

# Basildon Borough Council

Duty to Cooperate Report

Revised Publication

October 2018

## **Contents**

Introduction.....	2
Relevant local authorities and Strategic Planning Policy Context .....	4
Statutory Consultees.....	5
Political and Strategic Geography.....	7
Identifying and Addressing Strategic Cross Boundary Matters .....	9
South Essex .....	9
Housing Market Area .....	9
Settlement Coalescence .....	10
Functional Economic Area and Retail Hierarchy .....	11
Green Infrastructure, Open Spaces and Sports Provision.....	12
Flood Risk Management and Drainage .....	12
A127 Corridor .....	13
Lower Thames Crossing .....	14
Essex.....	15
Highways.....	15
Education and Early Years.....	15
Infrastructure Planning .....	15
Planning for Health and Wellbeing.....	16
Design and Place-making .....	16
Viability.....	17
Gypsy, Traveller and Travelling Showpeople Accommodation Needs.....	17
Unmet housing need across Housing Market Area boundaries .....	18
Thames Estuary .....	19
Essex Coast .....	19
London .....	20
Other Strategic Matters .....	21
Health and Wellbeing .....	21
Appendix 1: ASELA Memorandum of Understanding.....	22
Appendix 2: South Essex Joint Planning Memorandum of Understanding .....	23
Appendix 3: South Essex Strategic Planning Statement of Common Ground .....	24
Appendix 4: Statement of Common Ground for the A127 .....	25
Appendix 5: Essex Unmet Housing Need Requests Protocol .....	26
Appendix 6: Essex Coast Recreation and Avoidance Strategy Memorandum of Understanding.....	27
Appendix 7: Basildon Borough Council and Basildon & Thurrock University Hospital NHS Foundation Trust Memorandum of Understanding .....	28
Appendix 8: South Essex Housing Market Area – Responses to Unmet Need Request September 2018 .....	29

## **Introduction**

This statement sets out how Basildon Borough Council has met the requirements of the duty to cooperate in preparing its Local Plan up to the point in time that the Council considered the Revised Publication Local Plan in October 2018. It will be updated in time for submission to capture any work that takes place in the intervening period.

Section 110 of the Localism Act transposes the duty to cooperate in to the Planning and Compulsory Purchase Act 2004 and introduces section 33A, which sets out a duty to cooperate in relation to the planning of sustainable development. The duty to cooperate applies to all local planning authorities, county councils and prescribed bodies, and requires that they must co-operate with each other in maximising the effectiveness with which development plan documents are prepared.

The Localism Act states that, in particular, the duty to cooperate requires that engagement should occur constructively, actively and on an ongoing basis during the plan-making process. It also states that regard must be had to the activities of other authorities where these are relevant to the local planning authority in question. National policy makes it clear that the Duty to Co-operate is not a 'duty to agree', but that every effort should be made to secure necessary cooperation before submission of a Local Plan to the Planning Inspectorate.

The neighbouring authorities and prescribed relevant bodies for the purposes of section 33A of the Act, as set out by the Town and Country Planning (Local Planning) (England) Regulations 2012 are:

- Brentwood Borough Council
- Castle Point Borough (within Strategic Housing Market Area)
- Chelmsford City Council
- Rochford District Council (within Strategic Housing Market Area)
- Southend-on-Sea Borough Council (within Strategic Housing Market Area)
- Thurrock Council (within Strategic Housing Market Area)
- London Borough of Havering
- Essex County Council
- The Environment Agency
- Historic England
- Natural England
- The Mayor of London
- Highways England
- The Office of Rail and Road
- Transport for London
- The Civil Aviation Authority
- Homes England (previously Homes and Communities Agency)
- Basildon and Brentwood Clinical Commissioning Group / NHS England
- The Marine Management Organisation
- South Essex Local Enterprise Partnership
- Greater Thames Marshes Nature Improvement Partnership

Paragraphs 25 to 27 of the Revised NPPF 2018 set out how the Government expects local planning authorities, county councils and other prescribed bodies to cooperate with one another on strategic matters that cross administrative boundaries. They state the following:

*25. Strategic policy-making authorities should collaborate to identify the relevant strategic matters which they need to address in their plans. They should also engage with their local communities and relevant bodies including Local Enterprise Partnerships, Local Nature Partnerships, the Marine Management Organisation, county councils, infrastructure providers, elected Mayors and combined authorities (in cases where Mayors or combined authorities do not have plan-making powers).*

*26. Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere.*

*27. In order to demonstrate effective and on-going joint working, strategic policy-making authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning guidance, and be made publicly available throughout the plan-making process to provide transparency.*

For the purposes of plan-making, the Revised NPPF 2018 defines strategic matters as follows, within paragraph 20:

*20. Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for:*

*a) housing (including affordable housing), employment, retail, leisure and other commercial development;*

*b) infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);*

*c) community facilities (such as health, education and cultural infrastructure); and*

*d) conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.*

It may be the case that not all strategic policies require a cross-boundary approach.

## **Relevant local authorities and Strategic Planning Policy Context**

The following local planning authorities have a strategic relationship with Basildon, the details of which are set out in the following sections. The table below shows the planning position for these other local planning authorities.

<b>Authority</b>	<b>Current Plan</b>	<b>Position with replacement</b>
<b>Essex County Council</b>	Essex Minerals Local Plan (2014), Essex and Southend-on-Sea Waste Local Plan (2017)	N/A
<b>Brentwood Borough Council</b>	Brentwood Replacement Local Plan (2005)	Brentwood Local Plan Regulation 18 Local Plan Preferred Site Allocations (2018)
<b>Castle Point Borough Council</b>	Castle Point Adopted Local Plan (1998)	
<b>Chelmsford City Council</b>	Chelmsford Local Development Framework (2011)	Chelmsford Local Plan Regulation 19 Publication Local Plan (2018)
<b>Rochford District Council</b>	Rochford Local Development Framework (2011)	Rochford Local Plan Regulation 18 Issues and Options Consultation (2017)
<b>Southend-on-Sea Borough Council</b>	Southend Local Development Framework (2007)	
<b>Thurrock Council</b>	Thurrock Local Development Framework (2011)	Thurrock Local Plan Regulation 18 Issues and Options Consultation (2016)
<b>London Borough of Havering</b>	Havering Local Development Framework (2008)	Havering Regulation 19 Publication Local Plan Consultation (2017)
<b>The Mayor of London</b>	Further Alterations to the London Plan (2016)	New London Plan Consultation (2017)

In respect of Chelmsford's Local Plan, issues were identified through the recent Regulation 19 Consultation by Basildon Borough Council with regard to highway matters and potential unmet housing needs in the longer-term. These matters have subsequently been resolved through joint working between the two local planning authorities and Essex County Council as the highway authority. A Statement of Common Ground between Basildon Borough Council, other south Essex authorities raising similar issues, and Chelmsford City Council has been prepared setting out these resolutions. This forms part of the evidence base for Chelmsford City Council's examination, and will be published by them in due course.

## **Statutory Consultees**

The following organisations are statutory consultees for the purposes of plan-making. The engagement the Council has had with each organisation is summarised below.

**Environment Agency (EA)** – The EA has been involved with the preparation of Water Cycle Study, the Strategic Flood Risk Assessment and Surface Water Management Plan evidence base work. The Council was involved in the development of the Thames Estuary 2100 Plan, Anglian River Basin Management Plan and now feeds into their delivery. In addition, the EA has been engaged in the preparation and refinement of the iteratively prepared Sustainability Appraisal (incorporating the Strategic Environmental Assessment).

**Historic England** – Has been consulted during the preparation of the Local Plan, including Conservation Area Appraisals and Management Plan evidence and associated Sustainability Appraisal (incorporating Strategic Environmental Assessment).

**Natural England (NE)** – NE have been involved with the preparation of Water Cycle Study evidence base work, the preparation and refinement of the iteratively prepared Sustainability Appraisal (incorporating the Strategic Environmental Assessment) and Habitat Regulations Assessment. Work is ongoing with NE and 10 other Essex authorities on an Essex Coast Recreation Avoidance and Mitigation Strategy (RAMS), which must be prepared by the Local Plan's adoption.

**The Mayor of London** – Basildon Borough is not a London Borough, however the Mayor of London, through the Greater London Authority has been consulted on the Plan at every stage. Furthermore, member and officer representatives from Basildon Borough have engaged with the Mayor through the Wider South East Summit programme (156 local authorities and 11 Local Enterprise Partnerships) since its inception in 2014 to help shape strategic policy and infrastructure investment in the London Plan and the Wider South East. In addition, where relevant direct 1:2:1 meetings have taken place to consider how the Borough can benefit from economic development growth opportunities brought by Greater London. The Council has responded

**Civil Aviation Authority (CAA)** – Basildon Borough Council continues to be engaged by the CAA (and its related licences and support organisations such as London Southend Airport and National Air Traffic Services NATS) on matters relating to airspace and flightpaths over the Borough, and the Council has responded to consultations on route alterations.

**Homes England (formerly Homes and Communities Agency)** – Homes England has various land holdings in Basildon Borough which they seek to bring forward, some of which are strategic in nature. It is also the owner of restrictive covenants in the former Basildon New Town area which means the Council and developers must work in different ways with Homes England to ensure development can remain deliverable. The Council has ongoing working arrangements in place to work with Homes England in relation to its sites.

**Basildon and Brentwood Clinical Commissioning Group (CCG)** – The Council has close working arrangements with the Clinical Commissioning Group, NHS England and the Basildon and Thurrock University Hospital, meeting regularly in relation to planning and delivery matters. The Council has engaged in direct delivery of GP floorspace provision on behalf of the CCG, and is working with the Hospital on a similar project.

**The Office of Rail and Road** – Has been consultation as part of the Local Plan process.

**Highways England** – There are no Highways England operated or maintained routes in Basildon Borough. However, Highways England has been consulted on the Local Plan at every stage. Furthermore, the Council has been actively engaged in the Stakeholder

Advisory Panel for the Lower Thames Crossing, which will route through South Essex to connect to the M25 further to the west. Highways England are also now involved in the A127 Statement of Common Ground which seeks to influence coordinated planning and investment on the west-east route.

**The Marine Management Organisation (MMO)** – Basildon Borough has a limited marine environment, with tidal inlets and marshland in the south of the Borough. However, it has consulted the MMO as part of the Local Plan process since its inception. Furthermore, the Council has engaged in the early stakeholder work for the South East Marine Plan, seeking to ensure linkages between the marine and land use plans in Basildon Borough.

**South East Local Enterprise Partnership (SELEP)** – Basildon Borough falls within South Essex which is a federated area of SELEP. Opportunity South Essex (OSE) provide the federated arrangements and Basildon Borough Council is an active member of OSE, contributing to its working arrangements and outputs. In addition to this, there have been direct discussions with the Council and SELEP with regard to Basildon Borough's economic growth ambitions.

**Greater Thames Marshes Nature Improvement Partnership (NIP)** – Essex County Council has provided the lead representation for Essex authorities in relation to the NIP. Opportunities for Basildon Borough to contribute towards the work of the partnership have been incorporated within its programme and also addressed (where there is a land use planning implication) in the Revised Publication Local Plan.

**Local and adjacent Parish Councils** – Local and adjacent Parish Councils have been statutory consultees throughout the preparation of the Local Plan. Local Councils have been provided briefings as part of the process, both as part of the consultation process and also as part of regular 'Local Council Liaison Meetings'. Where appropriate, one-to-one meetings have also taken place.

**Local Police Body (Police and Crime Commissioner)** – The Council has consulted with Essex Police throughout the preparation of the Local Plan, and arranged a specific meeting in 2017 to ensure that any outstanding concerns were addressed.

**Anglian Water** – Anglian Water has been consulted throughout the preparation of the Local Plan, with further capacity information collected for the purpose of the Infrastructure Delivery Plan. Additionally, Anglian Water was engaged in the development of the South Essex Water Cycle Study and Surface Water Management Plan evidence base.

**Essex and Suffolk Water** – Essex and Suffolk Water has been consulted throughout the preparation of the Local Plan, with further capacity information collected for the purpose of the Infrastructure Delivery Plan. Additionally, Essex and Suffolk Water were engaged in the South Essex Water Cycle Study.

## **Political and Strategic Geography**

The national regeneration project – the Thames Gateway – extends into South Essex, encompassing all of Southend, Castle Point and Thurrock; and parts of Rochford and Basildon. As a consequence there has been a long history of the local planning authorities in South Essex working together to consider and address strategic planning matters. The revoked East of England Plan 2008 set out a specific suite of policies for South Essex based on a shared vision for the area of regeneration, and of aligning employment and housing provision to create more sustainable communities.

Whilst the East of England Plan has been revoked, the local authorities in South Essex have continued to work closely together on strategic planning, regeneration and economic development matters. South Essex, comprising the two unitary authority areas of Southend-on-Sea and Thurrock, the three Essex County districts/boroughs of Basildon, Castle Point and Rochford, as well as Essex County Council form a federated area within the South East Local Enterprise Partnership, and there is a business led partnership called Opportunity South Essex (OSE) which acts to drive forward economic growth priorities and lobby for funding to support that growth across the area.

In 2017, the local authorities in South Essex came together, along with Brentwood Borough Council, to consider opportunities for more collaborative working which could achieve more than local strategic objectives alone. This has culminated in the South Essex 2050 vision, and the formation of the Association of South Essex Local Authorities (ASELA). The Memorandum of Understanding forming ASELA is provided at appendix 1. ASELA are now embarking on an ambitious programme of work to position South Essex more favourably in terms of economic growth and infrastructure investment through place making. Work streams relevant to planning include a Joint Spatial Strategy; an Industrial Strategy; and the identification of strategic infrastructure requirements.

These political and partnership structures are underpinned by geographical relationships between the local authority areas which comprise South Essex. The South Essex Strategic Housing Market Assessment 2016 (SHMA) included a review of the extent of the housing market in South Essex. It concluded that there were sufficient relationships between movements in the population for housing and work, and sufficient similarity across the area in terms of house prices to indicate that the authorities of Basildon, Castle Point, Rochford, Southend and Thurrock comprise a housing market area. Brentwood has prepared their own SHMA, which confirms that Brentwood is a standalone Housing Market Area. However, the proposals in the Brentwood emerging Local Plan include significant provision of homes to the south of the A127 adjacent to the boundaries of Basildon and Thurrock. This may alter the Housing Market geography in the longer term, which requires longer-term monitoring.

Separately, an Economic Development Needs Assessment (EDNA) has been prepared for South Essex to better understand the relationships that exist across boundaries with regard to employment and economic growth. Important clusters for economic activity were identified in Thurrock around the riverfront and motorway network, at London Southend Airport and also within the Basildon A127 Enterprise Corridor. Basildon Borough has the largest economy in both South Essex and Essex more generally, and has the greatest provision of office floorspace in South Essex, and the second largest provision of industrial floorspace. Basildon therefore has a significant role within the South Essex economy, with commuting in from nearby authorities in South Essex and Chelmsford. However, as with all South Essex authorities, commuting out to London has a significant impact on the local economy and local labour force.

A Strategic Retail Needs Assessment has also been prepared which identifies the strategic retail hierarchy in South Essex, with INTU Lakeside in Thurrock providing a significant draw across the area for comparison retail and leisure. However, due to their civic and local employment roles, Basildon and Southend Town Centres still continue to operate at a sub-regional scale for comparison retail and leisure purposes. The delivery of the Basildon Town Centre Masterplan, approved in 2012, is identified in both the EDNA and the Retail Needs Assessment as a fundamental driver of ongoing success for Basildon Town Centre to excel at this level.

Fundamental to the relationships that exist between the South Essex authorities is the connections provided by the strategic road and rail network. The strategic road network comprises the A13, A127 and A130. This also provides connectivity with Chelmsford, North Essex and with London. Meanwhile, two railway lines serve South Essex. The Thameside Line operates from Shoebury to London Fenchurch Street serving settlements to the south of the A127. The Greater Anglian Line which operates from Southend Victoria to London Liverpool Street serves settlements to the north of the A127. These two lines are however disconnected in South Essex preventing north-south movements.

There are also cross-boundary relationships in relation to education provision, particularly in respect of secondary education and further education, with significant levels of movement across administrative boundaries. In particular, there are notable flows of secondary school pupils into Brentwood and Castle Point from Basildon. Hospital provision also crosses administrative boundaries, with facilities mainly concentrated at the main hospital sites in Basildon and Southend. In recent months, Basildon and Thurrock University Hospital and Southend University Hospital have entered into discussions with Broomfield Hospital in Chelmsford around further joint working and shared functions, increasing the geographical reach and opportunities for acute healthcare services.

The South Essex authorities also share key environmental assets and constraints including a coastal/riverside landscape, and consequently areas of nature conservation significance and flood risk. Green Belt is also a key policy feature of South Essex providing separation, at a strategic level, between the individual towns within South Essex and contributing to a green environment.

## **Identifying and Addressing Strategic Cross Boundary Matters**

### **South Essex**

#### **Housing Market Area**

Since 2008, the local planning authorities comprising South Essex (Basildon, Castle Point, Rochford, Southend-on-Sea and Thurrock) have been working together to prepare and update Strategic Housing Market Assessments (SHMAs). This work has confirmed that the South Essex Housing Market Area does incorporate these authorities. Furthermore, the work of Brentwood in relation to its SHMA, and Chelmsford in relation to the North Essex SHMA shows that those neighbouring authorities sit in different housing market areas.

The most recent update to the South Essex SHMA was published in June 2017, and is based on the 2014 Sub-national Household Projections, which were the most up to date projections available at that time. This assessment indicated a need for between 3,750 and 4,000 homes across the South Essex Housing Market Area per annum in the period to 2037.

In July 2018, the Government published a Revised NPPF, setting out a standard method for calculating housing need. This standard method is based on household projections adjusted to reflect market conditions, as indicated by the affordability ratio. Revised housing requirements based on the 2014-household projections adjusted in accordance with the standard method by the 2017 affordability ratio indicates a requirement which amounts to 4,158 homes per annum.

In September 2018, the Government subsequently published 2016-based household projections. These projections form the basis of the standard method, and consequently amend its outcomes. These new household projections, adjusted in accordance with the standard method by the 2017 affordability ratio indicates a requirement for South Essex which amounts to 3,641 homes per annum.

The need under each calculation is disaggregated by authority as follows:

#### **OAN by Authority**

<b>Authority</b>	<b>Dwellings per Annum</b>		
	<b>SHMA</b>	<b>2014-based Standard Method</b>	<b>2016-based Standard Method</b>
Basildon	972 – 986	1,077	991
Castle Point	311	342	319
Rochford	331 - 361	363	375
Southend-on-Sea	1,072	1,186	916
Thurrock	1,074 – 1,381	1,190	1,040

At this time, all authorities in South Essex are progressing new Local Plans, with Basildon being the furthest advanced in this regard. However, in discussions between the authorities it has become increasingly clear that this level of growth cannot be accommodated within South Essex without a) incursions into the Green Belt; and b) investment in infrastructure at both a local and strategic scale.

Work undertaken in relation to the Basildon Borough Local Plan has highlighted this issue, as the Revised Publication Local Plan to which this report relates is unable to meet Basildon's Full, Objectively Assessed Need for Housing – i.e. Basildon cannot deliver its disaggregated requirement as set out in the table above within its plan period. In formal correspondence with the other authorities in the Housing Market Area, it has become clear that they are unable to assist Basildon Borough without a significant shift change in infrastructure investment and a more strategic approach to growth. See Appendix No.8.

Consequently, the authorities in the South Essex HMA, along with Brentwood have entered into a Statement of Common Ground, as part of a Government vanguard to bring forward such agreements, and agreed to prepare a Joint Strategic Plan, with the aim of delivering the Full objectively Assessed Housing Needs of South Essex and the Brentwood Housing Market Area. A copy of the Statement of Common Ground is included as appendix 3. All six Local Development Schemes have been amended to incorporate the preparation of the Joint Strategic Plan.

This new formal agreement builds on an earlier agreement between the five original South Essex authorities and Essex County Council secured via a Memorandum of Understanding signed in February 2017, which committed the authorities in the South Essex HMA to prepare a Spatial Planning and Infrastructure Framework (SPIF), which was intended to be a non-statutory solution. See Appendix No. 2. The work on the South Essex 2050 Vision and the formation of ASELA to deliver the vision has superseded this earlier proposal, but is clear evidence of the long-term working that has occurred across South Essex in addressing strategic planning challenges.

The output of this joint working to date has therefore been the preparation of SHMAs on a continual basis since 2008. There is also the Statement of Common Ground and the earlier Memorandum of Understanding. The ongoing intended outputs of this joint working in relation to housing matters are:

- a) A Strategic Growth Locations Study, which identifies strategic level approaches to and locations for accommodating growth, in particular housing growth, in South Essex. This work is being undertaken on a borderless basis in order to ensure that boundaries do not constrain opportunities.
- b) A statutory Joint Strategic Plan which delivers the overarching policy framework for meeting development needs in South Essex in a way which brings about a shift change in how the area can benefit from the opportunities presented by growth through infrastructure investment and strategic planning.

The outcomes of this work will be housing growth at a strategic level which delivers against need but also secures the infrastructure needed in South Essex. Ideally, the authorities are looking to secure a housing deal similar to that recently secured in Oxfordshire. An Infrastructure 'Ask' is being developed alongside the Joint Strategic Plan in order to support this.

