000	28-Mar-30	3.21%
28-Mar-12	Maturity	4,000,000	19 years	4,000,000	4,000,000	28-Mar-31	3.26%
28-Mar-12	Maturity	4,000,000	20 years	4,000,000	4,000,000	28-Mar-32	3.30%
28-Mar-12	Maturity	4,000,000	21 years	4,000,000	4,000,000	28-Mar-33	3.34%
28-Mar-12	Maturity	4,000,000	22 years	4,000,000	4,000,000	28-Mar-34	3.37%
28-Mar-12	Maturity	4,000,000	23 years	4,000,000	4,000,000	28-Mar-35	3.40%
28-Mar-12	Maturity	4,000,000	24 years	4,000,000	4,000,000	28-Mar-36	3.42%
28-Mar-12	Maturity	5,000,000	25 years	5,000,000	5,000,000	28-Mar-37	3.44%
28-Mar-12	Maturity	5,000,000	26 years	5,000,000	5,000,000	28-Mar-38	3.46%
28-Mar-12	Maturity	5,000,000	27 years	5,000,000	5,000,000	28-Mar-39	3.47%
28-Mar-12	Maturity	5,000,000	28 years	5,000,000	5,000,000	28-Mar-40	3.48%
28-Mar-12	Maturity	5,000,000	29 years	5,000,000	5,000,000	28-Mar-41	3.49%
28-Mar-12	Maturity	5,407,000	30 years	5,407,000	5,407,000	28-Mar-42	3.50%
22-Sep-22	Annuity	30,000,000	49 years	-	30,000,000	22-Sep-71	4.28%
29-Sep-22	Maturity	50,000,000	8 years	-	50,000,000	27-Sep-30	4.16%
Weighted average interest rate for period							3.52%

Committee:	Cabinet	Date:	16 March 2023
Title:	Housing Revenue Account 2023/24 – Update		
Portfolio Holder:	Portfolio Holder for Finance and Budget		
Report Author:	Jody Etherington, Assistant Director of Finance JEtherington@uttlesford.gov.uk	Key decision:	Y

Summary

1. In August 2022, the Council referred itself to the Regulator for Social Housing in respect of a potential breach of the Home Standard. Since then, significant work has been undertaken at speed in order to identify, understand and rectify the underlying issues in accordance with a detailed 'Path to Compliance Action Plan' (see Appendix C).
2. In addition, in December 2022, the Council committed to undertake a full stock condition survey of its entire housing stock. This was primarily to understand the extent of any issues concerning damp and mould, which has been a focus of all landlords nationally following the tragic death of Awaab Ishak in Rochdale. This work commenced in January 2023, and although it is not anticipated to conclude until early 2023/24, interim findings have now allowed officers to begin to project the cost implications to the Housing Revenue Account (HRA) of dealing with the sizeable number of category 1 and 2 hazards (i.e. the most serious types) which have been identified.
3. The pace of all of this work has been such that the full financial implications were not fully developed at the time of setting the Housing Revenue Account (HRA) budget for 2023/24. As such, the revenue budget which was approved by Council is no longer sufficient to support the level of service which the Council's tenants deserve and require.
4. Cabinet is therefore recommended to approve additional one-off revenue expenditure of up to £1 million during 2023/24, to be funded by a reduction in revenue contributions to capital. This is set out in further detail throughout this report.
5. During 2023/24, a full review of the HRA revenue budget will be undertaken with an aim of returning to an annual breakeven position in the medium-term – this will take place alongside the ongoing refresh of the 30 Year Business Plan.

Recommendations

6. Cabinet is recommended to:
- approve additional one-off HRA revenue expenditure of up to £1 million in 2023/24, as set out at Appendix A;
 - note that this additional expenditure will be financed by replacing up to £1 million of planned revenue contributions to capital with currently uncommitted capital receipts (under the principle already set out in the Capital Programme 2023/24 that capital receipts be used before revenue contributions where possible); and
 - in the event that the capital receipt from the Walden Place redevelopment is not received by 31 March 2024, approve a temporary increase in HRA internal borrowing of up to £1 million until such time as the receipt arrives, at which point the borrowing will be repaid.