### Settlement Coalescence

Whilst the Basildon Borough has been able to mitigate the risk of settlement coalescence around most of its towns, there remains a risk around the west of Basildon, due to its proximity with the boundary between Basildon, Brentwood and Thurrock authority areas. In particular, Brentwood Borough Council is proposing a new Garden Village in the strategic Green belt gap between Basildon and West Horndon. Brentwood and Thurrock meanwhile are also investigating proposals for an extension to West Horndon, although for the latter this is not currently viewed as a preferred option. Combined, these proposals and any proposals for extensions to West Basildon have the potential to result in settlement coalescence

between the edge of Basildon and West Horndon, the culminating of expanding existing settlements outwards and installing new settlement in between. The inclusion of Brentwood Borough Council within ASELA and the Joint Strategic Plan area therefore enables the affected authorities to work together at a larger scale to resolve matters regarding the location of growth in this area in a strategic way, ignoring administrative boundaries.

The intended outputs of joint working in relation to this matter will be a Joint Strategic Plan which identifies where, if anywhere, in the area between Basildon and West Horndon, development would best be located. The outcome of this work will be the creation of communities with distinct identities, appropriately separated by robust Green Belt gaps.

It should be noted that Basildon and Brentwood have worked on this matter before, and outside the work currently ongoing in relation to the Joint Strategic Plan. A Landscape Corridor Study was undertaken in 2017 in order to determine if landscape buffering could be used to enable development to come forward in both locations whilst ensuring a gap was left between development areas to provide a sense of separation. Whilst both authorities signed off on the studies outputs, Brentwood have chosen not to use this work in determining the extent of development within their administrative area, and consequently it has not been possible to resolve the issues related to this matter through the use of this earlier piece shared evidence base.

#### *Functional Economic Area and Retail Hierarchy*

In 2016, joint work was commissioned across the South Essex authorities of Basildon, Castle Point, Rochford, Southend-on-Sea and Thurrock in relation to an Economic Development Needs Assessment (EDNA), and Retail Needs Assessment (RNA). It was considered that this was an appropriate geographical area for assessment based on the Housing Market Area, the nature of the strategic highway network and rail network, and also based on other data sets such as travel to work data.

The EDNA confirmed that whilst London is a key draw on the labour force within South Essex, South Essex is a distinct economic area with high levels of labour force retention, and connectivity between sectors in different parts of its area. The Basildon A127 Enterprise Corridor was identified as a strategic growth location for manufacturing as part of this assessment. Town centres in Basildon and Southend were meanwhile identified as having a role to play in the digital and creative sectors.

The Retail Needs Assessment, whilst noting draws from Bluewater and Westfield, Chelmsford and Brentwood, noted a high level of spend retention within the South Essex area also. Lakeside provides regional level provision, whilst the town centres of Basildon and Southend play important roles in comparison retail provision.

In order to deliver the South Essex 2050 Vision, ASELA have agreed to prepare an Industrial Strategy for South Essex which will promote inclusive economic growth focused on key growth sectors. It is intended that the spatial elements of the Industrial Strategy will be secured through the Joint Strategic Plan. In order to achieve this, work on the employment element of the Joint Strategic Plan is therefore being coordinated with the Industrial Strategy, with Basildon Borough Council taking the lead.

The outputs of this joint working to date has been the preparation of an EDNA and the preparation of a Retail Needs Assessment. The intended outputs of this work going forward is the preparation of a Joint Strategic Plan which aligns with an Industrial Strategy for South Essex. The intended outcomes will be inclusive economic growth in South Essex.

### Green Infrastructure, Open Spaces and Sports Provision

There is a long history of joint working on Green Infrastructure projects in South Essex. The Thames Gateway South Essex Green Grid Strategy was prepared in 2005, and a number of projects (particularly destination projects) were delivered as a consequence. Projects related to the Green Grid Strategy were also secured later as part of the Thames Estuary Parklands project. However, since 2010/11, funding for national Green Infrastructure projects has been more limited, and delivery in this regard has therefore been more challenging. Connections between destinations and over major highway barriers, in particular, still need to be delivered.

In 2017, it was recognised by the constituent authorities in South Essex that there may be scope for securing improvements to Green Infrastructure by better joint working from the evidence base upwards.

Work is therefore underway on a Joint Playing Pitch and Built Facilities Strategy. This covers Basildon, Castle Point, Rochford and Southend-on-Sea, and is one of the largest scale of projects of this nature in the country. Consequently, Sports England are on the Steering Group and are part funding the project. In order to ensure alignment with Thurrock, the overarching strategy will draw in information from Thurrock also. The intention of this work is to identify a more strategic approach to sports infrastructure provision which will ensure greater sustainability in the facilities provided i.e. rather than two authorities providing 3 swimming pool lanes each, one 6 lane facility is provided in a location which can serve both authorities. The Basildon Borough Publication Local Plan has been written to provide the flexibility needed to incorporate the outcomes of this work, without changes being required to the plan.

Work is also planned with regard to an update of the Green Grid Strategy for the entire area – extending beyond its initial Thames Gateway boundaries, which left of large parts of Basildon and Rochford and also Brentwood. This will be accompanied by updated open space assessments for Basildon, Castle Point, Rochford and Southend-on-Sea. As with the joint work on Playing Pitch and Built Facilities, this will enable the Council's to identify strategic opportunities which can be delivered in a more coordinated and effective way. It is intended that this work will be incorporated into the Joint Strategic Plan.

The outputs of joint working to date have been:

- a) the Green Grid Strategy;
- b) funding for Green Grid projects; and
- c) Funding contribution from Sport England for the Joint Playing Pitch and Built Facilities Strategy.

Intended outputs going forward include:

- a) A Joint Playing Pitch and Built Facilities Strategy; and
- b) Refresh of the South Essex Green Grid Strategy and aligned Open Space Assessments for incorporation in the Joint Strategic Plan.

The outcomes to date have been the delivery of destination projects in South Essex e.g. Visitor Centre at Wat Tyler Country Park in Pitsea. The intended outcomes are the delivery of sports facilities, open spaces and Green Infrastructure which support the wellbeing of local people (including growth), and are sustainable from an ongoing management and maintenance perspective.

### Flood Risk Management and Drainage

As with Green Infrastructure, there has been a long history of the authorities in South Essex working jointly on flood risk and drainage matters. In 2006, the first Strategic Flood Risk

Assessment (SFRA) for South Essex was prepared. This was subsequently updated for the authorities of Basildon, Castle Point and Rochford in 2010/11, reflecting changes to tide levels. Work is currently underway on a further update, resulting from the need to incorporate changes to Climate Change Allowances made by the Environment Agency in 2016. Whilst Southend worked separately in relation to the update in 2010/11, they are also engaged with the current update. Throughout this work, the Environment Agency, and more recently Essex County Council as the Lead Local Flood Authority have been partners to the project.

Joint working at this scale has largely been as a consequence of the geography of South Essex, with river basin catchments extending across administrative boundaries. However, to date this has not contributed significantly towards joint planning. However, this joint work will now ensure that there is a consistent approach to flood risk across the majority of the South Essex Joint Strategic Plan area, for even though Thurrock have undertaken their work separately, it has been completed by the same consultancy team.

Similarly, a Surface Water Management Plan (SWMP), and Water Cycle Study was prepared for the three South Essex authorities of Basildon, Castle Point and Rochford in 2010/11. The Environmental Agency, Natural England, Essex County Council, as the newly formed Lead Local Flood Authority at that time, Anglian Water and Essex and Suffolk Water were on the technical advisory group for that project. Since that time, Essex County Council as the Lead Local Flood Authority, has worked with the individual authorities to bring forward the flood alleviation schemes identified in the SWMP, including some in Basildon. Officers and Members from Basildon engage in the Essex Flood Management Partnership and Essex Flood Officers Group, which discuss and determine delivery of surface water management alleviation across the County, enabling particular problems in Basildon Borough to be highlighted.

Throughout the process of preparing the Local Plan, and the associated IDP, the LLFA has engaged. This has enabled them to input into the locations of development and also the requirements for flood alleviation infrastructure associated with growth.

The outputs of this work have been the preparation of Strategic Flood Risk Assessments over time, the preparation of a Surface Water Management Plan and the preparation of a Watercycle study. This has enabled flood alleviation schemes across South Essex to be identified and for some of those to be delivered (subject to funding).

The outcomes of this work has been the ability of individual Council's to direct development away from areas at risk of flooding, and the alleviation of some of the existing flood risk. Future outcomes will include a consistent approach to planning in relation to flood risk across South Essex, through the integration of the joint evidence into the Joint Strategic Plan.

## **A127 Corridor**

In response to the Draft Local Plan consultation, the London Borough of Havering (Havering) raised concerns about the impacts of growth in Basildon on the capacity of the A127. They made a similar representation to Brentwood who were also undertaking consultation at the same time. In discussions with Essex County Council (ECC), as the local Highway Authority, it was agreed that the London Borough of Havering and Transport for London (TfL) should be invited to be a stakeholder in the refresh of the A127 Route Management Strategy which commenced in 2016. Havering and TfL both accepted this invite, and since that time there has been a series of meetings between ECC, South Essex authorities including Basildon,

Havering and TfL to discuss how the A127 should be planned for, and how planned growth should be accommodated in authorities along its route. In September 2017, a Statement of Common Ground was signed by the constituent planning and highway authorities committing to working together to secure improvements to the A127 to support growth arising along its route (see appendix 4).

The outputs of this work are:

- a) An emerging revised A127 Route Management Strategy which has covered the full route of the A127 including those parts in London and Southend-on-Sea, and recognises the full scale of growth expected to be impacting upon it; and
- b) A Statement of Common Ground committing the constituent authorities to work together to secure improvements to the A127.

The intended outcome of this work is a coordinated approach to infrastructure improvements to the A127, which should be more successful in securing the funding needed to be delivered.

## **Lower Thames Crossing**

Highways England (formally the Highways Agency) have been engaging with Basildon Borough Council, and other local authorities in South Essex, with regard to the potential routing of a Lower Thames Crossing over a number of years, but on a regular basis since 2014.

The Lower Thames Crossing will provide a more easterly link across the Thames to north Kent, and the ports in south Kent. This is considered to be extremely important for local economic growth, and therefore officers at Basildon have engaged fully with Highways England to ensure growth in Basildon Borough has been fully captured in the modelling for the route, that the impact of the route on the South Essex road network has been fully assessed, and that the economic benefits of the route for Basildon Borough have been taken into account.

In 2017, the Government announced its preferred route for the Lower Thames Crossing. Whilst this is further west than was considered desirable for Basildon, it will have a connection to the A13, providing opportunities for connectivity for Basildon businesses. Officers have continued to work with Highways England on the modelling of this preferred route so that the local highways impacts are identified and addressed to the benefits of local residents and businesses.

Additionally, now that the preferred route is known, an addendum to the EDNA is being prepared by the South Essex authorities which considers the economic growth impacts and opportunities arising from the Lower Thames Crossing.

The output of this work has been the identification of a route for the Lower Thames Crossing which sits east of the current route at Dartford, and has the potential to serve the South Essex economy better. It is intended that through further engagement, the impacts on the South Essex road network of this route will be fully identified and addressed through appropriate highway planning.

The intended outcomes of this project, once delivered, will be reduced congestion at the Dartford Crossings, improved connectivity between South Essex and north Kent and the ports beyond, and enhanced economic growth in South Essex, including Basildon, arising from this.

## Essex

### Highways

Essex County Council (ECC) is the highway authority that covers Basildon. It has consequently been necessary to work closely with officers from ECC to identify the highways improvements both to the strategic road network and to the local networks needed to support the growth set out in the Local Plan. In order to achieve this, Basildon Borough Council has jointly commissioned all of its transport modelling and transport mitigation modelling with ECC, from Ringway Jacobs. ECC has a contract with Ringway Jacobs for these services, and consequently they have also carried out, or have access to, modelling undertaken for other Essex authorities. This has enabled growth arising from other areas to be factored into the modelling also.

The outputs of this working is transport modelling and transport mitigation projects that the Borough Council and ECC as the highway authority both agree.

The intended outcome of this approach is the delivery of transport mitigation schemes which enable the growth set out in the Local Plan.

### Education and Early Years

Essex County Council (ECC) is the education authority that covers Basildon. It has consequently been necessary to work closely with officers from ECC to identify the education requirements arising from the growth proposed in the Local Plan, and the preferred approach of ECC for meeting that requirement. Officers from Basildon have therefore engaged with ECC throughout the preparation of the Local Plan on the education requirements emerging from different levels of growth. This has included attendance of the ECC Infrastructure Forum, one-to-one discussions with the School Place Planning and Early Years Teams, and the engagement of officers from ECC in the officer level site appraisal process. This has enabled ECC to understand and be able to model the likely impacts of various growth scenarios on the need for school places, early year's places and new education provision, and for this information to be incorporated into the Local Plan.

The output of this work is an understanding by ECC of the growth implications for education provision in Basildon Borough, and the incorporation by Basildon Borough Council of sufficient space for education provision within the Local Plan.

The intended outcome is sufficient provision of school and early year's places within Basildon Borough to meet the needs arising from growth.

### Infrastructure Planning

In 2016, the Essex Planning Officers Association (EPOA) as part of work on an Evolution Deal for Essex, which did not succeed, undertook work to better understand the infrastructure needs of Essex, and how the needs for infrastructure align with planned growth. An Essex wide *Growth and Infrastructure Framework* (GIF) was prepared, with officers at Basildon fully engaged in both the evidence base gathering and assessment elements of the project, and in the project steering group. The resultant document, whilst a snapshot in time, provided a standardised basis for understanding infrastructure requirements across Essex as a whole, and also at sub-regional and local levels. The document is supported by a database of infrastructure projects and growth proposals which will allow future updating of the GIF.

Following on from the GIF, ECC has worked with all of the Districts, Boroughs and City in Essex to prepare an *Economic Growth Model* (EGM). This provides an economic benefits analysis of each infrastructure project (focused primarily on transport and education at

present) in terms of the growth it will enable. The EGM can be updated to incorporate new infrastructure projects and growth proposals as plans progress. This will enable ECC, and the respective Districts, Boroughs and City to focus investment on those proposals which will bring about the greatest benefits. It will also help to inform bids for investments from other funding bodies, and was widely used to prepare 2017 HIF bids of which a number in Essex were successful.

The outputs of this work have been:

- a) A Growth and Infrastructure Framework for the whole of Essex, which has enabled a greater understanding of the cumulative need for infrastructure across Essex;
- b) A database underpinning the GIF, which will enable ongoing joint working on Infrastructure planning; and
- c) An Economic Growth Model, which enables the economic benefits of infrastructure investment to be identified and quantified for the purposes of prioritising investment and seeking funding.

The outcomes of this work are intended to be a better shared position for securing infrastructure funding in Essex, with early evidence from the 2017 HIF bids indicating that this has the potential to be achieved.

#### *Planning for Health and Wellbeing*

Public health is a responsibility of ECC. The public health team at ECC have been working with officers at Basildon and within the other local planning authorities to ensure that plans bring about positive outcomes for existing and future residents. Following one to one meetings, a health topic paper has been prepared to identify the key health issues that need to be addressed in the Basildon Local Plan. This has enabled the healthy communities' chapter, design chapter and other relevant parts of the Local Plan to be amended to ensure better health outcomes for residents can be achieved.

Furthermore, the Public Health team are preparing revised Health Impact Assessment Guidance for the EPOA, and officers at Basildon have been involved in providing advice into that project to ensure that the guidance is useful, and can be referred to by the Local Plan.

The main output of this joint working with public health has been the Health Topic Paper, and the integration of health and wellbeing opportunities that can be secured through place-making within the Local Plan.

It is also intended that there will be updated Health Impact Assessment Guidance published for use by local planning authorities in Essex in due course.

The intended outcomes of this joint working is better health outcomes for existing and future residents, and also a reduced pressure on health services as a consequence of well-planned places.

#### *Design and Place-making*

The Essex Design Guide has a long legacy of improving design outcomes and improving place-making in Essex. However, historically it has focused on detailed elements of design and specific design styles which are not necessarily appropriate within the New Town vernacular. This has prevented Basildon and also Harlow from adopting the Essex design guide in the past.

However, in 2016, a review of the Design Guide was commissioned by the EPOA in order to capture new design considerations such as 'active design', 'older peoples design' and emerging matters such as electric vehicle charging. This presented the opportunity to advocate a more principle-led approach to the guide, moving away from the detailed

prescription in the earlier versions. As part of the EPOA, officer from Basildon fed into the project which culminated in a launch in February 2018 of an updated guide.

The revised guide is web-based, and is intended to be updated regularly (similar to the PPG). Officers at Basildon have continued to work with the project lead to advocate for additional elements to be addressed in the guide such as 'design for traveller sites'.

The output of this work has been the publication of a revised Essex Design Guide, which is more principle based, and can therefore be applied in places such as Basildon. The new guide is web-based and presents the opportunity for new elements of guidance to be added, enabling future development.

The intended outcome of this work is better design quality across Essex, including within Basildon Borough.

### Viability

Market values, and consequently viability across Essex is variable. However, there are key principles that could be robustly applied across Essex in order to prevent developers using viability to undermine infrastructure and affordable housing delivery. This is critical having regard to matters of infrastructure planning across Essex identified in the GIF, as discussed previously. The EPOA have therefore committed to preparing a *Viability Protocol* similar to that currently applied across London, to be applied across all Essex Districts, Boroughs and City. At its meeting of the 7 December 2017, the Council's Infrastructure, Growth and Development Committee recognised the importance of such a shared approach to viability, and committed to involvement in the work of the protocol.

The intended output of this project is a viability protocol which will make clear the position of Essex Councils in relation to viability, and the information that will be expected to be provided in the event a developer is claiming that viability issues prevent the delivery of infrastructure or affordable housing.

The intended outcome is a fair approach to viability assessment which ensures development is supported by infrastructure, and delivers affordable housing when it is demonstrably viable for it to do so.

### Gypsy, Traveller and Travelling Showpeople Accommodation Needs

Basildon Borough has the largest population of gypsies and travellers in Essex. In 2011 it took enforcement action against a large, unauthorised gypsy and traveller site at Dale Farm. This was subject to coverage in the national press. As a consequence of this, and based on legal advice, Basildon Council undertook a full Gypsy, Traveller and Travelling Showpeople Needs Assessment (GTAA) which was reported in 2015. Alongside this, it also undertook a Site Potential Study (similar to a HELAA for traveller sites) to identify potential supply. At that time, the need for pitches was of the order of 255 pitches, and the supply was of the order of 76 pitches. There was a substantive unmet need. This need largely arose from those gypsies and traveller displaced from the Dale Farm site, and growth associated with those families.

Separately to Basildon, but using the same consultants, all other authorities in Essex undertook a joint GTAA which also reported in 2015. To ensure the full picture was provided, the need arising from Basildon was reported in the Essex wide GTAA.

As a consequence of the unmet need, Basildon has made representations to other authorities in Essex seeking assistance, however this assistance was not forthcoming.

In August 2015, the Government published a revised Planning Policy for Traveller Sites, which provided a planning definition of gypsies and travellers, and a separate definition of

Travelling Showpeople. The definitions were different to those used in the Basildon GTAA, and the Essex GTAA (and indeed every other GTAA across the Country). Consequently, Basildon commissioned a review of its GTAA, and a little while thereafter a review of the Essex GTAA was also commissioned. Due to delays resulting from the limited number of suppliers both GTAA's were published in February 2018. The Essex GTAA again incorporates the findings of the Basildon GTAA.

As a consequence of the change in definition, and also as a consequence of the dispersal of those displaced from Dale Farm, the need for Gypsy and Traveller pitch provision has dropped significantly since 2015, to 53 pitches. At its meeting of the 13 February 2018, the Infrastructure Growth and Development Committee resolved a strategy for meeting this need. Consequently, there is no unmet need arising at this time for permanent pitches. Since that time, this matter has been reconsidered by the Council's Strategic Planning and Infrastructure Committee. They have agreed a revised approach to meeting the needs of Gypsies and Travellers which over the lifetime of the plan will address the need for 53 pitches.

It however remains the case that there is a need for joint working across Essex in relation to pitch provision, and also plots for Travelling Showpeople, which is an issue for Thurrock. Basildon, as part of a steering group is therefore working on an 'unmet needs protocol' for Gypsy and Traveller pitches. Furthermore, neither GTAA was able to resolve the need for transit sites/temporary stopping places due to insufficient data on encampments. This data issue has now been resolved and data collection is now underway. It is anticipated an Essex wide piece of work on the need for transit sites will commence in 2019. At its meeting of the 13 February 2018, the Council's Infrastructure, Growth and Development Committee agreed to be part of that project.

The main output of this joint working to date has been the publication of the Essex wide GTAA which includes Basildon's need information.

Further outputs expected are:

- a) An unmet needs protocol setting out how authorities will work together to address any unmet need arising for traveller sites;
- b) An Essex wide assessment of the need and potential location of transit sites.

The intended outcomes of this work is to ensure there are sufficient sites in Essex to accommodate the needs of gypsies and travellers, preventing illegal encampments.