Financial Implications

7. As set out throughout this report.

Background Papers

8. 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

- 9.

Communication/Consultation	Informal Cabinet Briefing
Community Safety	None
Equalities	See attached EqHIA
Health and Safety	If the requested expenditure is not approved, this may impact upon the Council's ability to deliver safety critical work on its housing stock
Human Rights/Legal Implications	None
Sustainability	None
Ward-specific impacts	None

Workforce/Workplace	Budgetary approval is being sought to create 5 new posts in a new Contract Management Team, as well as to extend the contract of the Interim Director of Housing
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Situation

10. On 23 August 2022, the Chief Executive self-referred the Council to the Regulator for Social Housing in respect of a potential breach of the Home Standard. The background to this was set out in detail in a report to the Governance, Audit and Performance Committee on 31 August 2022, and an update was provided to Cabinet on 22 December 2022.
11. In response to the issues identified, the Council, with the help of a team of independent external experts, developed a 'Path to Compliance Action Plan' which was shared with the Regulator. This consists of 13 high priority and 6 medium priority actions to be delivered by the end of March 2023.
12. Tenant safety is of paramount importance to the Council, and this has meant that work on delivering these actions has continued at pace, including over and beyond the budget-setting period. As a result of this, and other recent external developments, the HRA revenue budget set for 2023/24 is now insufficient to support the required level of service for tenants.
13. Cabinet is therefore recommended to approve additional one-off revenue expenditure of up to £1 million during 2023/24. This will be funded from a reduction in revenue contributions to capital expenditure, as set out at paragraphs 33 to 38 below.
14. The main areas of additional spend, which were unforeseen at the time that the original budget was prepared, are set out in the following paragraphs, and summarised at Appendix A.

Contract Management Team

15. In implementing the Action Plan, it has become apparent that there are weaknesses in the Council's management of its housing repairs and maintenance arrangements. Strong contract management is of vital importance to ensure that limited resources are appropriately prioritised, and value for money achieved.
16. At the time the original budget was set, provision was made for £50,000 of additional ongoing resource in this area, with a caveat that this would be reviewed in year. Further work since then has identified a need for a dedicated Contract Management Team (5 posts) to fully strengthen this function in the future, and to prevent a reoccurrence of the issues which lead to the self-referral in the first place.

17. This team will consist of a manager experienced in both contract management and repairs and maintenance services in particular, two surveyors, a clerk of works, and an administrator. Whilst there is no standard approach to contract management by landlords, the proposed size and structure of the team is considered by the service to be proportionate to the complexity and importance of the work being undertaken, the scale of difficulties experienced locally over the past few years, and the significant amount of money spent on the contract (budgeted at £9.1 million in 2023/24, including both revenue and capital spend).
18. The ongoing cost of the team is estimated at around £275,000, which equates to around 3% of the annual contract spend. In light of the prevailing circumstances and the nature of the risks to tenants, the service deems this a proportionate and necessary investment to ensure that good quality and value for money is obtained from the contract going forwards.
19. As such, after taking account of the £50,000 already committed in the approved budget, an additional ongoing revenue budget of £225,000 is now required to fund this team. In addition, a one-off amount of £72,000 is needed for additional interim contract support in 2023/24, while the permanent team is recruited and embedded.
20. This new housing client team will also support one of the specific actions in the Action Plan, namely 'a future-proofed performance management framework to meet new regulatory/ legislative requirement'. Per the Action Plan, this is the last action to be delivered, taking account of its relative lower priority as compared to more immediate issues related to tenant safety, and the fact that a thorough understanding of the current situation was required before a detailed delivery plan could be developed.

Damp and Mould

21. Since the tragic death of Awaab Ishak in Rochdale resulting from untreated damp and mould in his family home, every landlord in the country has rightly focussed on understanding their own local challenges in this area. Reports of damp and mould have rocketed to landlords across the country with the greater awareness that followed substantial media coverage, and this is also the case in Uttlesford.
22. On 22 December 2022, Cabinet approved one-off expenditure of up to £500,000 to commission a full stock condition survey on the Council's whole housing stock, including an inspection of damp and mould issues. However, this amount will not cover any remedial works which are required, the cost of which it was not possible to reasonably estimate before the survey had been carried out.
23. Now that the survey is underway, a preliminary estimate of £400,000 has been made for the revenue cost of resolving damp and mould issues in 2023/24. This is a one-off cost to resolve the immediate issues and bring the housing stock up to an appropriate physical state, after which any future damp and

mould instances will be provided for within the normal revenue repairs and maintenance budget.

24. It is possible that there may also be some capital costs, which would be funded from the existing capital repairs and maintenance budget by reprioritising resources from less urgent work.
25. As well as landlord duties in relation to treating serious cases of damp and mould, there are ongoing tenant duties to prevent damp and mould in the first place (such as using extractor fans provided, suitably ventilating homes, etc), which will be positively reinforced by the Council and supported with explanatory advice.

Interim Director of Housing

26. During summer 2022, an Interim Director of Housing was appointed to work alongside the Assistant Director – Housing, Health and Communities in order to strengthen the amount of housing professional expertise within the Council as it embarked on delivery of the Action Plan.
27. It was originally envisaged that the Interim Director of Housing would leave the Council at or before the end of 2022/23, therefore no provision was made in the 2023/24 budget for this support to continue.
28. However, the Assistant Director – Housing, Health and Communities retired in November 2022. The 2023/24 budget assumed that a replacement would be found, and an attempt was made to do so in February 2023, but this was ultimately unsuccessful. A new recruitment campaign has commenced.
29. In light of this, the Interim Director of Housing has agreed to remain with the Council for the time being whilst other recruitment options are being explored. The total cost to the Council is likely to be in the region of £135,000.
30. This cost assumes an additional 9 months of service, based upon the Council's experience with other hard to recruit senior posts, and also assuming some degree of handover time, particularly given the outstanding issues set out throughout this report. Clearly, should this time not all be required there may be an opportunity for savings, however conversely the cost could increase should recruitment remain challenging.

Other Revenue Costs and Contingency

31. In addition to the main items outlined above, Cabinet is recommended to approve expenditure of up to £168,000 for other one-off revenue costs arising from the Action Plan and associated issues. This is both for specific items which have already been identified but not necessarily yet fully costed (e.g. legal support), whilst the majority is a contingency amount to recognise the fact that work to resolve the Council's various housing issues is still ongoing, and it is likely that more costs will emerge. These may be related to the items set out above (for example if the revenue cost of damp and mould work

exceeds initial estimates), or to entirely unforeseen circumstances which may still arise.

32. Clearly this contingency amount will only be utilised to the extent it is required, and performance against the HRA budget will be reported to Cabinet on a quarterly basis through the usual budget monitoring reports, with any material areas of new spend highlighted separately.

Financing Source

33. The approved 2023/24 HRA budget has an operating surplus of £2.866 million. Of this, £2.758 million is planned to be applied to capital expenditure, and £30,000 will be required to be transferred to the working balance reserve, leaving a net contribution to revenue reserves of £78,000. This is clearly insufficient to fund the additional pressures outlined in this report.
34. It is therefore proposed to finance these costs by reducing the revenue contribution to capital expenditure in 2023/24 by £1 million. This will be done by changing the planned source of capital financing for £1 million of in-year expenditure from revenue to capital receipts.
35. Most of the capital receipts held by the HRA are 'right-to-buy' receipts which have significant restrictions on their usage, and are already fully utilised to the maximum extent possible in the 2023/24 budget. However, the Council is expecting to receive a significant capital receipt at the end of the Walden Place redevelopment from the sale of part of the site which is no longer required for service delivery (subject to DLUHC approval of the sale). This receipt will not be subject to the same degree of restrictions on its use, so can be used to replace planned revenue financing of HRA expenditure.
36. The Medium Term Financial Strategy 2023-2028 (MTFS) currently assumes that this receipt will be retained within the HRA to be used to fund future capital expenditure. However, in light of the current pressures, it is now proposed that the first £1 million of this sale be used to finance capital expenditure in 2023/24. This is also in accordance with the approved Capital Programme 2023/24, which states (at paragraph 17) that 'capital receipts will continue to be used first where available'.
37. It should be noted that the MTFS currently assumes that the receipt will arrive in 2024/25, which was a prudent assumption based on the fact that the redevelopment is planned to complete in February 2024. It is still possible that the money will be received in 2023/24 and can therefore be applied directly in year. In the event of a delay, the HRA will temporarily increase its borrowing by £1 million through internal borrowing from the General Fund. Should this be necessary, the temporary borrowing will be repaid when the capital receipt arrives.
38. Clearly there is an opportunity cost in that there will be £1 million less of capital receipts available to fund capital expenditure in the future (i.e. beyond the current 5 year MTFS period), and this will be taken account of during the refresh of the 30 Year Business Plan which is currently underway. This review