#### *Unmet housing need across Housing Market Area boundaries*

Earlier in this section was a substantive discussion about the South Essex Housing Market Area and unmet need. However, South Essex is not the only housing market in Essex. Brentwood and Maldon both consider themselves to be individual Housing Market Areas. The North Essex Housing Market Area covers Braintree, Chelmsford, Colchester and Tendring, and the West Essex Housing Market Area covers Epping, Harlow and Uttlesford. There are particular cross-overs into Hertfordshire and Cambridgeshire also.

As part of work on its Local Plan, Castle Point Borough Council (in South Essex) made a request to Chelmsford City Council (in North Essex) to accommodate some of its unmet housing need. At a Duty to Cooperate Meeting in respect of the Chelmsford City Local Plan, the appropriateness of this request was queried, as there was an expectation that such requests should first be addressed at the Housing Market Area level. Officers, under the auspice of the EPOA, therefore set about establishing a protocol to be followed when making requests to one another to accommodate unmet housing need. Officers from Basildon were on the task and finish group for this work, and it was reported back to the

EPOA for approval in September 2017. This protocol establishes when it is appropriate to make a request for assistance in meeting unmet housing need, the evidence that needs to be provided and the sequence in which different local authorities should be approached e.g. HMA first. A copy of this protocol is included at Appendix 5.

The output of this work is the EPOA Housing Unmet Need Requests Protocol. The intended outcome is clearer process for making and dealing with unmet needs requests which ultimately secure the housing needed in Essex.

## **Thames Estuary**

The Thames Estuary 2100 Plan sets out the approach to flood risk management in the entire Thames and its estuary up to 2100, with actions assigned to epochs. The Basildon Publication Local Plan falls within the first epoch. It is expected that during this time actions will be taken as part of local plans to avoid development in areas at risk of flooding from the Thames. The Basildon Borough Publication Local Plan avoids placing development within the flood risk zone associated with the Thames Estuary, and therefore aligns with the requirements of that plan.

Separately, the Thames Estuary and Marshes Nature Improvement Partnership also covers parts of Basildon Borough and the adjacent marine environment. Again, development is not intended to be located in this part of the Borough, and the Council is actively engaged in land use management in the area as the owner of Wat Tyler Country Park. Furthermore, it is engaged in working with the current operator to secure a future for the current landfill site at Pitsea as a new nature reserve. This will contribute towards nature conservation in the Thames Estuary and Marshes by providing nesting, roosting and grazing habitats for bird species, and opportunities for other flora and fauna to thrive also.

The proposal in the Local Plan therefore align with these other plans and programmes, and the intended outcomes of those plans and programmes are therefore likely to be achieved, at least in respect of Basildon Borough.

## **Essex Coast**

In response to the Draft Local Plan 2016 consultation, Natural England raised concerns that the Basildon Borough Local Plan, in combination with the other plans of local planning authorities in Essex has the potential to cause significant adverse impacts on European Sites on the Essex Coast as a consequence of increased recreational disturbance from a growing population. Natural England was not satisfied that on-site open space provision away from the coast would be sufficient to mitigate this impact as the characteristics of the coast are such that they cannot be replicated elsewhere, and there will remain a residual impact.

Officers from Basildon Council met separately with Natural England to discuss this matter in March 2017. Initially, it was considered that a review of the South Essex Green Grid Strategy may have a role in addressing this issue, and this option was raised with colleagues in South Essex, although limited progress was made.

In September 2017, Natural England arranged a joint meeting with all those authorities in Essex advanced in their plan-making (Basildon, Braintree, Chelmsford, Colchester and Tendring) to discuss a joint approach to resolving this issue. It was agreed that a Recreation Avoidance and Mitigation Strategy (RAMS) would be investigated, and in November 2017, a meeting between Natural England and all 11 authorities where growth would impact on

European Sites in the Essex coast occurred, where it was agreed to prepare a RAMS covering all 6 European sites on the Essex Coast and all 11 affected authorities.

A project brief was prepared and this was agreed at a further meeting in December 2017. Essex Place Services were appointed to provide project management, and to deliver the RAMS and an associated Supplementary Planning Document (SPD). A Memorandum of Understanding was also put in place to secure commitment to the RAMS project from the respective authorities. Basildon Borough Council agreed to sign this at a meeting of its Infrastructure, Growth and Development Committee on the 16 January 2018 (See appendix 6).

Progress is now being made on the RAMS, with initial survey work having been completed in February 2018. The project plan shows that the RAMS will be completed in early autumn, with the associated SPD completed by December 2018. Steering group meetings are monthly and four stakeholder events are scheduled as part of the project.

The intended outputs of this work are:

- a) A RAMS which identifies the measures that need to be taken to avoid and mitigate harm to European Sites on the Essex coast arising from recreational disturbance.
- b) An SPD which identifies how developers will be expected to contribute towards mitigation through the RAMS.

The intended outcomes of this work are:

- a) The mitigation of harm to European Sites arising from the cumulative impacts of growth set out in the plans of Essex local planning authorities;
- b) The ability for all 11 Essex authorities to be able to adopt their Local Plan in accordance with the requirements of the Habitat Regulations.

## **London**

Basildon Borough Council has actively engaged as a consultee in the London Plan process over a number of years. Members and/or officers have attended various events intended to engage representatives from the wider South East in the preparation of the London Plan and the proposals it is seeking to deliver. Basildon has also consulted with the Mayor at all stages in the preparation of the Local Plan. In response to the Draft Local Plan, the Mayor via the Greater London Authority (GLA) indicated a desire to better understand how employment growth in Basildon could benefit a wider geography, particularly given the location of Basildon within the Thames Gateway, and located on a strategic highway corridor. Since that time it has become clear that London may not be able to make provision for all of its industrial land requirements going forward, and anecdotally Basildon Borough has already benefited from this through the relocation of the European Costa Coffee Roastery from London.

In March 2017, officers from Basildon met with officers from the GLA to discuss the potential for industrial relocation opportunities to be identified in Basildon, and the potential for this to be aligned with highway infrastructure improvements along the A127 Corridor. This has been reiterated in correspondence with the GLA in relation to the Draft New London Plan, and also in correspondence with the London Borough of Havering in relation to their emerging Local Plan. Furthermore, the Basildon Borough Publication Local Plan makes specific provision of land, above and beyond that needed to meet local needs, to accommodate business growth which may be displaced from London. However, at this time, neither the

Mayor nor the GLA have confirmed support for this approach by Basildon, but the London Plan does remain out to the consultation.

The output of this engagement has been the identification of land for economic growth in Basildon Borough through the Local Plan which has the potential to assist London in accommodating businesses that need space which is unavailable in London. The intended outcomes are the growth and retention of businesses in the wider South East, with a particular emphasis on securing good industrial jobs in Basildon which benefit the local economy, and local people.

## **Other Strategic Matters**

### **Health and Wellbeing**

Whilst the providers of health services in Basildon Borough work across boundaries, the relationship Basildon Council has with these providers is more focused on local delivery. This is however fundamentally important to the wellbeing not just of Basildon Borough residents, but also to residents living elsewhere in south and mid Essex.

At a local level, the Council has worked with the Basildon and Brentwood Clinical Commissioning Group, NHS Properties, and local GPs to secure the provision of a new health centre in Wickford. Due to borrowing restrictions in the NHS, Basildon Borough Council built and delivered this project. It is considering similar proposals elsewhere in the Borough to ensure residents have access to good quality healthcare facilities. This includes proposals to build a non-clinical extension at the hospital in order to facilitate the hospitals programme of renewal of clinical spaces. This is where the benefits will be felt across a wider area, as it serves residents of Basildon, Thurrock and Castle Point on a general basis, and also offers specialist clinical services across a wider area including mid and north Essex such as cardiac services. Schemes, such as those set out above will support the growth proposed on the Local Plan, as well as providing much needed improvements for existing residents.

At a County-wide level meanwhile, the Council is a partner to the Essex Live Well campaign. This is designed to engage communities, families and individuals with the aim of providing information about all that is on offer in Essex to improve health and wellbeing in order to collectively find solutions which contribute towards wellbeing in order to reduce costs to the NHS, and on social care. With a growing population, and in particular with a growing population of older people this is particularly important. As outlined previously, the Local Plan has incorporated the advice of Public Health in the Local Plan in this regard. However, on a wider scale the Council is working in existing communities to improve health outcomes. A particular focus of this work has been Pitsea South East Ward, where health outcomes are poor and health inequality is significant.

The Council is therefore working closely with health partners to facilitate the delivery of the health and wellbeing initiatives and infrastructure needed to support both existing residents and the growth arising from the Local Plan. The outputs of this work to date has been the delivery of a new health centre in Wickford. Additional schemes of this nature including an extension to the hospital are anticipated. In terms of outcomes, this work, combined with work under the Essex Live Well Campaign are intended to be better health outcomes for residents, and a reduction in health inequalities.

## **Appendix 1: ASELA Memorandum of Understanding**

## **Association of South Essex Local Authorities**

### **Memorandum of Understanding**

between

Basildon Borough Council

Brentwood Borough Council

Castle Point Borough Council

Essex County Council

Rochford District Council

Southend on Sea Borough Council

Thurrock Borough Council

#### **1. Background**

- 1.1 Stemming from housing and local planning issues initially, there has been a growing recognition of the opportunity and need for greater cross-boundary working on strategic infrastructure planning and growth across South Essex. In June 2017 Leaders and Chief Executives of Basildon, Brentwood, Castle Point, Rochford, Southend-on-Sea, Thurrock and Essex County Council (the Authorities) agreed to initiate and shape a programme of work through the summer and autumn to explore a joint 'place vision' and the scope for greater strategic collaboration along the South Essex growth corridor.
- 1.2 The work during the summer and autumn has resulted in an emerging vision and identification of strategic growth opportunities that need testing and strengthening with the people and stakeholders of South Essex and beyond. It has also built a strong commitment amongst the Authorities to collaborative working. It was agreed that an Association of South Essex Local Authorities (ASELA) should be established to continue this collaborative work.
- 1.3 The Authorities wish to record the intention to establish ASELA and basis of our collaboration through a Memorandum of Understanding (MoU). This MoU sets out:
  - a) The core purpose and aims of ASELA
  - b) The principles of collaboration

## **2. Core Purpose and aims**

- 2.1. The core purpose of ASELA is to provide place leadership for South Essex. Recognising that through our collaborative approach we will be best placed to develop and deliver a vision for South Essex up to 2050, promoting healthy growth for our communities.
- 2.2. ASELA will focus on the strategic opportunities, regardless of individual local authority boundaries for the South Essex economic corridor to influence and secure the strategic infrastructure that will help our individual areas to flourish and realise their full economic and social potential.
- 2.3. The aims of ASELA will be to:
  - Provide place leadership;
  - Open up spaces for housing, business and leisure development by developing a spatial strategy;
  - Transform transport connectivity;
  - Support our 7 sectors of industrial opportunity;
  - Shape local labour & skill markets;
  - Create a fully digitally-enabled place;
  - Secure a sustainable energy supply;
  - Influence and secure funding for necessary strategic infrastructure;
  - Enhance health and social care through co-ordinated planning; and
  - Work with and provide a voice for South Essex to the Thames Estuary 2050 Growth Commission and Commissioners.

## **3. Principles of collaboration**

- 3.1. Our collaboration will be focused on three key areas:
  - Tackling problems we can't solve individually
  - Creating collective scale and impact
  - Providing the place leadership to promote and sell the 'South Essex' proposition
- 3.2. The Authorities agree to adopt the following principles in working together:
  - We are all in this together – and stronger if we work together
  - We should build our governance incrementally – learning from the lessons from other places who are more advanced
  - Through our collaboration we should be gaining something not losing something
  - Local identities should not be lost
  - We need to be a voice for South Essex

## **4. Term and Termination**

4.1. This MoU shall commence on the date of the signature by each Authority, and shall expire if ASELA dissolves.

**5. Variation**

5.1. The MoU can only be varied by written agreement of all the Authorities.

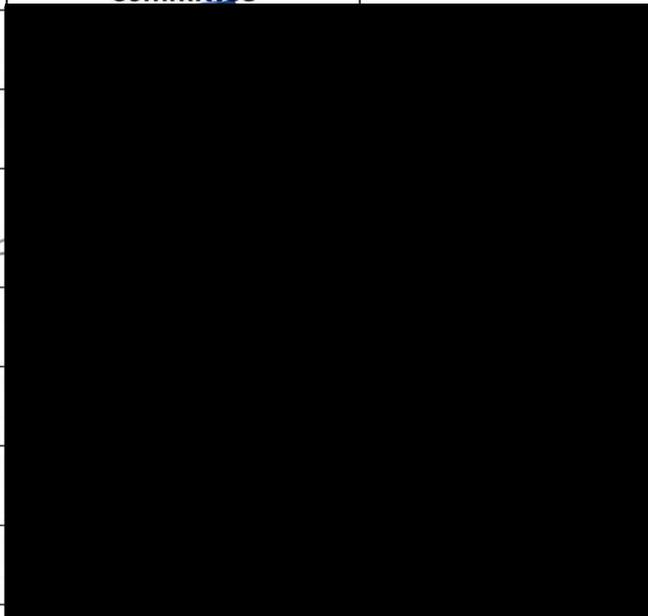
**6. Charges and liabilities**

6.1. Except as otherwise provided, the Parties shall bear their own costs and expenses incurred in complying with their obligations under this MoU.

**7. Status**

7.1. This MoU cannot override the statutory duties and powers of the parties and is not enforceable by law. However the parties agree to the principles set out in this MoU.

**Signed by**

Local Authority	Leader/Chairman of Policy and Resources Committee	Chief Executive	Date
Basildon Borough Council			10/1/18
Brentwood Borough Council			10/1/18
Castle Point Borough Council			10/1/18
Essex County Council			10/1/18
Rochford District Council			10/1/18
Southend on Sea Borough Council			10/1/18
Thurrock Borough Council			10/1/18

**Appendix 2: South Essex Joint Planning Memorandum of Understanding**

**MEMORANDUM OF UNDERSTANDING**

**FOR**

**STRATEGIC PLANNING**

**IN SOUTH ESSEX**

**DATE**      **2017**



# MEMORANDUM OF UNDERSTANDING FOR STRATEGIC PLANNING IN SOUTH ESSEX

## 1. Purpose

This Memorandum of Understanding (MoU) sets out a protocol for cooperation between the five local planning authorities in South Essex (Basildon, Castle Point, Rochford, Southend, Thurrock), and Essex County Council with respect to strategic planning issues. It sets out how the partners will comply with the Duty to Cooperate for their mutual benefit.

The Localism Act 2011 places a Duty to Cooperate on local planning authorities and county councils<sup>1</sup> (amongst other public sector organisations), requiring them to engage constructively, actively and on an on-going basis in the preparation of plans where this involves strategic matters. The National Planning Policy Framework encourages authorities to prepare joint, non-statutory documents, particularly where this provides evidence of having effectively cooperated to plan for issues with cross-boundary impacts<sup>2</sup>.

Although the Duty to Cooperate is not a duty to agree, local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination. Compliance with the Duty to Cooperate will need to be demonstrated at examination, prior to assessment of compliance with the tests of soundness.

Note: The five local planning authorities have a statutory duty to prepare local development plans, whilst Essex County Council and the Unitary authorities of Thurrock and Southend have a statutory duty to prepare local transport plans, waste and mineral plans. In the case of Southend, the waste local plan is already prepared jointly with Essex County Council.

The following key principles are agreed:

- Engage constructively, actively and on an on-going basis in relation to strategic planning matters under the Duty to Cooperate;
- Ensure a broad and consistent approach to strategic planning and development issues in the South Essex Area;
- Support better alignment between strategic planning, infrastructure review and investment priorities in South Essex;
- Adhere to the governance structure set out in the MoU and ensure that activities are delivered and actions are taken as required;
- Be accountable in terms of role and responsibilities as set out in the MoU;

---

<sup>1</sup> Localism Act 2011, section 110.

<sup>2</sup> National Planning Policy Framework, paragraph 181.

- Be open and communicate about concerns, issues and opportunities in respect of collaboration and joint working;
- Act in a timely manner, recognising the time critical nature of consultations, technical projects and plan preparation;
- Adhere to statutory requirements. Comply with applicable laws and standards, data protection and freedom of information requirements;
- Encourage, develop and share best practice in terms of the Duty to Cooperate and strategic planning matters;
- Agreement on set outputs for delivery; and
- Ensure adequate resources and staffing are in place to undertake effective collaboration and joint working.

The South Essex local authorities have a long history of working together on planning matters across the sub-region. The local authorities continue to work together to promote a positive approach to planning for growth and development in South Essex and have agreed to sign this MoU to formally recognise this effort.

The local authorities agree to follow a protocol, in order to observe these key principles, and to meet the legal requirements of the Duty to Cooperate with regard to strategic planning matters (*engage constructively, actively and on an on-going basis*) and test of compliance as set out in the National Planning Policy Framework (*key strategic matters that should be addressed jointly*). The legal requirement of the Duty to Cooperate is noted as being separate from, but related to the Local Plan tests of soundness.

## **2. Parties to the Memorandum**

The MoU is agreed by the following local authorities:

Basildon Borough Council

Castle Point Borough Council

Essex County Council

Rochford District Council

Southend on Sea Borough Council

Thurrock Borough Council

### **3. Area Covered**

For the purposes of this MoU the geographic area of South Essex applies to the administrative areas of Basildon Borough, Castle Point Borough, Rochford District, Southend on Sea Borough and Thurrock Borough Councils.

### **4. Status**

This MoU cannot override the statutory duties and powers of the parties and is not enforceable by law. However the parties agree to the principles set out in this MoU.

This MoU is not a development plan, nor a legally binding document, but will be used in the consideration of how the South Essex local authorities have jointly approached strategic planning issues and legal compliance with the Duty to Cooperate.

In keeping with the principles of localism, this MoU respects the sovereignty of the individual local development plan-making functions of the South Essex local authorities. Therefore, it does not seek to determine the locations for development within local authority administrative areas. Furthermore, it does not seek to include prescriptive or directive policies which would limit the ability of the individual local authorities to meet their development needs in a locally appropriate manner.

This MoU may be supported by other documentation, and other subject specific MoUs, which set out in more detail how the parties will work together to tackle more detailed matters with respect to strategic planning in South Essex.

It is accepted that an individual party or group of parties that are signatories to this MoU may also be signatories to other MoUs between themselves, or with other parties outside South Essex in respect of the Duty to Cooperate.

## **5. PROTOCOL**

### **i. Deliverables and Outputs**

The local authorities will work together where appropriate to:

- Ensure a coherent and collaborative approach is undertaken for strategic and sub-regional planning matters across South Essex;
- Positively engage to comply with the requirements for Duty to Cooperate to achieve effective strategic and cross boundary outcomes;
- Identify and manage strategic planning matters (including those referred to in paragraph 156 of the NPPF) that impact on more than one local authority within South Essex;

- Ensure that strategic planning matters addressed by each local planning authority are, where appropriate, informed by the views of other local authorities across South Essex;
- Collaborate and seek to align local plans and associated local transport plans across South Essex to ensure the effective delivery of the levels of growth, sustainable development and transport provision proposed by the local planning authorities;
- Explore opportunities for the preparation and delivery of a joint Strategic Planning and Infrastructure Framework that sets out how long-term strategic planning in South Essex will be managed amongst all parties;
- Jointly commission technical evidence studies and related advice when and where necessary;
- Engage with the Mayor for London, as well as adjoining local authorities and their partnerships on strategic planning matters including participation with the Wider South East Local authorities;
- Consult and engage with other Duty to Cooperate bodies and other partners/stakeholders;
- Make joint representations on behalf of the South Essex authorities with regard to consultations by other local authorities, the Mayor of London, other public bodies and stakeholders on Strategic Planning matters covered by the Duty to Cooperate, wherever possible;
- Exploring opportunities for joint working to achieve a more cost-effective use of professional and financial resources; and
- Develop, maintain and keep under review at least annually, a joint work programme that brings together all strategic planning and cross boundary working.

Key outputs of this MoU are:

- Joint evidence base, including identification of various development needs;
- A joint Strategic Planning Framework to guide development and delivery principles;
- A joint Cooperation Monitoring Report, prepared annually to chart and monitor cooperation activities and their outcomes to plan-making and to feed into individual planning authority's Annual Monitoring Report;
- A joint Statement of Cooperation that can set out the agreed position on strategic planning and cross boundary matters in South Essex;
- Further MoU's on detailed matters, where appropriate.

## **ii. Governance, Roles and Responsibilities**

Each local authority will continue to be responsible for preparing, consulting on and adopting their own local development plan and the three Highway Authorities (Essex, Southend and Thurrock) their local transport plans under their own governance and approval arrangements.

For collaboration and joint working in South Essex the partners have agreed the following governance structure:

### **1) Strategic Planning Members Group**

The leadership and overview of work required to deliver the necessary outcomes from the collaboration on Strategic Planning and Duty to Cooperate will be through a Strategic Planning Members Group with representation from each of the participating authorities.

### **2) Strategic Planning Heads of Service Group**

The Members Group will be supported by a Heads of Service Group with each partner represented. The Heads of Service Group will provide strategic oversight and management of the joint work programme and will seek to deliver the majority of work through a separate Strategic Planning Officers Group.

### **3) Strategic Planning Officers Group**

The Officers Group will report to the Heads of Service Group. The Officers Group will prepare reports and oversee the day to day management of key joint tasks including consultation and the development of technical evidence.

Other Duty to Cooperate bodies, and partners may also be requested to provide advice and support to their work as necessary.

The Members Group, Heads of Service Group and Officers Group will meet on a regular basis and keep notes and records of each meeting. Terms of Reference will be established setting out the roles, responsibilities, administration and governance arrangements for each group and these will be revised annually to ensure they remain relevant.

## **iii. Consultation and liaison**

Each local authority will:

- Notify the other local authorities, party to this MoU, at each consultation stage in the preparation of its local development plan and in the case of the Unitary Authorities (Southend and Thurrock) and Essex County Council, plans relevant to their statutory function, including waste, minerals and transport;

- If requested, meet with, and discuss any issues raised by one or more of the other local authorities and take account of any views expressed on those issues;
- Consult with local authorities and key stakeholders outside of South Essex on key strategic planning matters in accordance with the principles of this MoU and the Duty to Cooperate;
- Prepare a record of any meetings on Duty to Cooperate issues with other local authorities and agree with the other local authority(s) that this is an accurate record of the discussion and agreed outcomes.

#### **iv. Monitoring and Review**

The South Essex Strategic Planning Members Group as part of its meetings will:

- Review work and work programmes undertaken jointly by the South Essex local authorities;
- Monitor the preparation of planning policy documents across South Essex and discuss strategic planning issues;
- Oversee preparation of a Cooperation Monitoring Report;

The local authorities will keep this MoU under review to ensure it remains fit for purpose.

#### **v. Resourcing**

- Local authorities should ensure that adequate resources are provided in order to undertake the joint work programme and consultation on strategic planning matters as set out in this MoU;
- Additional resources may be provided by other relevant bodies, as agreed to undertake specified tasks under the work programme.

#### **vi. Dispute Resolution**

If any party has any issues, concerns or complaints about any matter in this MoU, that party shall notify the other parties and the parties shall then seek to resolve the issue by a structured communication. If the issue cannot be resolved within a reasonable period of time, the matter shall be escalated to the HoS Group, which shall decide on the appropriate course of action to take. If the matter cannot be resolved by the HoS Group the matter will be passed to Chief Executives Group and finally may be escalated to the Strategic Planning Members Group for resolution.

If any party receives any complaint, claim or threat of action from a third party (including, but not limited to, claims made by a supplier) in relation to this MoU, the matter shall be promptly referred to all parties. No action shall be taken in response to any such complaint, claim or action, to the extent that such response would adversely affect the parties to the MoU, without the prior approval of the Strategic Planning Members Group (or its nominated representatives).

#### **vii Liabilities**

Except as otherwise agreed, the parties shall each bear their own costs and expenses incurred in complying with their obligations under this MoU.

The parties agree to share costs and expenses arising from any joint project between them, as identified in any work programme or procurement of joint services.

#### **viii. Limitations**

The local planning authorities recognise that there will not always be full agreement with respect to all of the issues on which they must cooperate. For the avoidance of doubt this MoU will not restrict the discretion of the local authorities in the determination of any planning applications or in the exercise of any of its statutory planning functions and other powers, or duties, nor affect or seek to influence individual responses to consultations.

#### **ix. Review of the MoU**

This MoU is effective from the date it is signed by the Chief Executive and Leaders of all parties. It will be reviewed at the start of each municipal year in order to inform any changes necessary going forward.

#### **x. Termination**

Any party may terminate their involvement by giving at least three months notice in writing to each of the other parties.

Withdrawal from the MoU does not however remove a local authority's Duty to Cooperate pursuant to the relevant legislation and they agree by virtue of withdrawal, that they will put in place alternative, effective mechanisms for cooperation with the other MoU parties.

**xi Variation**

This MoU may only be varied by written agreement of all parties through Chief Executives and Leaders, then ratified by the Members Group.

**xii Intellectual Property Rights**

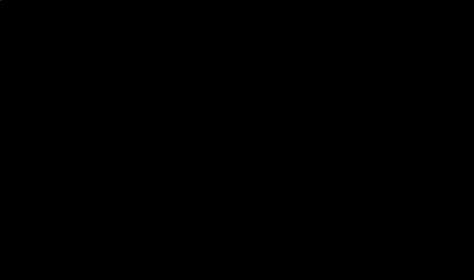
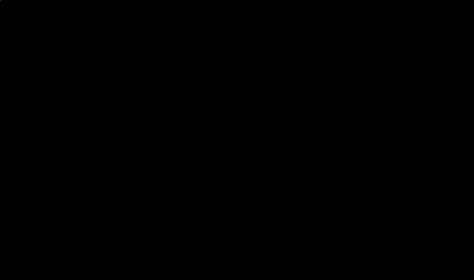
Subject to the rights of third parties, the partners will share equally the intellectual property rights to all data, reports, drawings specifications, designs or other material produced or acquired including copyrights in the course of their joint work. The parties agree that any proposal by one partner to permit a third party to utilise the documents produced and materials produced by the partners shall be subject to agreement of all other parties. Any changes, amendments or updates made to documents and materials if made under the terms of the MoU, shall be jointly owned by all parties.

If the MoU is terminated, all parties agree that any reports, studies or any other information which has been jointly prepared by the parties can be used by each of the parties separately.

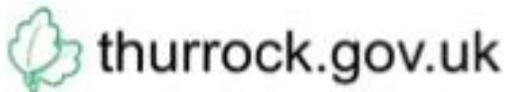
**xiii Freedom of Information Requests**

If any party receives a Freedom of information request (made under the Freedom of Information Act 2000) in respect of shared work associated with the MoU it will be shared at the earliest opportunity with other relevant local authorities in order to determine and achieve a consensus as to what information shall be released.

**Table of Signatories**

Signature	Role	Authority	Date
	Member of Council	BASILDON BC	2 FEB 17
	Chief Executive	BASILDON BC	2 FEB 17.

**Appendix 3: South Essex Strategic Planning Statement of Common Ground**



# South Essex Joint Strategic Plan

## STATEMENT OF COMMON GROUND

June 2018

## 1. Introduction

1.1 In February 2017, the Government introduced the proposition that all Local Planning Authorities (LPAs) be required to prepare a ‘Statement of Common Ground’ (SCG) to help manage strategic planning matters across local authority areas and strengthen the Duty to Cooperate<sup>1</sup>. Further details of this proposal were set out in the consultation document, published in September 2017<sup>2</sup> and are now formally included in the draft revised National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG).<sup>3</sup> The Government’s objectives of the proposal are to:

- *increase certainty and transparency, earlier on in the plan-making process, on where effective co-operation is and is not happening;*
- *encourage all local planning authorities, regardless of their stage in plan-making, to co-operate effectively and seek agreement on strategic cross-boundary issues, including planning for the wider area’s housing need; and*
- *help local planning authorities demonstrate evidence of co-operation by setting clearer and more consistent expectations as to how co-operation in plan-making should be approached and documented.*

1.2 The requirement for a SCG will operate in tandem with two new proposed ‘tests of soundness’. These will be used at local plan examinations to ensure that there is not only a proactive and positive approach to strategic planning matters across housing market areas (as currently required by the Duty to Cooperate), but that there is a clear (and agreed) approach to how these will be delivered in all relevant local plans. The new tests will come into effect when the final version of the revised NPPF is published (currently anticipated by end of July 2018) and as currently proposed would require plans to be:

- a) informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*
- b) based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground.*

1.3 The South Essex LPAs of Basildon, Brentwood, Castle Point, Rochford, Southend-on-Sea and Thurrock, together with Essex County Council, have agreed to prepare a new Joint Strategic Plan (JSP) for the area. Although the SCG will be prepared to support the Duty to Cooperate as required by national policy, it will also set out the project management arrangements for the JSP. This is an iterative process, however, and this first stage SCG is being used by the Authorities as a ‘pre-commencement’ document for the JSP.

---

<sup>1</sup> Housing White Paper - <https://www.gov.uk/government/publications/fixing-our-broken-housing-market> - Paragraph 1.9

<sup>2</sup> Planning for the right homes in the right places - <https://www.gov.uk/government/consultations/planning-for-the-right-homes-in-the-right-places-consultation-proposals> - Paragraphs 56 to 87

<sup>3</sup> A revised (draft) version of NPPF was published on the 5 March - <https://www.gov.uk/government/consultations/draft-revised-national-planning-policy-framework>

- 1.4 The SCG will be agreed and signed by all seven partner authorities by the end of July 2018, initiating the formal process for preparing the JSP. At this point, individual LPAs will update their Local Development Schemes (LDS) to reflect the new portfolio approach to plan-making across the sub-region.

## 2. South Essex - the Place

- 2.1 South Essex covers the local planning areas of Basildon, Brentwood, Castle Point, Rochford, Southend-on-Sea and Thurrock. It is strategically located on the edge of London and is well connected with several strategic roads linking communities within and outside South Essex. It is also an important national and international gateway, with three major ports on the Thames Estuary and London Southend Airport.

### Figure 1: Map of South Essex

[insert map showing SE within wider 'regional' context]

- 2.2 Its close proximity to London and its position on the Thames Estuary are major factors behind the historical growth of South Essex and these will continue to be major influences on its future growth and wider relationship with the rest of Essex. However, these locational advantages need to be managed effectively to ensure that the benefits and future opportunities arising from these advantages can be realised.
- 2.3 The growth offer in South Essex is therefore potentially significant, but there are a number of challenges in making sure that growth is healthy, inclusive and sustainable over the long term:
- Major investment in transport and other infrastructure is required if South Essex is to play its full role in delivering high quality growth which is befitting of its location neighbouring a World City;
  - Weaknesses in business growth, the skills needed to maximise the opportunities provided by the diverse economic base and the entrepreneurial spirit of South Essex residents will need to be addressed;
  - Whilst the quality of life for many is high, there are significant inequalities within some communities, and as such growth must be inclusive;
  - There is space to grow across South Essex but there are challenges around ensuring this happens in a way that enhances the environmental offer, particularly in terms of green space, air quality and impact on climate change.
- 2.4 These challenges are common across the sub-region and require strategic solutions but there are also more locally specific issues being addressed by individual councils through their own place-shaping role. Therefore a combination of strategic and local approaches is needed to ensure that South Essex is an area that is inclusive, economically successful, dynamic and environmentally sustainable.

### 3. South Essex District by District

#### 3.1 *Basildon*

Basildon Borough lies 30 miles east of the City of London covering an area of approximately 10,900 hectares and is home to 185,000 people and an economic base for over 90,000 jobs. The Borough's main urban areas are the New Town of Basildon (which includes Laindon and Pitsea), Billericay and Wickford. 63% of land is designated Metropolitan Green Belt outside these areas.

3.2 The Council has identified specific ambitions which the Borough's Local Plan and JSP will contribute to delivering by helping to create well planned, attractive communities that are linked to services and job opportunities. Working with other South Essex Authorities, the Council's ambitions are to:

- support the educational and skill improvement of local people to ensure they can benefit more inclusively from growth, whilst helping them realise their potential;
- support the expansion and regeneration of sustainable economic and commercial growth centres, supported by a locally available and skilled workforce;
- plan for sustainable housing growth, supported by appropriate infrastructure, delivered in a timely fashion;
- provide greater influence on planning and infrastructure decisions, whilst acting as a combined voice to attract investment from the Government and the private sector to deliver sustainable growth;
- support the improvement of residents' health and wellbeing by conserving important natural and historic areas and planning for green infrastructure, health and cultural facilities alongside growth;
- plan for new and enhanced green spaces, protect and enhance wildlife, biodiversity, geodiversity, local landscape and priority habitats, and ensure a safer natural environment.

#### 3.3 *Brentwood*

Brentwood Borough is characterised by its village character, a "Borough of Villages" surrounding Brentwood market town at its heart, covering 15,100 hectares and home to 80,000 people. 89% of the Borough is designated Metropolitan Green Belt. Brentwood is ideally placed with high connectivity to London and wider transport networks, plus excellent access to surrounding countryside.

3.4 This 'best of both worlds' results in attractive places to live and work, and brings high land values. The proximity of the Borough to London means high levels of out-commuting, but the quality of local schools and other services attracts a high level of in-commuting too. There are however limited brownfield opportunities to accommodate increasing development needs. The Borough is further constrained in terms of its infrastructure and local services which are both at capacity. Balancing growth needs with the aim to maintain and enhance local character is therefore challenging.

### 3.5 **Castle Point**

Castle Point is a relatively small local authority area just 4,500 hectares in size, with a population of 88,000 people. It sits at the heart of the South Essex sub-region on the northern bank of the Thames Estuary between the larger settlements of Basildon and Southend. It is these larger settlements, along with London, on which Castle Point relies for its employment, services and leisure opportunities. The key planning issues comprise:

- the challenge of meeting housing need in a borough of significant Green Belt and other environmental constraints and where land availability is confined to small scale infill sites in the built-up area;
- the need to improve infrastructure to address congestion, historic underinvestment and provide capacity for growth;

### 3.6 **Rochford**

Located on a peninsula between the River Thames to the south, the River Crouch to the north and the North Sea to the east, Rochford is a district rich in heritage and natural beauty covering an area of 16,800 hectares. The majority of the district's 85,000 residents are located in the more accessible western extent within the towns of Rayleigh, Hockley and Rochford. Smaller villages and hamlets are dispersed across the eastern, less accessible parts of the district.

3.7 Development opportunities within the existing urban areas to provide local jobs and homes are limited by a lack of suitable brownfield sites. Outside the urban areas, over 12,400 hectares is designated Metropolitan Green Belt; considerable parts of the district are also subject to other environmental constraints given its coastal nature.

3.8 The district's economic strengths lie primarily in its entrepreneurial character, with an abundance of successful small and medium sized businesses, coupled with the presence of London Southend Airport, a regionally important asset, which has led to the development of a new high-quality business park in the district. The district is accessible from London but challenges remain in terms of road and rail capacity providing adequate east to west, and north to south connectivity.

### 3.9 **Southend-on-Sea**

Southend-on-Sea is the eastern-most extremity of South Essex lying on the northern side of the Thames Estuary at the point where it meets the North Sea. It has a linear form lying along the coast, and is bordered to the north by Rochford and to the west by Castle Point.

3.10 Southend is a sub-regional centre for employment and retail provision in South Essex as well as a major tourist resort and leisure destination with over six million visitors a year. With a population of 179,800 in an area of approximately 4,100 hectares, Southend is a densely populated urban Borough with nine mainline railway stations and the international London Southend Airport. The predominant land use in Southend is residential, interspersed with mature parks and seven miles of foreshore fronting the Thames estuary to the south and east. Southend has four areas of metropolitan green belt within its administrative boundary,

all of which form a small part of the extensive Green Belt separating settlements within South Essex.

3.11 Southend Borough Council's corporate vision is 'Creating a better Southend' and the Council is progressing its vision for 'Southend 2050'. The Southend Core Strategy (2007), along with the Council's other Development Plan Documents, has been instrumental to date in delivering a step change in regeneration and growth within the Borough. The Council's vision for Southend and Southend 2050 aim to:

- maximise opportunities for sustainable housing growth, supported by appropriate infrastructure, in a Borough with limited land availability;
- deliver sustainable, economic growth, providing employment opportunities within the Borough and supporting the growth of London Southend Airport;
- promote and enhance the tourism, cultural and leisure offer, including visitor accommodation, and having regard to the assets offered by the area in order to attract greater visitor numbers and promote more overnight and longer stays.
- secure improvements to infrastructure capacity to address congestion, historic underinvestment and to provide capacity for growth;
- ensure residents have access to high quality education to enable them to be lifelong learners and have fulfilling employment;
- create sustainable communities that contribute to the health and well-being of residents, including planning for health, community and cultural facilities, as well as new and enhanced areas of green and open space;
- conserve and enhancing the historic environment and natural environment, including the biodiversity assets of the foreshore;
- support the growth and regeneration of the town, district and local centres to serve the local and sub-regional population.

### 3.12 **Thurrock**

Occupying 18 miles of riverfront and covering 16,300 hectares, Thurrock is situated on the northern side of the River Thames, 20 miles from central London. With a population of 157,000 which is forecast to rise to 200,000 by 2037, Thurrock comprises a diverse range of urban, rural and riverside environments, with over 65% of the Borough is designated as Metropolitan Green Belt. Much of the riverside area within Thurrock is urbanised with a mixture of residential, industrial, and port related development at the western and eastern ends of the Borough. Thurrock is made up of a number of settlements including Grays, Stanford/Corringham, South Ockendon and Tilbury together with a number of villages in the Green Belt.

3.13 The main employment sectors in the Borough are transport and logistics, port functions and retail. The strength of these sectors reflects Thurrock's key locational advantages, which include its close proximity to London and international gateways which make it an attractive proposition for inward investment. A testament to this is the increasing levels of private sector investment which has/will be generated by proposed or committed development at Purfleet, Lakeside, the Port of Tilbury, the new London Gateway super-port and Thames Enterprise Park.

3.14 Key place-shaping ambitions of the Council are to:

- Reduce inequalities and improve the attractiveness of the Borough as a place to live, work, visit and invest in.
- Deliver sustainable economic growth by meeting the land and property needs of business and Thurrock's major employers.
- Increase the scale and rate of housing delivery to meet the housing needs of all sections of the community.
- Maintain vibrant, prosperous and competitive town centres.
- Delivering the strategic and local infrastructure improvements required to support growth and the regeneration and health and well-being of local communities.
- Improve accessibility and encouraging sustainable travel.
- Maintain and protect the distinctive character and setting of the Borough and its historic built and natural assets.
- Protect and respect the key role of the River Thames as an economic, recreational and environmental asset.
- Address climate change and poor air quality.

#### **4. Essex County Council's role in the Partnership**

4.1 Essex County Council (ECC) is the strategic upper tier authority covering the county of Essex. To that end, ECC works closely with the districts and boroughs of Brentwood, Basildon, Castle Point and Rochford to provide several key public services and works in close partnership with Southend-on-Sea and Thurrock as neighbouring authorities that deliver against common aims and objectives. ECC is focussed on delivering inclusive economic growth, helping people get the best start in life and to age well, and to help create great places to grow up, work and live. Key to the achievement of these organisational priorities is ensuring that the key places and communities in South Essex feel the benefit of economic growth and sustainable development. As well as working closely with South Essex local authorities, ECC also works to support and influence regional and national partners, to deliver services and represent the best interests of the people of South Essex by:

- promoting economic growth, regeneration, infrastructure delivery, and sustainable new development;
- being a provider and commissioner of a wide range of local government services covering Brentwood, Basildon, Castle Point and Rochford including responsibility as the highways authority for the delivery of the Essex Local Transport Plan; Local Education Authority including early years and childcare; Minerals and Waste Planning Authority; Lead Local Flood Authority; lead advisors on Public Health and delivery of adult and children's social care services and;
- being an infrastructure funding partner, supporting the delivery of strategic and local infrastructure to ensure the delivery of community outcomes.

## 5. The South Essex 2050 Ambition

**“South Essex: *the place to live, the destination to visit and the place for business to thrive*”**

### The Ambition

- 5.1 In the Autumn of 2017, the Leadership of South Essex Councils embarked upon a programme of work which would lead to a shared ‘place ambition’ and greater collaboration on strategic priorities to support long term growth. This was initiated in response to the recognition that there was a need to work more effectively on strategic planning matters across South Essex and maximise the, potentially significant, opportunities strategic collaboration could bring to the area. The Association of South Essex Local Authorities (ASELA) was established in January 2018 to take the lead in implementing the Ambition (see Annex 1).
- 5.2 The ‘South Essex 2050 Ambition’ sets out the opportunity for growth and development across the sub-region and the positive effect it will have on the economy, together with the right scale and type of infrastructure to support growth. Operating together, the South Essex strategic growth assets could provide the infrastructure for people and businesses to experience a fully connected place (nationally and internationally) where they can take advantage of the unrivalled potential on offer in one area – business growth, employment opportunities, varied and interesting communities to live in and a rich diversity of cultural and recreational experiences to enjoy.
- 5.3 By 2050, the ambition is that all new development will be located in the most sustainable locations, will be of the highest quality, will support the emerging local industrial strategy priorities<sup>4</sup>, and will be well-connected by a fully integrated transport system and framework of green spaces. The current estimated need for housing across South Essex is 90,000 dwellings over the next 20 years<sup>5</sup>, but with the right conditions to support growth, more could be achieved. As part of the consideration of long term spatial options, the authorities are therefore exploring whether the development of new ‘Garden’ communities could offer a strategic solution to growth. The new communities could significantly enhance housing opportunities and community facilities for local people, and support new commercial and employment hubs, creating centres of business excellence within the sectors of industrial opportunity.

---

<sup>4</sup> The South Essex seven Local Industrial Strategy priorities are Advanced Manufacturing; Construction; Environmental Technologies and Energy; Digital and Creative Services; Finance and Business Services; Life Sciences and Healthcare; Transport & Logistics

<sup>5</sup> The South Essex Authorities estimate that up to 4,500 new homes will be needed each year to meet housing needs. However this will have to be assessed against the Government’s new proposed methodology for determining Local Housing Needs, due to be published by the end of July 2018.