will explore all options for financing future capital expenditure, including the use of additional external borrowing where this is deemed prudent and affordable.

Future Years

39. The majority of the additional costs set out in this report are one-off in nature, and will not impact upon future years. The main exception is the £275,000 per year cost of the Contract Management Team as set out in paragraphs 15 to 20.
40. The current HRA MTFS shows total usable revenue reserves of £1.650 million at 31 March 2028 (the end of the MTFS period). In a worst case scenario, this would be more than sufficient to absorb the additional cost of this team for the four years from 2024/25 to 2027/28, thus demonstrating that the HRA remains financially sustainable in the medium term.
41. Work will continue throughout 2023/24 to review the HRA budget in detail, with the aim of ensuring a return to an annual breakeven position by the end of the MTFS period (after any planned usage of reserves). Any changes arising from this review are likely to be built into the 2024/25 budget and updated MTFS. This work will take place alongside the refresh of the 30 Year Business Plan which is currently underway, to ensure long-term sustainability of the HRA.

Other Options

42. The alternative options which were considered in the preparation of this report, together with the reasons they have not been recommended by officers, are set out at Appendix B.

Risk Analysis

43.

Risk	Likelihood	Impact	Mitigating actions
Additional expenditure is still insufficient to address of the issues which emerge from the ongoing work	2 – there is still a reasonable degree of uncertainty around some elements, e.g. the stock condition survey has not fully concluded	2 – HRA revenue reserves are limited so any further draw on this or inability to bring the HRA back into balance in the medium term may threaten longer term sustainability	<p>The budget requested includes a contingency figure which will cover any small overspends.</p> <p>Regular reporting to Cabinet on spend against budget through the quarterly monitoring reports.</p> <p>Latest position to be taken account of during the refresh of the 30 Year Business Plan.</p>

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.

Item	Estimate (£'000)
Contract Management Team – additional cost of 5 person team above that assumed when setting the original budget, plus cost of temporary support whilst team is recruited and embedded	297
Damp and Mould – preliminary estimate of revenue cost of dealing with damp and mould issues emerging for ongoing stock condition survey	400
Interim Director of Housing – cost of assumed 9 month contract extension to cover vacant Assistant Director – Housing, Health and Communities post, including allowance for some handover and other consultancy for dealing with residual issues	135
Contingency and Other – contingency budget for dealing with overspends on the above items, along with other revenue costs relating to housing issues including those which may yet emerge from the ongoing Action Plan and related work	168
Total	1,000