## 6. South Essex Strategic Areas of Opportunity

Five areas of strategic importance have been identified by ASELA as places that potentially offer the greatest potential to deliver the South Essex 2050 Ambition, with the right investment and leadership. The 'Strategic Areas of Opportunity' are:

### 6.1 *The River Thames and Thames Estuary*

The River Thames Estuary stretches along the Essex, Kent and London coastline, with around 40 miles being within South Essex. It is of both national and international importance with major port and tourism facilities as well as areas of nature conservation value. The aim is to maximise the economic potential of major visitor and recreational opportunities this offers South Essex and London, whilst protecting and enhancing the natural environment. In addition, there is the potential to increase the opportunities the river offers for enhancing transport connectivity between South Essex and London.

### 6.2 *London Southend Airport and surrounding area*

London Southend Airport offers major national and international connectivity and has the potential to further increase destination opportunities. Significant surface access improvements are essential to realise the full economic potential of the airport. The area surrounding the airport is currently being developed as a major business park facility and has the potential to unlock significant new business, employment and residential opportunities across the wider area.

### 6.3 *The A127 Transport Corridor*

The A127 provides a strategic east to west transport route across the sub-region stretching from Southend to the London Borough of Havering (LBH) in east London with direct access to the M25, A130 and A13. It is not trunked and spans three Highway Authorities in respects of ownership and management and crosses five Local Planning Authorities along its route. The ASELA authorities and LBH have collectively prepared a Statement of Common Ground with regards to the issues for sustainable growth and plan making that the A127 Transport Corridor presents; and the Highway Authorities are developing a joint Implementation Plan as part of the A127 Corridor for Growth (the Route Management Strategy).

The route already experiences significant capacity issues, particularly at key junctions. With the right investment this strategic corridor has the potential to unlock significant new business, employment and residential opportunities. It will also help to deliver north to south connectivity improvements and further improved travel flow benefits across the area. These improvements will be key to realising the 'Strategic Areas of Opportunity', including Basildon Enterprise Corridor. the economic potential of London Southend Airport and Southend on Sea as a major resort and visitor destination.

### 6.4 *Crossrail connectivity / A12/A129*

As part of the consideration of long term spatial options, the authorities are considering the potential for new 'Garden' communities. These and other economic opportunities in the sub-region would be dependent upon significant investment in improving its road and rail

transport infrastructure. The opening of the Elizabeth Line through central London offers major advantages in terms of connectivity to the new 'Garden' communities, joining up business and employment opportunities as far afield as Reading, and for improving linkages between London Southend Airport to London City and Heathrow Airport.

#### 6.5 ***Lower Thames Crossing, Thurrock Thameside and A13 Corridor***

The Lower Thames Crossing is a nationally significant new River Thames crossing linking the M2 in Kent and the A13 and M25 in Essex, offers the potential to unlock significant new business, employment and residential opportunities and improve travel flow benefits across the area. The scale of benefits arising from the new infrastructure will be dependent on the ensuring the right junctions along the route through South Essex, particularly the A13 serving the south Essex ports.

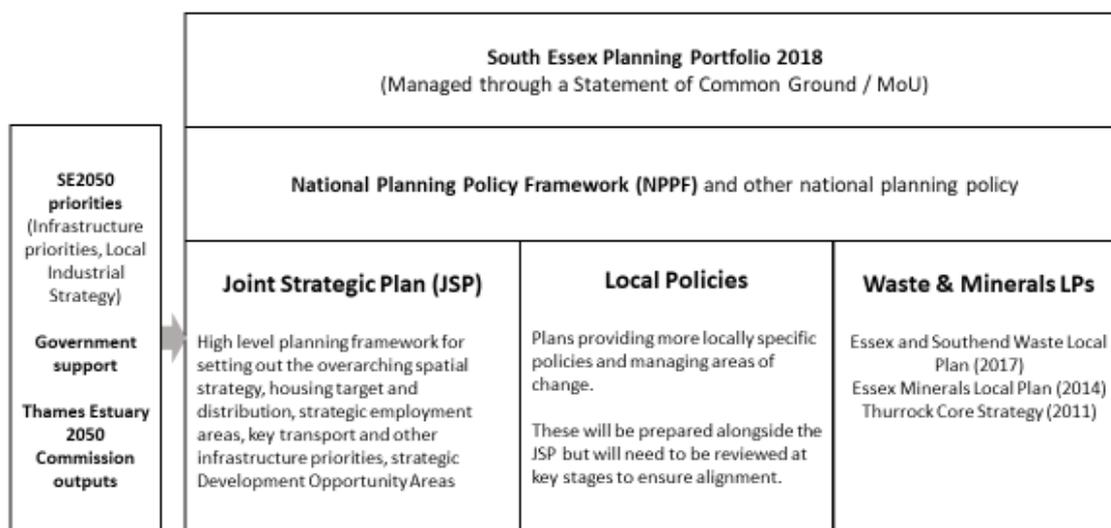
Within Thurrock Thameside/A13 corridor there are significant opportunities to build upon the areas historic focus for industrial and port related activity to support future economic and housing growth. Capitalising on strategic access provided by the C2C Thameside line and the A13, this SAO includes the development of a range of new strategic housing locations; the creation of new town centres at Purfleet and Lakeside providing new retail and leisure facilities together with the delivery of 6,000 new homes; the regeneration of Grays and Tilbury Town Centres; the continued expansion of the Ports of Purfleet, Tilbury and London Gateway and strategic employment development at Thames Enterprise Park.

The potential extension of Crossrail 2, with an Eastern Branch extending into South Essex, has the potential to address capacity constraints at Fenchurch St Station and to improve connectivity into central London

## **7. Implementing the South Essex 2050 Ambition**

- 7.1 Implementation of the South Essex 2050 Ambition will be steered through ASELA and a number of inter-related workstreams have been initiated to facilitate this. These cover strategic infrastructure priorities, the production of a local industrial strategy and the implementation of the spatial strategy. This SCG sets out how the spatial strategy workstream will be implemented through a new local planning 'portfolio', with a Joint Strategic Plan providing the overarching framework within which more focused local development plans will be prepared (see Figure 4 below).
- 7.2 The JSP will also provide a reference framework for the preparation of a Strategic Transport Framework, sitting under the three current statutory Local Transport Plans (LTPs) and forming part of the JSP. The Strategic Transport Framework will be prepared by the three Highway Authorities for South Essex, namely Thurrock and Southend Unitary Authorities and Essex County Council, with partners including the LPAs.

Figure 4: The South Essex Planning Portfolio



## 8. Delivering the South Essex Planning Portfolio

### 8.1 *The Joint Strategic Plan*

The South Essex 2050 Ambition will be delivered over the next 30 years, with some of it fully realised within the timeframe of the current South Essex JSP (period 2018-2038). Other longer-term components will be included in future reviews of the JSP<sup>6</sup>, as the plan’s timeframe is rolled forward.

8.2 The JSP will provide the strategic context for the statutory development plan portfolio and will be prepared jointly by all LPAs and Essex County Council. Its scope will therefore be focused on the strategic policy matters that are common across all six local planning areas as follows:

- **South Essex Spatial strategy:** distribution of growth, town centre hierarchy and setting long term extent of the Green Belt
- **Strategic Areas of Opportunity (SAO)** and the role of each
- **Cross-cutting themes:** including promoting social cohesion; healthy and inclusive growth; high quality development and design; supporting sustainable development; climate change
- **Overall housing provision, distribution across SAO and housing needs**

<sup>6</sup> Regulations under the Neighbourhood Planning Act 2017 require that Local Development Documents and Statements of Community Involvement are reviewed every five years to ensure that they remain relevant and up to date - [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/670593/Chief\\_Planner\\_Newsletter\\_-\\_December\\_2017.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/670593/Chief_Planner_Newsletter_-_December_2017.pdf)

- **Local industrial strategy priorities** and spatial implications (including strategic employment land allocations).
  - **Strategic transport and infrastructure priorities**
  - **Natural environment and resources**, including green and blue infrastructure
  - **Climate change and energy**
  - **Implementation and Monitoring Framework**
- 8.3 The South Essex Local Planning Portfolio will also rely on the policies set out in the national policy framework<sup>7</sup> and will therefore not duplicate any nationally set policies, unless there are specific local circumstances that justify a deviation from this. However, there may be a need for supplementary planning guidance in addition to the NPPF, to provide a local interpretation and implementation of national policy.
- 8.4 ASELA has agreed an accelerated timetable for preparing the plan given the urgent need to implement the shared ambition, building investor confidence and ensuring the right infrastructure is secured to support delivery of the strategic spatial and economic priorities. There are risks attached to delivery of the JSP within this timescale, however, particularly as it will be dependent on significant infrastructure investment. A risk assessment and management plan have therefore been prepared to help ensure that the agreed timetable is maintained and to support implementation of the JSP (see Section 6 and Annex 6).
- 8.5 Key milestones for preparing the JSP are set out below. A detailed work programme has also been agreed to help manage the preparation of the JSP across the seven local authorities involved and to ensure it continues to be treated as a priority by all involved.

February 2017: South Essex authorities agree to prepare Strategic Planning and Infrastructure Framework (through South Essex Strategic Planning Memorandum of Understanding) and commence exploratory projects, including South Essex 2050.

February 2018: Following completion of South Essex 2050, South Essex Authorities (including Brentwood) agree (through ASELA Memorandum of Understanding) to formally work together to prepare the JSP and develop a South Essex Local Planning Portfolio.

July 2018: ASELA agrees first stage Statement of Common Ground and Strategic Planning Memorandum of Understanding (MoU) and recommends for endorsement to all South Essex LPAs and Essex County Council. All South Essex LPAs update their Local Development Schemes (LDS) and agree to update their Statement of Community Involvement (SCI) to reflect the South Essex Local Plan Portfolio.

---

<sup>7</sup> National Planning Policy Framework (NPPF), Planning Policy for Travellers Sites (PPTS) and National Planning Policy for Waste (NPPW)

Spring 2019: The Draft JSP with spatial strategy options (including preferred option) is published for Regulation 18 Consultation, in line with the SCI and agreed JSP timetable.

November 2019: The South Essex Draft JSP is agreed by all South Essex LPAs based on recommendation by ASELA

December 2019: Final draft version of JSP is published for Regulation 19 Consultation

March 2020: JSP submitted for Examination

Autumn 2020: JSP adopted by all South Essex LPAs

## **9. Local Plans**

9.1 The JSP will provide the strategic framework for the preparation of appropriate detailed Development Plan Documents (DPDs) which will provide more detailed planning policies and perform an essential place-shaping role on the ground, particularly to deliver the Strategic Areas of Opportunity. Ideally the suite of local planning documents required to deliver the JSP would be prepared in alignment so that it could reflect the emerging spatial strategy. However, there is a need to ensure that there continues to be a planning framework whilst the JSP is being prepared, particularly to meet five to 10 year land supply requirements. The transition from relying on individual local plans to the new planning portfolio is therefore being managed in the following way:

- The commitment from all South Essex to meet the full housing needs of the sub-region (as prescribed in the proposed new nationally set methodology) is set out in the planning MoU (Annex 2) which has been agreed by all seven partner authorities. The spatial strategy for delivering this will be agreed through the JSP process which aims to provide a framework for the first 20 years of the South Essex 2050 Ambition.
- Basildon will continue with its current local plan process given the advanced stage the plan has reached. The draft plan, which is expected to be submitted for examination in winter 2018, includes a clear commitment to review the strategy should this be necessary to support the approach set out in the JSP.
- Brentwood will continue with its current local plan process on its current timetable, but will support the JSP as it progresses.
- Castle Point currently has no up to date local plan in place and has therefore been subject to potential government intervention. The Council will therefore prepare an interim local plan covering the next ten years and focusing on planning for housing, with the ambition of meeting local housing needs in this period. In the longer term, local housing needs will be considered through the strategic assessment and allocations prepared for the JSP.
- Rochford and Southend are currently preparing new local plans to reflect the emerging strategy in the JSP. The Council's will also review the Southend Airport Joint Area Action Plan and its hinterland as an opportunity for growth for both councils

- Thurrock is currently preparing a new local plan which aims to reflect the emerging strategy in the JSP with the intention of publishing the draft (Regulation 19) plan in July 2019.

9.2 Timetables for all of the above local plan processes will be set out in the individual Local Development Schemes (LDS) but are summarised in Annex 5.

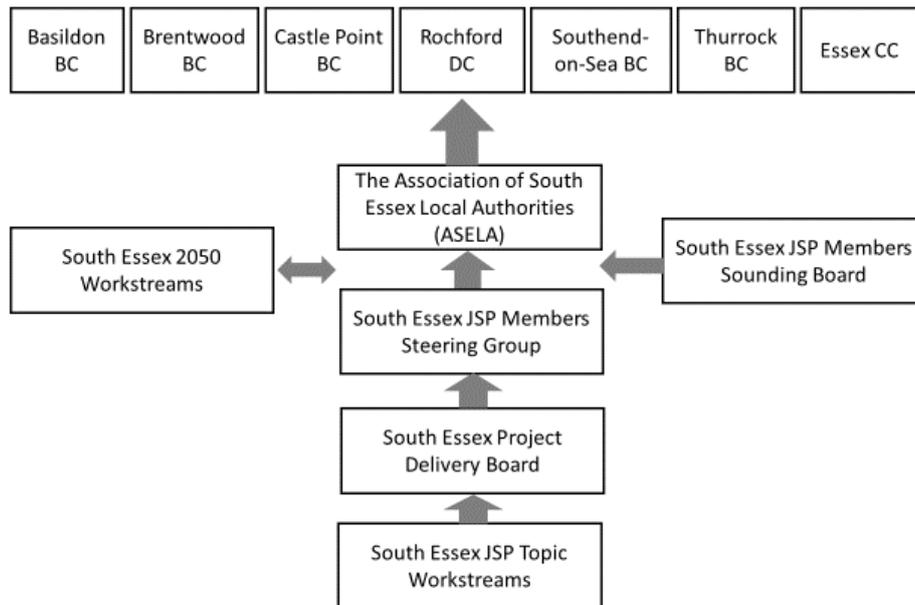
9.3 It is intended that the emerging JSP will provide the ‘effective strategic planning mechanism’ to ensure compliance with the requirements of the Duty to Cooperate, with the existing joint work, evidence base and shared governance through ASELA demonstrating that cooperation is proactive, positive and ongoing. At this stage, whilst there is a clear commitment to meeting the full housing needs across the sub-region, there are no housing allocations set out in the SOCG as this will be determined through the JSP and based on the agreed spatial strategy and updated evidence base. Details of the spatial strategy and how the longer term housing needs will be met will be set out in further iterations of this statement, as the JSP preparation progresses.

9.4 **Minerals and Waste Planning**

Planning for minerals and waste in South Essex is the responsibility of Thurrock and Southend Councils, and Essex County Council<sup>8</sup>. This is managed through separate local planning processes and will therefore not be part of the JSP. A separate SCG will be prepared to help manage the strategic minerals and waste planning matters.

**10. Making Decisions and working together**

Figure 5: JSP Governance Structure



<sup>8</sup> Essex and Southend Waste Local Plan (2017), Essex Minerals Local Plan (2014), Thurrock Core Strategy (2011)

- 10.1 ASELA has overall responsibility for implementing the South Essex 2050 Ambition and therefore the JSP as one of the main workstreams. However, statutory decision-making powers will remain with the individual LPAs who will be asked to make decisions, based on advice from ASELA, at key stages in the plan's preparation (see key milestones in Paragraph 4.7).
- 10.2 Preparation of the JSP is steered by a Members' Group comprising a representative from each of the LPAs and Essex County Council (see Terms of Reference in Annex 4). Arrangements for how this works in relation to the wider decision-making is set out in the JSP Memorandum of Understanding in Annex 2. A key part of the risk management arrangements is ensuring that there is buy-in from the wider local authority membership throughout the preparation process, given the challenging issues this will have to address. A Member Sounding Board will therefore be established to provide cross-party representations on the JSP at key stages.
- 10.3 Wider engagement will be managed through a range of mechanisms that will be set out in the South Essex 2050 engagement strategy and the Statements of Community Involvement (see Paragraph 5.5 below).
- 10.4 Overall project management for preparation and implementation of the JSP is provided by the JSP Project Delivery Board (PDB), comprising the relevant Heads of Service from each of the partner authorities (see terms of reference in Annex 3).
- 10.5 Although there is a statutory minimum requirement for public consultation and engagement with statutory consultees, there is also a legal requirement under the Duty to Cooperate to ensure that there has been positive, effective and ongoing cooperation with neighbouring authorities in Essex, Kent and London, including the Mayor of London. The engagement and consultation processes will be set out in the JSP's Statement of Community Involvement, due to be published alongside the Statement of Common Ground.
- 10.6 Developing a long-term spatial planning framework that is deliverable will also require ongoing engagement with a number of important strategic stakeholders, including those also subject to the Duty to Cooperate. Alongside the statutory engagement process, therefore, ASELA is developing a wider engagement strategy which will involve a number of key strategic stakeholders such as:
- Government Officials and Ministers
  - South Essex MPs
  - Thames Estuary Commission
  - Economic partners (e.g. Opportunity South Essex and the South East Local Enterprise Partnership)
  - Transport partners (e.g. Highways England and Transport East (Sub-National Transport Forum) and the Mayor of London.
  - Environmental partners (e.g. Environment Agency, Natural England, Greater Thames Natural Improvement Partnership, English Heritage)
  - Delivery partners (e.g. Homes England, housebuilders and utilities providers)

- 10.6 The LPAs are hoping to establish a JSP web site under the auspices of ASELA to provide a 'one stop' access point to effectively inform and engage with all interested parties and stakeholders of the purpose of the JSP, its progress and opportunities for influencing the plans contents as part of the public consultation process.

## **11. Managing the Risks**

- 11.1 Delivery of the South Essex 2050 Ambition depends on a wide range of factors and bodies, not just the local authorities. The risks associated with this will be managed by ASELA on behalf of the partner authorities. There are a number of risks specifically linked to preparing the JSP on an accelerated timetable, some of which are political risks, others are technical risks. A high-level risk assessment and management plan is therefore being prepared alongside the JSP; this will be monitored by the JSP Project Delivery Board, with any potential problems highlighted to ASELA as soon as they are identified. An initial Risk Management Plan is set out in Annex 6.

## **12. Monitoring and review**

- 12.1 Preparation of the SOCG is an iterative process reflecting the development of both the individual local plans and the JSP. It will therefore be reviewed at key stages in the JSP's preparation as well as at key stages for the individual local plans, for example, submission to the Secretary of State for examination.

## **Annex 1**

### **Association of South Essex Local Authorities Memorandum of Understanding**

between

Basildon Borough Council

Brentwood Borough Council

Castle Point Borough Council

Essex County Council

Rochford District Council

Southend on Sea Borough Council

Thurrock Borough Council

#### **Background**

- 1.1 Stemming from housing and local planning issues initially, there has been a growing recognition of the opportunity and need for greater cross-boundary working on strategic infrastructure planning and growth across South Essex. In June 2017 Leaders and Chief Executives of Basildon, Brentwood, Castle Point, Rochford, Southend-on-Sea, Thurrock and Essex County Council (the Authorities) agreed to initiate and shape a programme of work through the summer and autumn to explore a joint 'place vision' and the scope for greater strategic collaboration along the South Essex growth corridor.
- 1.2 The work during the summer and autumn has resulted in an emerging vision and identification of strategic growth opportunities that need testing and strengthening with the people and stakeholders of South Essex and beyond. It has also built a strong commitment amongst the Authorities to collaborative working. It was agreed that an Association of South Essex Local Authorities (ASELA) should be established to continue this collaborative work.

1.3 The Authorities wish to record the intention to establish ASELA and basis of our collaboration through a Memorandum of Understanding (MoU). This MoU sets out:

- a) The core purpose and aims of ASELA
- b) The principles of collaboration

## **2. Core Purpose and aims**

2.1. The core purpose of ASELA is to provide place leadership for South Essex. Recognising that through our collaborative approach we will be best placed to develop and deliver a vision for South Essex up to 2050, promoting healthy growth for our communities.

2.2. ASELA will focus on the strategic opportunities, regardless of individual local authority boundaries for the South Essex economic corridor to influence and secure the strategic infrastructure that will help our individual areas to flourish and realise their full economic and social potential.

2.3. The aims of ASELA will be to:

- Provide place leadership;
- Open up spaces for housing, business and leisure development by developing a spatial strategy;
- Transform transport connectivity;
- Support our 7 sectors of industrial opportunity;
- Shape local labour & skill markets;
- Create a fully digitally-enabled place;
- Secure a sustainable energy supply;
- Influence and secure funding for necessary strategic infrastructure;
- Enhance health and social care through co-ordinated planning; and
- Work with and provide a voice for South Essex to the Thames Estuary 2050 Growth Commission and Commissioners.

## **3. Principles of collaboration**

3.1. Our collaboration will be focused on three key areas:

- Tackling problems we can't solve individually
- Creating collective scale and impact
- Providing the place leadership to promote and sell the 'South Essex' proposition

3.2 The Authorities agree to adopt the following principles in working together:

- We are all in this together - and stronger if we work together

- We should build our governance incrementally- learning from the lessons from other places who are more advanced
- Through our collaboration we should be gaining something not losing something
- Local identities should not be lost
- We need to be a voice for SouthEssex

**4. Term and Termination**

4.1. This MoU shall commence on the date of the signature by each Authority and shall expire if ASELA dissolves.

**5. Variation**

5.1. The MoU can only be varied by written agreement of all the Authorities.

**6. Charges and liabilities**

6.1. Except as otherwise provided, the Parties shall bear their own costs and expenses incurred in complying with their obligations under this MoU.