Summary of Alternative Options

Appendix B

Option	Benefits	Disadvantages / Reasons for not recommending
Do nothing (i.e. do not approve any additional expenditure)	No further costs to the HRA – Council lives within existing approved budget	<p>No budget available for remedial work on damp and mould – likely safety risk for tenants and reputational risk for the Council</p> <p>Lack of strategic management of the service as no interim cover for vacant Assistant Director – Housing, Health and Communities post, and loss of corporate knowledge due to lack of handover time from current Interim Director of Housing</p> <p>Without investment in contract management, there is a risk that the Council's limited HRA resources will not be effectively prioritised and/or value for money will not be achieved, with a risk that the issues which led to the Council to self-refer to the Regulator of Social Housing may reoccur in the future.</p> <p>The Housing Regulator may well introduce sanctions which could include taking over the running of the HRA.</p>
Approve additional budget for most urgent items only (i.e. damp and mould and Interim Director of Housing)	Reduced cost to the HRA (c. £535k instead of £1m)	<p>Without investment in contract management, there is a risk that the Council's limited HRA resources will not be effectively prioritised and/or value for money will not be achieved, with a risk that the issues which led to the Council to self-refer to the Regulator of Social Housing may reoccur in the future.</p> <p>No contingency for other issues which may still arise through completion of the Action Plan, stock condition survey, and other service review work which remains underway. Strong likelihood that further requests to spend will be required in the future should such issues arise.</p>
Put additional expenditure on hold until alternative revenue savings can be identified within the HRA to fund it	No further costs to the HRA – Council lives within existing approved budget	Whilst the Council has committed to reviewing the HRA budget in detail during 2023/24, there is no realistic prospect of identifying the level of savings required from revenue budgets before the start of the financial year. Expenditure would therefore need to be delayed, perhaps significantly, which again poses a potential safety risk to tenants and reputational risk to the Council.

Option	Benefits	Disadvantages / Reasons for not recommending
Reduce the HRA capital programme by £1 million in 2023/24 in order to finance the additional expenditure needed	Retains the £1 million of unrestricted capital receipts for future use in the long-term	The HRA capital programme has already been significantly reduced for 2023/24 as a result of constrained resources. There are realistically only two capital projects where the required reduction in spend could occur, namely Woodlands and Walden Place. Both projects are already under contract and construction has commenced – therefore to cancel or delay either project at this stage is likely to lead to additional and/or abortive costs, not to mention the impact in terms of a reduction or delay to the Council's planned housing stock levels.
Approve additional expenditure without the corresponding change in capital financing approach	Retains the £1 million of unrestricted capital receipts for future use in the long-term	This would threaten the short-term financial viability of the HRA and is not therefore deemed a prudent course of action.

Abbreviations:

UDC – Uttlesford District Council, UNSL – Uttlesford Norse Services Ltd

DH - Director of Housing/Deputy Director of Housing, UDC

CEO – Chief Executive UDC

OD- Operations Director, UNSL

HIGH PRIORITY ACTIONS

Required outcome/purpose		Actions required to achieve outcomes	Who	When by (end of)
H1	Commence new approach to joined up working across UDC Housing Management Team and UNSL Property Maintenance Team	<ul style="list-style-type: none"> i. Launch weekly 'Maintenance Touch Point' sessions, bringing together senior managers from both teams, so that operational issues can be raised, and actions agreed. A dynamic action plan to be created and re-visited at each meeting. ii. Ensure information from Maintenance Touch Point meetings flows into Liaison Board meetings, to highlight areas of good practice and areas of concern 	DH	Sep 2022 Complete
H2	Commission inspection visits for all homes known to be out of target, across gas and electrical safety inspections	<ul style="list-style-type: none"> i. Commission additional electrical contractors to deliver on all inspection programmes, to include ensuring that all C1 and C2 remedial actions are carried out on site at time of inspection ii. In liaison with UNSL and working across UDC's Housing Management and Legal Services, take immediate and appropriate enforcement action to gain access, instigating legal proceedings where required iii. Where there is not sufficient capacity within the Council, contract out legal work to specialist housing solicitor 	OD UDC UDC	Aug 2022 Complete
H3	Review governance framework, to ensure Members have appropriate and timely oversight of this action plan and are fully engaged with the self-referral process	<ul style="list-style-type: none"> i. Develop and embed a new governance structure for compliance reporting, to ensure the Council's Executive and Senior Members fulfil their obligations in terms of the Co-Regulatory approach ii. Provide necessary briefings to Members, to familiarize them with their obligations in relation to housing 	DH/CEO	Sep 2022 Complete
H4	Ensure all council housing assets are included in the compliance programme, unless formally excluded	<ul style="list-style-type: none"> i. Download the full property asset list from both housing management (rents) system held by UDC and asset management system held by UNSL ii. Agree one complete asset schedule – to be signed off by UDC iii. From the agreed asset schedule, confirm which properties are subject to each compliance regime and record this. All properties will be deemed to be requiring an inspection unless evidence can be provided as to why they can be excluded. iv. Excluded properties to be recorded 	DH/OD	Sep 2022 Complete