**7. Status**

7.1. This MoU cannot override the statutory duties and powers of the parties and is not enforceable by law. However, the parties agree to the principles set out in this MoU.

**Signed by**

Local Authority	Leader/Chairman of Policy and Resources Committee	Chief Executive	Date
Basildon Borough Council			10/1/18
Brentwood Borough Council			10/1/18
Castle Point Borough Council			10/1/18
Essex County Council			10/1/18
Rochford District Council			10/1/18
Southend on Sea Borough Council			10/1/18
Thurrock Borough Council			10/1/18

## Annex 2

# STRATEGIC PLANNING IN SOUTH ESSEX

## Memorandum of Understanding

between

Basildon Borough Council

Brentwood Borough Council

Castle Point Borough Council

Essex County Council

Rochford District Council

Southend on Sea Borough Council

Thurrock Borough Council

This Memorandum of Understanding (MoU) sets out how cooperation between the six local planning authorities in South Essex and Essex County Council will be managed in respect to strategic planning issues.

The Localism Act 2011 places a Duty to Cooperate on local planning authorities and county councils<sup>1</sup> (amongst other public sector organisations), requiring them to engage constructively, actively and on an on-going basis in the preparation of plans where this involves strategic matters. Local planning authorities will be tested in relation to legal compliance with the Duty at examination, as well as whether strategic cooperation has resulted in a 'sound' and robust approach to delivering strategic objectives.

The Neighbourhood Planning Act 2017<sup>2</sup> requires local planning authorities to "identify the strategic priorities for the development and use of land in the authorities' area and set out policies to address those priorities in the development plan documents, taken as a whole. This clause was included to allow greater flexibility in the way that local planning authorities prepare local planning documents, and specifically to support the preparation of 'strategic' local plans, whether prepared individually or jointly with neighbouring authorities. However, several recent announcements from Government on proposed planning reforms indicate strongly that the Government's preferred approach is for strategic priorities to be managed on a joint basis across housing market areas through the use of joint strategic plans.

Building on the existing strong foundations of cooperation developed through the Duty to Cooperate, and within the wider context of the South Essex 2050 Ambition, the Local Authorities have agreed to move to a more formal approach to strategic planning. This will be developed through a 'portfolio' of plans, with a Joint Strategic Plan (JSP) setting out strategic spatial and

---

<sup>1</sup> Localism Act 2011, Section 110.

<sup>2</sup> Neighbourhood Planning Act Part 1, Section 8

infrastructure priorities that are considered to be of mutual benefit, prepared alongside a suite of 'local delivery plans' to manage delivery within each of the local planning areas.

Work on the JSP will be steered within the governance structure of the Association of South Essex Local Authorities (ASELA) to ensure that it aligns with other strategic priorities. Although the JSP will be prepared on the basis of collaboration through ASELA, formal decisions on the JSP at key stages in its preparation (identified in each local planning authorities' Local Development Scheme) will be taken by the individual local planning authorities which will continue to retain the statutory local planning duty (as set out in the 2004 Planning and Compulsory Purchase Act and the 2017 Neighbourhood Planning Act).

A Statement of Common Ground will be prepared by ASELA, setting out the process and timetable for the plan, what local delivery plans will be needed (and how current local plans will be managed through the transition process), governance and working arrangements, and the key evidence needed to support the plan. Although the focus will be strategic development (housing and economic development) and infrastructure, other strategic priorities may be included where they are required to support delivery of the South Essex 2050 Ambition. The Statement will be reviewed on an ongoing basis and updated as and when needed. This will form key evidence to support the JSP and individual 'Local Development Plans' and should therefore be made available on each of the partner authority's websites.

In preparing the JSP, all ASELA partners agree to:

- Engage constructively, actively and on an on-going basis in relation to strategic planning matters under the Duty to Cooperate;
- Ensure a broad and consistent approach to strategic planning and development issues in the South Essex Area;
- Support better alignment between strategic planning, infrastructure and investment priorities in South Essex;
- Adhere to the governance structure of ASELA and ensure that activities are delivered and actions are taken as required;
- Be accountable for ensuring that the role and responsibilities as agreed in the Statement of Common Ground are adhered to;
- Be open and communicate about concerns, issues and opportunities in respect of collaboration and joint working;
- Act in a timely manner, recognising the time critical nature of consultations, technical projects and plan preparation;
- Adhere to statutory requirements. Comply with applicable laws and standards, data protection and freedom of information requirements;
- Encourage, develop and share best practice in strategic planning matters;
- Ensure adequate resources and staffing are in place to undertake effective collaboration and joint working (resources to be agreed through ASELA).

#### **Area Covered**

For the purposes of this MoU the geographic area of South Essex applies to the administrative areas of Basildon Borough, Brentwood Borough, Castle Point Borough, Rochford District, Southend on Sea Borough and Thurrock Borough Councils.

## **Status**

This MoU cannot override the statutory duties and powers of the parties and is not enforceable by law. However, the parties agree to the principles set out in this MoU.

This MoU is not a development plan, nor a legally binding document, but will be used in the consideration of how the South Essex Local Authorities have jointly approached strategic planning issues and legal compliance with the Duty to Cooperate.

This MoU may be supported by other documentation, and other subject specific MoUs, which set out in more detail how the parties will work together to tackle more detailed matters with respect to strategic planning in South Essex.

It is accepted that an individual party or group of parties that are signatories to this MoU may also be signatories to other MoUs between themselves, or with other parties outside South Essex in respect of the Duty to Cooperate.

## **Key outputs of this MoU are:**

- A Joint Strategic Plan setting out strategic spatial and infrastructure priorities across South Essex;
- A Delivery Strategy setting out how the strategic policy framework of the JSP will be delivered, accompanied by a risk assessment and risk management plan;
- A Statement of Common Ground setting out how a JSP will be delivered, what the evidence base is, including identification of various development needs;
- A Joint Strategic Plan Monitoring Report, prepared annually to chart and monitor delivery of the JSP.

## **Governance, Roles and Responsibilities**

Preparation of the Joint Strategic Plan and associated Delivery Strategy will be steered under the governance arrangements of the Association of South Essex Local Authorities. Formal decisions on the plan at key stages (to be set out in individual Local Development Schemes) will be taken by individual Local Planning Authorities on the advice and recommendations of ASELA.

A Members Steering Group will be accountable for the preparation of the JSP, supported by an officer Project Delivery Board. The Steering Group will comprise political representatives from each of the ASELA partners (to be appointed by individual authorities) and the Lead ASELA Member for strategic planning. The officers group will comprise the Heads of Service (or equivalent) from each of the partner authorities, and the ASELA Lead Chief Executive for strategic planning.

'Task and finish' groups will be used to develop specific topics to support the JSP, to be identified by the Steering Group, as and when needed.

Terms of Reference for all groups will be established, setting out the roles, responsibilities and administration. These will be agreed by ASELA and reviewed annually to ensure they remain relevant.

Local authorities should ensure that adequate resources are provided in order to undertake the joint work programme as set out in the Statement of Common Ground. Additional resources may be

provided by other relevant bodies, as agreed to undertake specified tasks under the work programme.

### **Risk Management**

The South Essex Authorities are committed to meeting the full nationally set local housing need across the sub-region. This will be managed on a strategic basis with the distribution across the LPAs reflecting the shared spatial strategy and priorities. Although preparation of the JSP will be steered through ASELA, decision-making will remain the responsibility of the individual local authorities. It is recognised that there is risks associated with this therefore a full risk assessment has been prepared and set out in the Statement of Common Ground and will be monitored on a regular basis, with any concerns raised through the JSP governance structures.

### **Review of the MoU**

This MoU is effective from the date it is signed by the Chief Executive and Leaders of all parties. It will be reviewed as and when indicated through the Statement of Common Ground

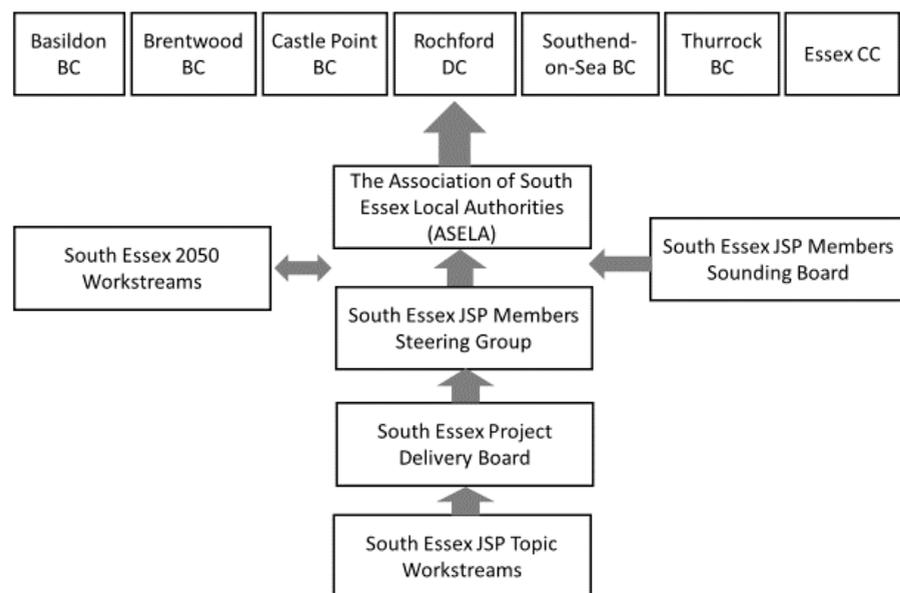
## ANNEX 3

### SOUTH ESSEX JOINT STRATEGIC PLAN PROJECT DELIVERY BOARD – TERMS OF REFERENCE

March 2018

1. The South Essex Local Planning Authorities (LPAs) of Basildon, Brentwood, Castle Point, Rochford, Southend-on-Sea and Thurrock, together with Essex County Council, are preparing a Joint Strategic Plan (JSP) to support the South Essex 2050 Ambition. The JSP, together with other local development plans, will deliver the spatial strategy and will be delivered alongside a South Essex Local Industrial Strategy and Strategic Infrastructure Framework. The JSP will be steered by a Member Steering Group, reporting to the Association of South Essex Local Authorities (ASELA). Statutory decision-making powers will, however, remain with the individual LPAs who will be asked to make decisions, based on advice from ASELA, at key stages in the plan's preparation.
2. Overall project management for preparation and implementation of the JSP is provided by the Project Delivery Board (PDB), comprising the relevant Heads of Service from each of the partner authorities.

#### JSP Governance Structure



3. The main functions of the PDB are to:
  - i. act as the interface between the political decision-making and the technical processes, providing advice on the JSP to the Members Steering Group and ASELA, working closely with the ASELA lead Member and Chief Executive;

- ii. ensure that the JSP is aligned with other South Essex 2050 workstreams, particularly in relation to the emerging Local Industrial Strategy, strategic infrastructure priorities and housing and growth proposition;
  - iii. ensure that the JSP is delivered to the agreed timetable, is technically sound (supported by a robust evidence-base) and is legally compliant;
  - iv. manage engagement with external partners, neighbouring authorities and Statutory Consultees on behalf of the Members Steering Group, ensuring that collaboration is positive and proactive, as required by the Duty to Cooperate.
  - v. provide overall project management for the individual JSP topic workstreams, supporting and the role of the JSP Project Manager.
  - vi. manage the JSP budget on behalf of the Members Steering Group, ensuring that it is used effectively and efficiently to support the plan's preparation and its supporting evidence base.
  - vii. Manage the risks of preparing and implementing the JSP, highlighting any potential problems to ASELA as soon as practically possible.
4. The PDB meets every two weeks in between ASELA meetings. Dates will be set at least six months in advance and aligned to the JSP timetable and work programme.
5. The Terms of Reference will be reviewed on an annual basis (every March).

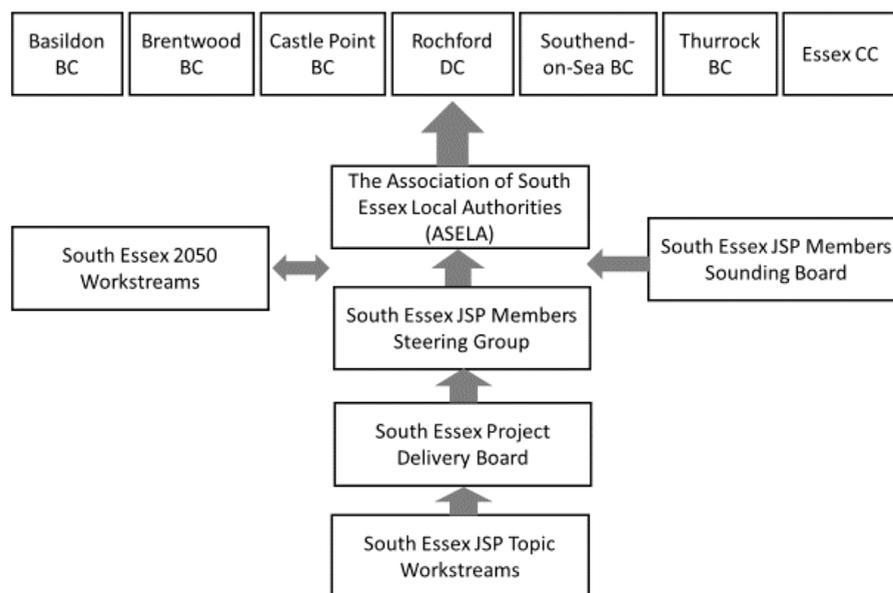
## ANNEX 4

### SOUTH ESSEX JOINT STRATEGIC PLAN MEMBERS STEERING GROUP – TERMS OF REFERENCE

March 2018

1. The South Essex Local Planning Authorities (LPAs) of Basildon, Brentwood, Castle Point, Rochford, Southend-on-Sea and Thurrock, together with Essex County Council, are preparing a Joint Strategic Plan (JSP) to support the South Essex 2050 Ambition (SE2050). The JSP, together with other local Development Plan Documents (DPDs), will deliver the spatial priorities and will be delivered alongside a South Essex Local Industrial Strategy and Strategic Infrastructure Framework.
2. The Association of South Essex Local Authorities (ASELA) will be accountable for the JSP alongside the other SE2050 workstreams. Statutory decision-making powers will, however, remain with the individual LPAs who will be asked to make decisions, based on advice from ASELA, at key stages in the plan's preparation.
3. The Members Steering Group will be responsible for the preparation of the JSP on behalf of ASELA, supported by an officer Project Delivery Board (PDB), comprising the relevant Heads of Service from each of the partner authorities.

#### JSP Governance Structure



#### Purpose of the JSP Member Steering Group

- To ensure a coherent and collaborative approach is undertaken for sub-regional planning matters across South Essex through the preparation of a statutory Joint Strategic Plan.
- To ensure that the Joint Strategic Plan is aligned to the long term priorities shared by all authorities and set out in the South Essex 2050 Ambition.

- To advise ASELA on the Joint Strategic Plan, ensuring that there is consensus amongst the partner authorities at each of the key stages in its preparation.
- To steer work on the Joint Strategic Plan through the Project Delivery Board, ensuring that the plan's spatial strategy is robust and deliverable.
- To be accountable for the overall work programme and budget for the Joint Strategic Plan, ensuring that any significant issues are highlighted to ASELA as soon as practically possible.
- To engage with the Mayor of London and adjoining local authorities and their partnerships on strategic planning matters ensuring that the legal requirements of the Duty to Cooperate are met.

## **Membership**

The group will consist of a Member from each one of the ASELA partner authorities. The individual local authority member representation to the group shall be determined by that local authority.

Each authority should nominate substitutes should the main representative not be able to attend a meeting.

The Local Authority partners are:

Basildon Borough Council  
Brentwood Borough Council  
Castle Point Borough Council  
Rochford District Council  
Southend on Sea Borough Council  
Thurrock Borough Council  
Essex County Council

The chair of the Member Steering Group will be the ASELA lead member for the South Essex 2050 spatial strategy workstream.

The Members Steering Group will meet monthly with dates coordinated with the ASELA and Project Delivery Board meetings. Dates will be set at least six months in advance and aligned to the JSP timetable and work programme.

The Terms of Reference will be reviewed on an annual basis (every March).

## **ANNEX 5 – Current Local Plan Timetable (as at June 2018)**

### **BASILDON**

Q2 2018 - Regulation 19 Publication

Q3 2018 - Submission

Q2 2019 - Adoption

### **BRENTWOOD**

Q3 2018 – Regulation 19 Publication

Q4 2018 – Submission

Q2 2019 - Adoption

### **CASTLE POINT** (subject to change depending on outcome of Government Intervention)

July 2018 – Regulation 18 Consultation

January 2019 – Regulation 19 Publication

April 2019 – Submission

Autumn 2019 - Adoption

### **ROCHFORD**

Winter 2019/Spring 2020 – Regulation 19 Publication

Summer 2020 – Submission

Spring/Summer 2021 - Adoption

### **SOUTHEND**

Autumn/Winter 2020 – Regulation 19 Publication

Spring 2021 – Submission

No date for proposed adoption but LDS 2018 states that “As an approximation, the period from submission to adoption may range from 6 to 9 months dependent on the content and scope of the plan, issues arising during examination and scheduling of meetings.”

### **THURROCK**

July 2018 – Regulation 18 Consultation

July 2019 – Regulation 19 Publication

Late 2020/early 2021 – Adoption

## Annex 6: Joint Strategic Plan Risk Assessment

Risk Identified	Risk Management
<p>1. Unable to meet JSP timetable (e.g. due to protracted decision-making process, technical delays due to procurement of evidence, staff resources, Planning Inspectorate unable to meet timetable)</p>	<ul style="list-style-type: none"> <li>• Project Delivery Board to monitor progress against ‘key milestones’ and work programme, highlighting any risks at an early stage to ASELA and agree how this is to be managed – actions will depend on issue e.g. resources</li> <li>• ASELA to agree a standardised approach to decision-making, with each partner authority working with their committee services to provide a streamlined approach at key stages and ensure that this does not add unnecessary time to the process. Delegated authority to ASELA for some stages to be explored</li> <li>• Procurement processes to be agreed by ASELA to ensure JSP work is treated as a priority and procurement facilitates timely commissioning and appointment of consultancy support. This should allow for a bespoke tendering and procurement approach and commitment to fund agreed technical programme to expedite procurement process. This should also address particular constraints that may arise as a result of OJEU considerations and thresholds.</li> <li>• Development of evidence base will be focused on strategic priorities with any potential ‘mission creep’ flagged by project manager as soon as possible.</li> <li>• Evidence base and external support considered at ‘pre-commencement’ stage with project management/intelligent client function, budget and timescales secured.</li> <li>• A full audit of existing resources and capacity to be undertaken by ASELA at the JSP commencement stage.</li> <li>• Where lack of capacity and/ or conflicts of interest within the private sector arise, alternative options should be considered at an early stage in the plan preparation process e.g. internal training and development to fill any potential gaps, or different consultants procured to deliver components of larger projects where a single provider cannot be secured.</li> <li>• Early discussion with Planning Inspectorate to ensure timetable for Examination can be met – Government to promote SE JSP as a priority if necessary.</li> </ul>

<p>2. Government intervention destabilises JSP process</p>	<ul style="list-style-type: none"> <li>• Early engagement with Government Ministers and senior Civil Servants to explore options around intervention mechanisms, highlighting risks to JSP progress.</li> <li>• Agree key milestones with MHCLG with regular updates from ASELA.</li> <li>• ASELA to support LPAs 'at risk' to meet published plan timetables</li> <li>• All South Essex Local Development Schemes (LDS) to be updated to reflect the new joint planning arrangements by July 2018 and kept up to date as plans are progressed.</li> </ul>
<p>3. One or more partner local plans are found unsound with regards to the strategic matters and/ or fail to comply with the Duty to Cooperate.</p>	<ul style="list-style-type: none"> <li>• Any issues that risk the overall approach to the shared 2050 ambition or imply that there is not agreement on the JSP spatial strategy or key strategic matters will be highlighted to ASELA as soon as it becomes apparent to allow for the matters to be resolved at a South Essex level</li> </ul>
<p>4. Thames Estuary Commission undermines SE2050 Ambition and spatial strategy of JSP</p>	<ul style="list-style-type: none"> <li>• Early and ongoing engagement between ASELA and Thames Estuary Commission to ensure alignment of growth ambitions on delivery strategy</li> <li>• Early and ongoing engagement with relevant Government Ministers and senior Civil Servants to ensure they fully understand SE2050 Ambition and role of LAs in delivering this and secure a Housing Deal.</li> </ul>
<p>5. Key place shaping infrastructure is not delivered in order to facilitate strategic growth options</p>	<ul style="list-style-type: none"> <li>• ASELA provides support in the engagement with strategic infrastructure providers and Government as part of the SE2050 implementation process and development of the JSP to ensure that their priorities reflect the strategic infrastructure priorities of the South Essex Authorities and facilitate delivery of the</li> <li>• ASELA to support Thurrock and ECC in its negotiations with Highways England, the National Infrastructure Commission and Government specifically in relation to the Lower Thames Crossing to ensure that the final agreed route facilitates delivery of the SE2050 Ambition and the spatial strategy of the JSP.</li> </ul>
<p>6. Change in Government which changes to national policy/legislation and/or change in national funding priorities</p>	<ul style="list-style-type: none"> <li>• Robust SE2050 Ambition developed with risk management built in to delivery plan(s) to ensure contingency funding and approach to deliver same outcome.</li> <li>• Robust evidence-base to justify overall approach even if not in conformity with new national policy</li> <li>• Procure legal advisers to assess and highlight potential risks at early stage and ensure</li> </ul>

	<p>contingency approach with secures same overall outcome.</p> <ul style="list-style-type: none"> <li>• work with MHCLG, PAS and PINs to ensure ongoing conformity with national policy and legislation.</li> </ul>
7. Partners unable to agree JSP at key stages (e.g. due to change in political leadership, lack of political consensus on key policy direction, competing priorities)	<ul style="list-style-type: none"> <li>• ASELA ensure new leadership fully informed of JSP process and SE2050 Ambition</li> <li>• ASELA/Planning MoU to ensure agreement to JSP</li> <li>• Members Sounding Board established to ensure cross-party involvement and ownership in JSP</li> <li>• Communications strategy prepared to ensure ongoing briefings and opportunities to engage in JSP preparation are provided for all Members of partner authorities</li> <li>• Continuity in JSP member Steering Group throughout preparation process ASELA/Planning MoU to ensure agreement to JSP</li> </ul>
8. Resources and skills	<ul style="list-style-type: none"> <li>• ASELA to set a realistic budget for JSP preparation, taking into account all potential internal and external sources of funding (including Planning Delivery Fund, potential funding from growth deal to support capacity)</li> <li>• Secure project management support during pre-commencement stage</li> <li>• Focus on key policy areas and evidence needed to support this (i.e. keep to agreed scope)</li> <li>• Agree training and development programme to fill gaps and upskill existing officers to reduce need to procure externally</li> <li>• Work on 'South Essex' basis, ensuring making the more effective and efficient use of all resources and skills across all seven partner authorities</li> </ul>
9. External stakeholders undermine SE2050 Ambition/ JSP Spatial strategy	<ul style="list-style-type: none"> <li>• Establish a stakeholder sounding board to ensure ongoing commitment / support from strategic stakeholders</li> <li>• Prepare a robust framework to ensure compliance with the Duty to Cooperate and engagement with Statutory Consultees</li> <li>• Prepare a Statement of Community Involvement at the start of the formal JSP preparation process (June 2018) and agree with stakeholder sounding board.</li> <li>• Agree an approach with Government to support emerging SE2050 ambitions whilst JSP is prepared and reduce the risks of stakeholders undermining delivery e.g. deviation for</li> </ul>

	national policy on 5YLS requirements / Housing Delivery Test to reduce risks of speculative planning applications, alignment of approach by government bodies (e.g. Homes England, Highways England, Environment Agency).
10.Evidence base highlights significant challenges in delivering the JSP Spatial Strategy and SE2050 Ambitions	<ul style="list-style-type: none"> <li>• Identify potential challenges in JSP Delivery Plan (e.g. infrastructure funding) and agree risk management plan for addressing</li> <li>• Consider contingency approach which will still deliver same outcome.</li> </ul>
11.Public consultation attracts opposition and seeks to undermine SE2050 Ambition/ JSP Spatial strategy	<ul style="list-style-type: none"> <li>• Communications strategy prepared to ensure ongoing briefings and opportunities to engage in JSP preparation are explained for all partner authorities</li> <li>• Case for change articulated by highlighting benefits of growth and investment in infrastructure</li> </ul>

## **Appendix 4: Statement of Common Ground for the A127**

**Statement of Common Ground (SoCG) between the London Borough of Havering, Essex County Council, Brentwood Borough Council, Basildon Borough Council, Thurrock Council, Castle Point Borough Council, Rochford District Council, Southend on Sea Borough Council and Highways England.**

**Subject: Strategic Transport Issues**

**September 2017**

## **Introduction**

This Statement of Common Ground (SoCG) has been prepared jointly between the London Borough of Havering, Essex County Council, Brentwood Borough Council, Basildon Borough Council, Thurrock Council, Castle Point Borough Council, Rochford District Council, Southend on Sea Borough Council and Highways England. The purpose of this SoCG is to inform the Planning Inspectors and other parties of the agreed way forward on any issues that remain outstanding at the point of Local Plan submission. This SoCG focusses on the impact cross-boundary growth will have on strategic routes including the A127 and details how the participating authorities will work collaboratively to address the identified issues.

## **Background**

As part of a Local Authority's responsibilities under the statutory Duty to Cooperate (DtC), London Borough of Havering, Basildon Borough Council, Brentwood Borough Council, and Thurrock Council, (local plan areas) as well as Essex County Council, Highways England (HE) and Transport for London (TfL) have held a series of discussions concerning strategic cross boundary matters in the preparation of the respective local plans.

The discussions have come in the form of face to face meetings and workshops held at respective Local Authority Offices, as well as written correspondence.

These meetings have been held to ensure that neighbouring authorities are properly consulted and have been kept fully informed with how each authority Local Plan has, and is, progressed. All authorities have found these discussions valuable and productive and there is a welcome and ongoing commitment to continue this dialogue throughout the Local Plan preparation process to assist in the delivery of each of the local plans.

## **Strategic Cross Boundary Matters**

This engagement has identified a key cross boundary issue relevant to each authority's respective Local Plan. Specifically the significant housing and wider development pressures that both east London Boroughs and District and Unitary authorities in Essex are facing over the next 20 years and the impact such growth pressures will have on the strategic Highway and Transport Networks and the associated transport implications resulting from this.

Discussions on these matters have taken place on the following dates:

<b>Date</b>	<b>Attendees</b>	<b>Topics discussed</b>
19 <sup>th</sup> January 2017	Essex County Council, London Borough of Havering, Highways England, Transport for London	Update on Havering Local Plan, Havering Transport evidence base and discussion on Essex County Councils highway comments
22 <sup>nd</sup> March 2017	Essex County Council, London Borough of Havering, Basildon Borough Council, Brentwood Borough Council, Thurrock Council (Highways England invited but unable to attend).	Update on respective Local Plan progress, discussion around collaborative working to address outstanding strategic transport matters and drafting Statement of Common Ground
27 <sup>th</sup> April 2017	Essex County Council, London Borough of Havering, Basildon Borough Council, Brentwood Borough Council, Rochford District Council, Thurrock Council (Highways England, Castle Point Council, Southend on Sea Borough Council invited but unable to attend).	To discuss wider A127 Corridor from Gallows Corner to Southend. TfL presented High Level Outcome Study on Gallows Corner to Jct 29, Essex County Council presented work carried out on A127 Options Assessment and funded schemes in progress.

### Local Plan - Growth Requirements

The Growth requirements for the Local Plans concerned comprise:

- The London Plan:

For London Boroughs including Havering, housing growth requirements are set by the Mayor (via the London Plan) and are also informed by an up to date Outer North East London Strategic Housing Market Assessment (SHMA) covering the period 2011 to 2033.

- South Essex SHMA:

For Southend and Thurrock Unitary Councils and Basildon BC, Castle Point BC and Rochford DCs, future housing requirements have been identified within the South

Essex SHMA (May 2016 and June 2017 Addendum) covering the period 2014 – 2037.

- Brentwood BC:

Housing requirements for Brentwood BC have been identified within the Brentwood SHMAA (2014) covering the period 2013- 2033.

### Highway and Transportation Matters

Responsibility for the planning, operation and maintenance of the highway network across the Havering/Essex/Thurrock and Southend region is complex, with different organisations acting as the Highway Authority for different sections of the network. Within Havering, Transport for London (TfL) are responsible for the operation and maintenance of the major arterial roads (A12, A13 and A127), whilst LB Havering are responsible for its Strategic Road Network (the other A roads in the borough that are not the Transport for London Road Network (TLRN) and minor roads.

Responsibility for the highway network within Greater Essex is split between Essex County Council (in the two tier areas of Basildon BC, Brentwood BC, Castle Point BC and Rochford DC) and the Unitary Authorities of Thurrock and Southend Councils for their respective areas. Highways England (HE) has responsibility for a small section of the A13, the A12 and the M25. The M25 is operated under a Design Build Finance and Operate contract (DBFO) by Connectplus.

During Local Authority discussions, particular concern has focussed on the impact that cross-boundary growth will have on strategic routes including the A127, a strategic corridor between Gallows Corner in LB Havering and extending out east to Southend going through the districts of Brentwood BC, Basildon BC, Castle Point BC, Rochford DC and the Unitary Authority of Southend. The A127 Corridor is governed by three Highway Authorities (TfL, Essex CC and Southend on Sea BC). Similar concerns have been raised regarding the A13, which similarly crosses a number of local authorities and highway authorities including TfL, London Borough of Barking and Dagenham, Thurrock Council, Basildon Council, Castle Point Council and Southend Council.

It has also been discussed that the A127 spans two Local Enterprise Partnership (LEP) areas; London Economic Action Partnership and South East LEP. This is regarded by all Boroughs and Essex CC as an issue that will benefit from better cooperation as strategic highway funding available from the LEP budgets needs to be coordinated to ensure it has better potential to improve the capacity of the entire route.

The current A127 Route Management Strategy the "[A127-Corridor-for-Growth-An Economic Plan March 2014](#)" jointly prepared by Essex CC and Southend on Sea BC Highways Authorities is being "refreshed" with an Issues and Options assessment

report. In the longer term it is intended to extend the reports to include Gallows Corner and LB of Havering.

This issue has been discussed extensively and positively between the Local Authorities through the DtC process.

Each Local Authority recognises that despite the preparation of their respective planning strategies there is a level of uncertainty of the impact that planned growth within each Local Authority boundary will have on local transport infrastructure and that it is not feasible to simply measure the transport impact resulting from growth from one individual Local Authority.

Each local authority in this dialogue also acknowledges that the issues around catering for growth and the impact this has on strategic transport infrastructure such as key arterial roads are sub-regional issues. Local Authorities also recognise that understanding the impact and addressing it can only be done effectively at a sub-regional level. Addressing these concerns will require collaboration with a number of different authorities and organisations.

### **Agreed areas for Collaborative Working between the Local Authorities**

Following earlier meetings and discussions a “*Local Plan Issues – Way Forward*” meeting was held on Wednesday 22<sup>nd</sup> March 2017. This was attended by representatives from LB Havering, Thurrock Council, Essex CC, Basildon BC, Brentwood BC as well as TfL and the Greater London Authority (GLA).

At this meeting all Local Authorities in attendance made clear the importance of reaching a consensus on how outstanding concerns around the impact growth would have on the highway network would be dealt with going forward. It was also recognised that each Local Authority has their own timescales for delivering their Local Plans which need to be supported.

It was agreed that relevant Local Authorities would continue to work together alongside the process of progressing and delivering their Local Plans to satisfy concerns raised on the impact growth will have on the transport network and that going forward such discussions must be held at a sub-regional level.

Relevant authorities have agreed to work together on a number of strategic transport issues. This includes:

- A127 Corridor between Gallows Corner and Southend – What impact will respective Local Plan growth have on this key corridor and what measures can be put in place to accommodate it? Local Authorities held an *A127 Growth Corridor Liaison Meeting* on 27<sup>th</sup> April to share what work has already been done to date looking at the impact growth will have on different sections of the A127 and further meetings will be held between Local Authorities. This

was attended by TfL, LB Havering, Brentwood BC, Basildon BC, Essex CC and Rochford DC, and the following authorities were invited, but were unable to attend Castle Point BC, Southend on Sea BC and Thurrock Council. The authorities want to work together to potentially create a Promotion document which can be used to raise the profile of the A127 corridor and to support bids for funding to deliver improvement schemes along this key route, which spans two LEP areas.

- Lower Thames Crossing – The government have recently announced their preferred option for a Lower Thames Crossing which involves an additional tunnel crossing (east of Tilbury and Gravesend) and would join the M25 motorway at a new junction between junctions 29 and 30 of M25 (A127 and A13 respectively). The full transport implications of the Lower Thames crossing are at this stage unclear with Highways England now embarking on further assessment work on the preferred option. Relevant Local Authorities will continue to work with Highways England through Stakeholder Advisory Panel Meetings. This will also be a standing item for discussion at future cross-borough liaison meetings and will need to be taken into account when looking at the impact of growth on the highway network.
- Communicating Works – The need for better communication around works taking place on the carriageway close to borough boundaries. This issue was discussed at the *A127 Growth Corridor Liaison Meeting* held on 27th April attended by TfL, LB of Havering, Brentwood BC, Basildon BC, Essex CC (including representatives from the EssexHighways NRSWA permit team) and Rochford DC. The Highway Authorities agreed at this meeting going forward that where cross-boundary works were going to take place, this information would be communicated to the relevant neighbouring highway authorities and disseminated to neighbouring districts too, if needed.
- Improvements to Junction 28 of M25 – Highways England are proposing capacity improvements to junction 28 of the M25 both to increase capacity and improve safety. An initial consultation has been carried out and a Preferred Route Announcement was published by Highways England on 22<sup>nd</sup> August 2017. Relevant Local Authorities continue to liaise with Highways England on the proposals and the issue has been discussed between boroughs at Duty to Cooperate meetings.
- Improvements to Junction 29 of M25 – Junction 29 of the M25 acts as a gateway both into London (and specifically Havering) and further east towards Southend along the A127. The junction itself straddles several Highways and Local Authorities including Transport for London, Essex County Council and Havering and Brentwood Councils'. It is recognised as a key strategic junction

and given the level of expected growth in the area will continue to be discussed as a cross-boundary issue at future inter boroughs meetings.

- Transport Evidence supporting Local Plans – Each Local Authority is developing its own transport evidence base to support their Local Plan. Such evidence will be shared and discussed between Local Authorities as part of Duty to Cooperate obligations and ongoing dialogue alongside the Local Plan process.
- Public transport links and capacity improvements – It has been recognised during Duty to Cooperate discussions to date that improving alternative options to the car will be important in accommodating growth expected over the lifetime of the Local Plan. Whilst the responsibility for improving rail capacity falls with Network Rail and Train Operating Companies ( via Government franchise specifications) local authorities will work together to lobby for improvements.

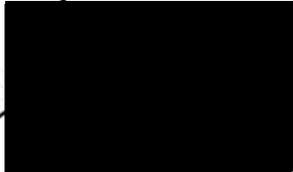
### Conclusions

Given the above position, London Borough of Havering, Essex County Council, Brentwood Borough Council, Basildon Borough Council, Castle Point Borough Council, Rochford District Council, the unitary authorities of Southend on Sea Borough Council and Thurrock Council, and Highways England agree that in respect to each authority's emerging Local Plans and the specific cross boundary matter of Strategic Transport, compliance with the obligations under Duty to Cooperate have been met satisfactorily.

All Local Authorities acknowledge that the Duty to Cooperate is not just a mechanism for cross-borough engagement during a Local Plan process. It is an ongoing activity that will continue beyond individual boroughs submissions, and eventual adoption of a Local Plan. All parties remain committed to continue to work together outside of the Local Plan process on these important strategic matters.

Signed on behalf of the London Borough of Havering		
Name & position	Signature	Date

Signed on behalf of the Essex County Council		
Name & position	Signature	Date

Signed on behalf of Basildon Borough Council		
Name & position	Signature	Date
Matthew Winslow, Service Manager Strategic Planning & Housing Strategy		28.09.2017

Signed on behalf of Brentwood Borough Council		
Name & position	Signature	Date

Signed on behalf of the Thurrock Council		
Name & position	Signature	Date

Signed on behalf of Highways England		
Name & position	Signature	Date

Signed on behalf of Castle Point Borough Council		
Name & position	Signature	Date

Signed on behalf of Rochford District Council		
Name & position	Signature	Date

Signed on behalf of the Southend on Sea Council		
Name & position	Signature	Date

## **Appendix 5: Essex Unmet Housing Need Requests Protocol**

# Essex Planning Officers' Association (EPOA)

Mechanism for the Consideration of Unmet Housing Need – September 2017

## 1 Introduction

- 1.1 At a Duty to Co-operate meeting for Chelmsford's Local Plan in May 2017, it was identified by participants that there was a need for a high-level process or mechanism to be agreed to guide how potential unmet housing needs are considered by all Essex authorities. Other requests by individual local authorities to potentially accommodate their 'unmet' housing need have been made in responding to recent Local Plan consultations. It was considered important to address this matter, as the lack of such a mechanism was identified as key issue by the Inspector at the Castle Point Local Plan Examination.
- 1.2 The EPOA Policy Forum discussed the matter at its meeting on 6 June and a Task Finish Group with membership from each of the Essex HMAs was established.



Housing Market Areas in Essex

- 1. West Essex - Epping Forest, Harlow and Uttlesford (+East Hertfordshire)
- 2. South Essex - Basildon, Castle Point, Rochford, Southend-on-Sea and Thurrock
- 3. North and Central Essex - Braintree, Chelmsford, Colchester and Tendring
- 4. Maldon
- 5. Brentwood

## 2 Policy Context

- 2.1 **Housing Need** - Paragraphs 47 and 159 of the NPPF states the full, objectively assessed needs for market and affordable housing are assessed for the housing market area (FOAHN). Jointly prepared Strategic Housing Market Assessments (SHMAs) identify the 'policy off' demographic derived need, making further adjustments for employment projections, affordability, the needs of specific groups in the community and wider market signals.

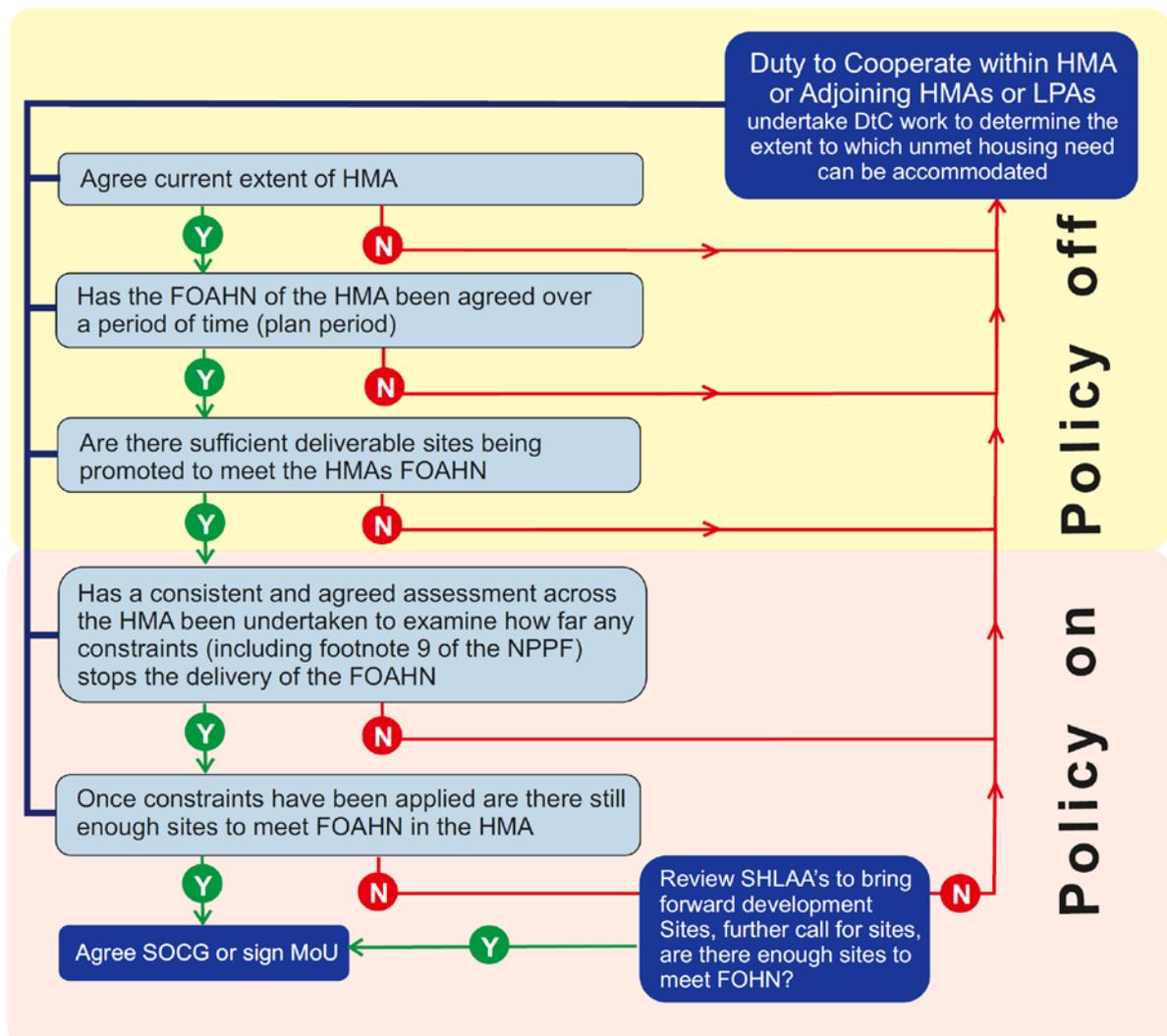
2.2 **Housing Supply** – Paragraph 159 of the NPPF identified the need to prepare a Strategic Housing Land Availability Assessment which identifies the potential supply of housing sites.