Required outcome/purpose		Actions required to achieve outcomes		Who	When by (end of)
Page 163	H5	Review performance management approach and data reported	<p>i. Identify how compliance is being reported – review current performance reports in respect of: Gas safety, annual programme, domestic and where applicable, communal areas Electrical safety, 5-year programme to reflect best practice and mirror private sector requirements (domestic and communal areas) Fire safety – FRA inspections, reviews, follow-ups on recommendation Asbestos – (Communal areas) Water Hygiene Lifting equipment – LOLER Smoke detectors and Co2 alarms</p> <p>ii. Identify when and where compliance is reported by UNSL to the council, and to whom within the council it is currently being reported</p> <p>iii. Identify whether compliance performance reports contain:</p> <ul style="list-style-type: none"> • Number of assets owned (domestic and non-domestic) ‘ • Number of assets on the compliance programme • Number of assets not on the compliance programme • Properties with an overdue inspection record • Properties with no inspection record • Properties within 30 days of their current inspection expiring • Follow on actions required (especially in relation to fire safety) • Comments on current position and actions being taken to resolve issues 	UDC via EELGA	<p>Aug 2022</p> <p>Complete</p> <p>Aug 2022</p> <p>Complete</p>
	H6	Identify true compliance position to assess any gaps and report back to council Executive	<p>i. Validate compliance performance data to ensure that performance reported can be evidenced</p> <p>ii. Reconcile inspection reports against properties</p> <p>iii. Validate a selection of compliance inspection records to ensure they are valid and in-date</p>	DH	<p>Nov 2022</p> <p>Complete</p>
	H7	Training: Ensure UDC CMT/ client officers understand the legislation, regulations and obligations placed upon UDC.	i. Procure suitable training and begin to deliver as a priority, for existing staff	DH	<p>Oct 2022</p> <p>Complete</p>

Required outcome/purpose		Actions required to achieve outcomes	Who	When by (end of)
H8	Policy review and development of new policies	i. Undertake a review of current policies across UDC and UNSL across all seven compliance areas and establish whether policies are: <ul style="list-style-type: none"> • In line with agreed strategic principles in relation to health and safety compliance • In line with regulatory/legal requirements • Clear and facilitate effective implementation • Being consistently followed ii. Where gaps exist, begin urgent action to develop and approve new policies	DH OD	Sep 2022 In progress due to changed processes for legal action and need for damp/mould policy and will include new client function
H9	Process mapping	i. Agree operational processes to effectively implement policies	DH OD	Nov 2022 See above
H10	Procedures	i. Produce comprehensive and clear procedures as a framework for how the processes will be performed and who will deliver them and in what timescales ii. Include contract monitoring and performance management	DH OD	Nov 2022 Partially complete – see above
H11	New Reporting Framework	i. Ensure the Connect performance dashboard contains metrics which are approved by UDC and can provide an accurate, 'real time' position on the elements described in Action Point H5 above.	OD	Nov 2022 Complete within the limits of Connect– but data coming over to UDC
H12	Resource review – to ensure appropriate resources are in place to deliver improvements, across both the council as a client and its contractor partner	i. Carry out a headline appraisal of the capabilities and capacity within the councils' housing client team and operational service team which has any retained responsibility for ensuring property compliance ii. Assess the effectiveness and impact of the current delivery model (via the joint venture with Norse Commercial Services Ltd) ii. Make recommendations to the Council in relation to the above on gaps and urgent priorities for building capacity and resource	UDC via EELGA	Oct 2022 Complete
H13	Fill capacity/competency gaps	i. Based on recommendations arising from H14, bring in required additional resource to ensure services have the capacity to deliver iii. Identify training needs for new staff on relevant areas of compliance, appropriate to their roles	UDC via EELGA	Nov 2022 Complete

Page 165

Required outcome/purpose		Actions required to achieve outcomes		Who	When by (end of)
M1	Accurate, up to date property asset lists for the six areas of compliance	i.	Create a formalized process for capturing property asset data, for the Connect compliance system	OD	Dec 2022
		ii.	Create a formalized process for updating property asset data in real time		Data being moved to UDC
		iii.	Write these processes into procedure, provide appropriate training so that staff are clear on their responsibilities and hold staff accountable to following processes		
M2	Ensure that UNSL operatives and sub-contractors carrying out compliance testing and remedial works are skilled, fully trained and accountable	i.	Review current contract management arrangements as part of the work commissioned by the council to the East of England Local Government Association and ensure that any recommendations take into account housing service delivery and as a priority, health and safety compliance	UDC, via EELGA	Oct 2022
		ii.	Consultants to make recommendations to council on how to ensure robust arrangements for contract management going forward, including a contract register relating to each of the six areas of compliance	OD/DH	In progress as part of review of future repairs and maintenance arrangements
		iii.	Formalize arrangements for effective contract procurement which results in competent contractors being appointed, appropriate to the services they are required to provide	OD/DH	New KPIs will be in place 2023-4
		iv.	All contracts to set out key performance metrics and include operational processes which are clear and reflect the Council's and UNSLs updated policies	OD	
		v.	Put in place a contract monitoring regime which holds contractors to account and includes regular client-led meetings and where there is clear audit trail for meetings which includes: Terms of Reference for meetings/Agendas/Minutes and where standing agenda items include risk assessment, performance metrics against delivery and early escalation of issues which may impair the effective delivery of contracts	OD	
		vi.	Put in place an annual competency assessment process for all UNSL operatives, which includes qualifications and accreditations, so that the Council can be assured that contractors are appropriately qualified to carry out the activity for which they contracted. Create a clear audit trail to provide assurance that this is being done		

Required outcome/purpose		Actions required to achieve outcomes		Who	When by (end of)
M3	A future-proofed performance management framework to meet new regulatory/legislative requirement	i.	Ensure that performance reports comply with the new regulatory framework/new social housing legislation	DH	Mar 2023
		ii.	Prepare to publish on an annual basis, performance against national standards, as required by the new regulatory framework		In progress
M4	Effective audit programme in place and embedded into the Council's governance and assurance framework	i.	Internal audit plans to be developed which reflect the critical nature of health and safety compliance. Initially annual internal audits should be considered, and this can move to every two years once there is confidence that new management/contract arrangements are embedded	CEO/DH	Oct 2022
		ii.	Programme external technical audits to give assurance on the quality of inspection records and fieldwork		In progress – will be in place for 2023-24
M5	Moving to Business as Usual after Self-Referral, Residents are kept informed and given the opportunity to provide feedback on the service	i.	Put in place a proactive communications campaign, to keep residents informed on keeping themselves safe and the actions which the council is taking to provide safe homes	DH	Dec 2022
		ii.	Seek feedback from residents on how safe they feel in their homes, as part of the new Tenant Satisfaction Measures		Complete – tenant consultation exercise will take place this summer, for all tenants who have made a complaint about repairs in the past
		iii.	Act upon the views of residents who provide feedback or make complaints about the service, in accordance with the Housing Ombudsman's Complaints Handling Code		
		iv.	Publish performance information as required by the Regulator for Social Housing, via the Housing Annual Report and tenants' newsletters		
		v.	In the spirit of co-regulation, provide appropriate opportunities for residents to scrutinize performance, via organised activities and through co-opting tenants onto appropriate council committees/panels		
M6	Ensure robust and auditable governance arrangements are in place	i.	Select an accountable person for building safety, to comply with the requirements of new and emerging legislation. Accountable person to be senior UDC officer, technical	CEO (to select)	Nov 2022
		ii.	Select an accountable person as lead contact for regulatory issues, to comply with the requirements of new and emerging legislation. Accountable person to be Executive Officer of UDC.		Partially complete – accountability framework will be within policies and new performance management framework
		iii.	Develop an accountability framework for property compliance so that everyone is clear about their roles and responsibilities going forward		
		iv.	Develop and implement a clear 'empowerment and escalation' policy, so that responsible staff are clear that where issues arise, they know how to escalate concerns and who they should be escalated to		