### 3 Recommended Process

3.1 To have a clear understanding of the housing needs in their HMA, local planning authorities, in partnership with neighbouring authorities and HMAs, should:

- 1) Agree their full objectively assessed housing number
- 2) Irrespective of policy constraints, assess whether there are sufficient available and achievable housing sites to deliver the identified housing need
- 3) Agree a consistent approach and methodology for assessing policy constraints across the HMA
- 4) If there is an unmet housing requirement – reassess SHLAA, potentially re-distribute within HMA and then consider request to adjoining HMA.

3.2 Consideration will be given to the use of third parties such as the Planning Advisory Service (PAS) or Planning Officers Society (POS) in the case of disputes over this process.



**Appendix 6: Essex Coast Recreation and Avoidance Strategy**  
**Memorandum of Understanding**



## Place Services

Essex County Council

County Hall, Chelmsford, Essex CM1 1QH

T: +44 (0)333 013 6840

E: [enquiries@placeservices.co.uk](mailto:enquiries@placeservices.co.uk)

[www.placeservices.co.uk](http://www.placeservices.co.uk)

January 2017



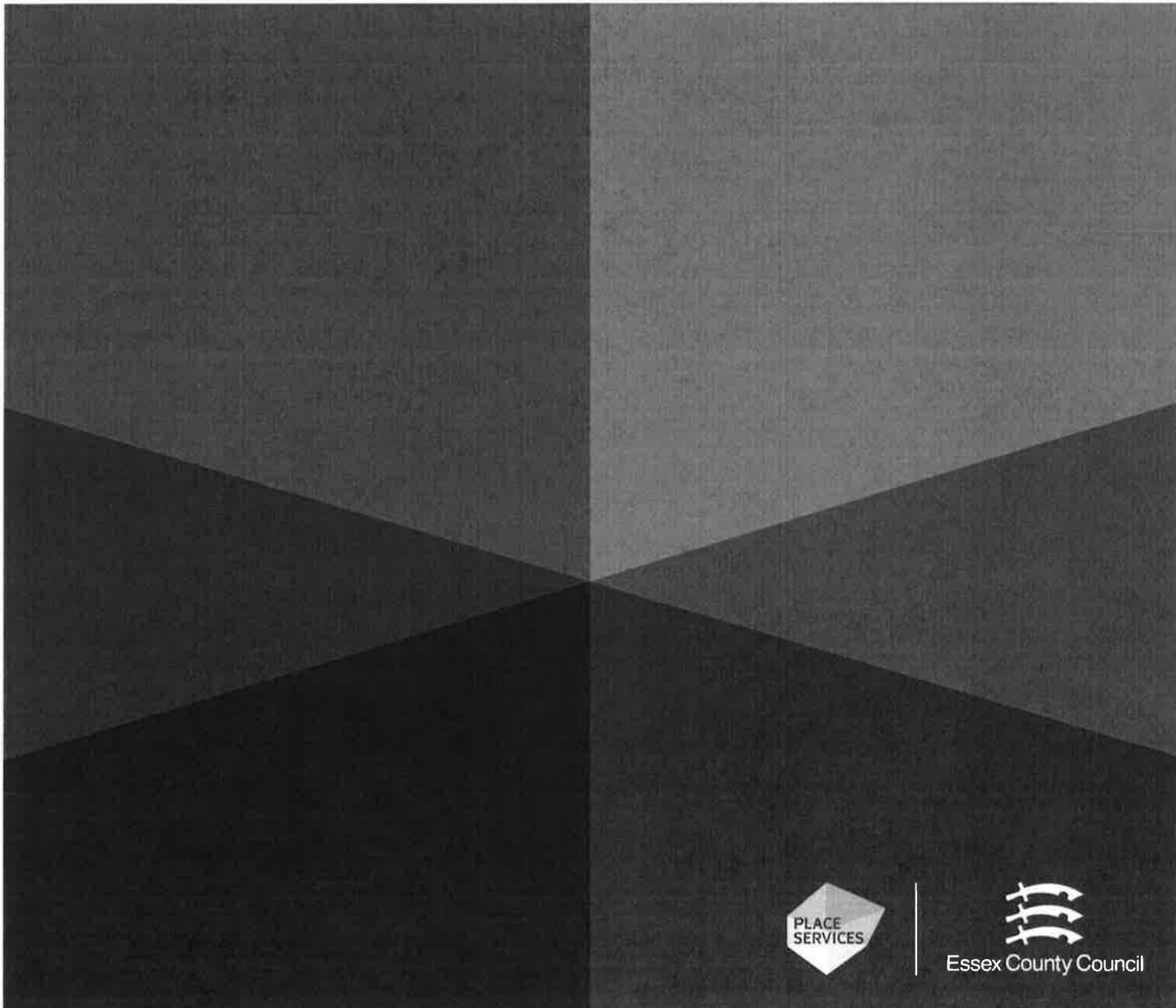
Essex County Council





# The Essex Coast Recreational disturbance Avoidance and Mitigation Strategy

**Memorandum of Understanding – January 2017**



# Contents

1.	Introduction	3
2.	Partners to the Agreement	3
3.	Definitions	3
4.	Nature of the Agreement	2
5.	Governance Arrangements	2
6.	General Responsibilities	3
7.	Steering Group: Terms of Reference	4
8.	Provision of Information	5
9.	Communication and Co-ordination	5
10.	Financial Arrangements	5
11.	Intellectual Property Considerations	6
12.	Confidentiality	6
13.	Period of Validity of the Memorandum of Understanding	6
14.	Termination of Disputes	6
15.	Discretion	6

---

## 1. Introduction

---

The Habitats Regulations Assessments, produced under the Habitats Directive (92/43/EEC), of the Local Plans of Basildon Borough Council, Braintree District Council, Brentwood Borough Council, Castle Point Borough Council, Chelmsford City Council, Colchester Borough Council, Rochford District Council, Southend-on-Sea Borough Council, Tendring District Council and Thurrock Council, set out mitigation measures to address potential effects of recreational disturbance on coastal European sites. Maldon District Council's adopted Local Plan was also supported by a HRA but this did not indicate the need for such mitigation. Advice to the Council from Natural England subsequent to the adoption of the Plan confirmed the need to address potential effects from new development.

The 11 Councils will produce a shared mitigation strategy to identify the measures that are needed and how they will be funded and delivered.

## 2. Partners to the Agreement

---

The partners to this agreement are:

- Basildon Borough Council, Basildon Centre, St Martin's Square, SS14 1DL
- Braintree District Council, Causeway House, Bocking End, CM7 9HB
- Brentwood Borough Council, Town Hall, Ingrave Road, CM15 8AY
- Castle Point Borough Council, Kiln Rd, Thundersley, Benfleet, SS7 1TF
- Chelmsford City Council, Civic Centre, Duke St, CM1 1JE
- Colchester Borough Council, Rowan House, 33 Sheepen Road, CO3 3WG
- Maldon District Council, Council Offices, Princes Road, Maldon, CM9 5DL
- Rochford District Council, Council Offices, South Street, SS4 1BW
- Southend-on-Sea Borough Council, Civic Centre, Victoria Avenue, SS2 6ER
- Tendring District Council, Town Hall, Station Road, CO15 1SE
- Thurrock Council, Civic Offices, New Road, Grays, RM17 6SL

Collectively called '**the Partners**'.

## 3. Definitions

---

- 1) "**The Project**" means the production of the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) and shall consist of 5 phases as follows:
  - Phase 1 - Production of project plan to outline the desired outcomes of the Recreational disturbance Avoidance and Mitigation Strategy.

- Phase 2 - Production of an Evidence Base Report, using existing survey information provided by the Partners. Identify any required future surveys.
  - Phase 3 - Undertake required surveys to inform the Recreational disturbance Avoidance and Mitigation Strategy.
  - Phase 4 - Produce Recreational disturbance Avoidance and Mitigation Strategy using collected survey information.
  - Phase 5 – Produce a single joint Supplementary Planning Document setting out the level of contributions, undertaking SCI compliant consultation and adoption by each authority.
- 2) **“Project Representative”** means an individual appointed by each of the Partners for the purposes of the project.
- 3) **“The Project Plan”** means the project plan approved by all of the Partners.
- 4) **“Project Coordinator”** means Place Services-Essex County Council
- 5) Words in the singular include the plural and vice versa and words denoting any gender include any other gender.
- 6) A reference to any Act of Parliament or to any order, regulation or statutory instrument shall include any amendment or re-enactment of the same.
- 7) The headings and sub-headings in this agreement are for ease of reference only and shall not affect its construction.

## 4. Nature of the Agreement

---

- 2.1. This agreement sets out the understanding between the Partners relating to the Project. This agreement:
- 2.1.1. Relates only to the arrangements between the Partners
  - 2.1.2. Does not relate to any other agreement or understanding between the Partners
  - 2.1.3. May be extended with agreement of all of the Partners to include other local authorities or organisations who wish to join the Project

## 5. Governance Arrangements

---

- 5.1. Participation in the project is a matter for each Partner, and each partner is responsible for seeking necessary approvals for participation and securing financial contributions. Securing key project decisions including approval of the final RAMS report and support for consultation and adoption of the SPD are also the responsibility of individual Partners, as per their own schemes of delegation and governance arrangements.

- 5.2. Place Services will provide support for individual governance arrangements by providing template reports for update by individual partners. Place Services will seek to meet reporting deadlines and update the project plan to reflect such matters during the course of the project.
- 5.3. The Essex Planning Officers Association is the Essex-wide sponsor for the project, championing the delivery of the RAMS report as evidence to support sustainable local development and inform strategic planning decisions in Essex. No direct input into the Project is anticipated from EPOA, but individual Partners are encouraged to report updates to their EPOA representative as necessary. Place Services undertake to report progress to EPOA as necessary, or at the request of the EPOA Chair.
- 5.4. Involvement of Elected Members is encouraged via individual partners local plan reporting committees or member briefing forums, as a mechanism to ensure formal approvals later in the timetable can be achieved in a timely manner. This is the responsibility of individual partners.
- 5.5. Natural England has consented to support the project, providing guidance and technical advice throughout the process, attending the steering group meetings and workshop sessions. Although not included as a Partner, their input will be recognised through the RAMS, and SPD where their formal advice will build upon their interim advice to the Authorities (December 2017) and best practice.

## 6. General Responsibilities

---

- 6.1. Each of the Partners will co-operate with one another in a spirit that is honest and open.
- 6.2. Each of the Partners shall be separately liable for its own acts and omissions.
- 6.3. Each of the Partners shall act within its powers and constitution and shall solely be liable for any break of this requirement.
- 6.4. The Partners commit themselves to use reasonable endeavours to foster the success of the Project.
- 6.5. The Partners may, subject to the agreement of all Partners, jointly agree to amend the timescales set out in the Project Plan.
- 6.6. If any costs are incurred or arise as a result of initial assessment of data or other unforeseen event during the project, a revised SLA will be drafted to include a financial commitment agreement.
- 6.7. The Partners agree that Steering Group meetings should take place on a monthly basis, although attendance is not mandatory and Partners will elect a chair at the first meeting to lead discussions at subsequent meetings, or for a set period as agreed.
- 6.8. The Partners agree that Place Services-Essex County Council be appointed to deliver all five phases of the project and report against the of the Project Plan produced under Phase 1

- 6.9. The Partners shall be jointly responsible for agreeing how Phase 3, the survey work, will be undertaken and for the carrying out of Phase 3. The costs associated with Phase 3 shall be divided based on agreement between the Partners, and will reflect the existing data available and work already carried out by partners.
- 6.10. The Partners will be individually responsible for ensuring that Phase 4 is supported in accordance with the Project Plan and that Phase 5 is adopted by their Authority.
- 6.11. The Partners shall each be responsible for their own operational costs.

## 7. Steering Group: Terms of Reference

- 7.1. A steering group has been established to guide the project and provide a forum for reporting progress on the project and to encourage discussion and input from each of the partners.
- 7.2. The steering group is open to all partners, and the group will be administered by Place Services-Essex County Council as the Project Coordinator. Place Services will:
- Circulate agenda and papers for steering group at least 1 week in advance of meeting dates
  - Maintain an accurate record of actions from meetings, and circulate these to all Partners as soon as possible after meetings
  - Identify monthly meeting dates and book meeting venues
- 7.3. Communications will be via electronic means, with documents available to all partners. Attendance at meetings of the group is optional. Each partner has confirmed a Project Representative for the steering group and in some cases substitutes too. Heads of Service will be used as substitutes if necessary.
- 7.4. Monthly steering group meetings have been agreed, dates and venues are as follows:

Date	Time	Location
25 January 2018	10-12	Chelmsford City Council Offices – Crompton Room
28 February 2018	10-12	Chelmsford City Council Offices – Crompton Room
26 March 2018	10-12	Chelmsford City Council Offices – Crompton Room
23 April 2018	2-4	Chelmsford City Council Offices – Crompton Room
23 May 2018	10-12	Chelmsford City Council Offices – Crompton Room
20 June 2018	10-12	Chelmsford City Council Offices – Coval Lane training room
9 July 2018	10-12	Chelmsford City Council Offices – Coval Lane training room
7 September 2018	10-12	Chelmsford City Council Offices – Crompton Room

- 7.5. Steering Group representatives are responsible for consulting, reporting and seeking approvals via their senior leaders/managers and elected members as necessary- as set out in Section 9 'Communication and Coordination'.

## 8. Provision of Information

---

- 8.1. Each of the Partners will maintain proper records relating to their responsibilities and obligations under this agreement and for the Project generally.
- 8.2. Each of the Partners will provide information necessary, and as requested by other Partners save that each of the Partners recognises their duties and obligations under the Freedom of Information Act 2000, Environmental Information Regulations 2004, the Data Protection Act 1998 and any other relevant legislation.

## 9. Communication and Co-ordination

---

- 9.1. Each of the Partners will designate an officer as its Project Representative who shall:
  - Be the formal point of contact between the Partners;
  - Be required and authorised to consult, report and seek approvals within their authority on all matters associated with the Project;
  - Shall have the authority to represent its Partner in all matters in relation to the Project and will attend the Steering Group meeting;
  - Provide prompt responses to all communications received from the other Project Representatives and the Project Coordinator;
  - Notify the Partners immediately of any event that could lead to a temporary or final discontinuation of participation in the Project
- 9.2. The Partners may change they respective designated Project Representative. Any such change shall be communicated to all other Partners in writing in advance of the change taking effect, and in the case of a permanent change no less than ten (10) working days.

## 10. Financial Arrangements

---

- 10.1. The Project shall be delivered by Place Services-Essex County Council for and on behalf of the Partners.
- 10.2. The cost to each authority is set out within individual Service Level Agreements for each Partner, which sets out total costs, exclusions and agreed billing schedules. The cost of the overall project is fixed and each partner will pay the same. Only survey work is excluded from this fixed fee and must be subject to agreement in advance by all affected partners.
- 10.3. None of the Partners may incur, commit or authorise any financial expenditure on behalf of the Project.

## 11. Intellectual Property Considerations

---

- 11.1. All intellectual property in existence prior to the date hereof and owned by any of the Partners shall remain the property of that Partner and shall not be used other for the purposes of the Project without the express permission of the owning Partner.
- 11.2. All intellectual property obtained as part of the Project shall be owned by all of the Partners, provided this is not restricted by any licensing restrictions.

## 12. Confidentiality

---

- 12.1. Subject to clause 8.2 and the provisions of the Freedom of Information Act 2000, Environmental Information Regulations 2004, the Data Protection Act 1998 and any other relevant legislation the Partners shall not disclose or use any confidential information acquired as a result of this agreement other than to satisfy the requirements of its internal or external auditors or any other legislative requirements.
- 12.2. The Partners may, so far as it is lawfully able to do so, use such confidential information to the extent that it may be incorporated into any reports prepared as part of the Project or has come into the public domain otherwise than by breach of this agreement.

## 13. Period of Validity of the Memorandum of Understanding

---

- 13.1. This period of validity is until completion of all 5 phases of the Project.
- 13.2. The collaboration may be extended or renewed mutual agreement.

## 14. Termination of Disputes

---

- 14.1. Should any dispute arise relating to this agreement the respective Project Representatives will attempt to seek resolution acceptable to their authorities and shall seek to resolve tensions and conflict directly and collaboratively. Should the partners fail to achieve resolution the issue will be referred to EPOA for independent mediation, which will be final and binding upon the Partners.
- 14.2. Should any Partner wish to leave the Project they agree, subject to clause 7 above, to make any information obtained as part of the Project and necessary to the completion of the Project available to the remaining Partners.

## 15. Discretion

---

- 15.1. Nothing contained or implied in this agreement shall prejudice or affect the rights, discretions, functions, powers, duties and obligations of the Partners under all statutes, by-laws, statutory instruments, orders and regulations in the exercise of their functions as local authorities.



**Project representatives, please print name and sign below.**

For and on behalf of Basildon Borough Council:  Authorised Signatory 	For and on behalf of Braintree District Council:  Authorise Signatory
Date 23.01.2018	Date
For and on behalf of Brentwood Borough Council:  Authorised Signatory	For and on behalf of Castle Point Borough Council:  Authorised Signatory
Date	Date
For and on behalf of Chelmsford City Council:  Authorised Signatory	For and on behalf of Colchester Borough Council:  Authorised Signatory
Date	Date
For and on behalf of Maldon District Council  Authorised Signatory	For and on behalf of Rochford District Council:  Authorised Signatory
Date	Date
For and on behalf of Southend-on-Sea Borough Council:  Authorised Signatory	For and on behalf of Tendring District Council:  Authorised Signatory



<b>Date</b>	<b>Date</b>
For and on behalf of Thurrock Council:  Authorised Signatory	
<b>Date</b>	

**Appendix 7: Basildon Borough Council and Basildon & Thurrock University Hospital NHS Foundation Trust Memorandum of Understanding**

**DATED**

-----

**MEMORANDUM OF UNDERSTANDING**

between

**BASILDON BOROUGH COUNCIL**

and

**BASILDON & THURROCK UNIVERSITY HOSPITAL NHS FOUNDATION TRUST**

Contract Reference No: P/2016/0134 & BA07/117

## CONTENTS

---

### CLAUSE

1.	Background .....	1
2.	Key objectives for the project .....	1
3.	Principles of collaboration .....	1
4.	Project governance .....	2
5.	Roles and responsibilities .....	4
6.	Escalation .....	5
7.	Intellectual property .....	5
8.	Term and termination .....	5
9.	Variation .....	5
10.	Charges and liabilities .....	6
11.	Freedom of Information .....	7
12.	Data Protection .....	8
13.	Protection of Children and Vulnerable Adults .....	9
14.	Status .....	6
15.	Governing law and jurisdiction .....	6

### ANNEX

ANNEX A.	THE PROJECT .....	8
ANNEX B.	INFORMATION SHARING PROTOCOL .....	9
ANNEX C.	SPONSORS' BOARD TERMS OF REFERENCE .....	10

**PARTIES**

- (1) **BASILDON BOROUGH COUNCIL** of The Basildon Centre, St. Martins Square, Basildon, Essex, SS14 1DL ('the Council')
- (2) **BASILDON AND THURROCK UNIVERSITY HOSPITAL NHS FOUNDATION TRUST** of Nethermayne, Basildon, SS16 5NL ('the Trust')

**1. BACKGROUND**

- 1.1 The Council and the Trust have agreed to work together on the project detailed in Annex A (The Project).
- 1.2 The parties wish to record the basis on which they will collaborate with each other on the Project. This Memorandum of Understanding (**MoU**) sets out:
  - (a) the key objectives of the Project;
  - (b) the principles of collaboration;
  - (c) the governance structures the parties will put in place; and
  - (d) the respective roles and responsibilities the parties will have during the Project.

**2. KEY OBJECTIVES FOR THE PROJECT**

- 2.1 The parties shall undertake the Project to achieve the key objectives set out in Annex A to this MoU (**Key Objectives**).

**3. PRINCIPLES OF COLLABORATION**

The parties agree to adopt the following principles when carrying out the Project (**Principles**):

- (a) collaborate and co-operate. Establish and adhere to the governance structure set out in this MoU to ensure that activities are delivered and actions taken as required;
- (b) be accountable. Take on, manage and account to each other for performance of the respective roles and responsibilities set out in this MoU;
- (c) be open. Communicate openly about major concerns, issues or opportunities relating to the Project;
- (d) learn, develop and seek to achieve full potential. Share information, experience, materials and skills to learn from each other and develop

effective working practices, work collaboratively to identify solutions, eliminate duplication of effort, mitigate risk and reduce cost;

- (e) adopt a positive outlook. Behave in a positive, proactive manner;
- (f) adhere to statutory requirements and best practice. Comply with applicable laws and standards including EU procurement rules, data protection and freedom of information legislation. [In particular the parties agree to comply with the requirements of the Information Sharing Protocol attached to this MoU in Annex B];
- (g) act in a timely manner. Recognise the time-critical nature of the Project and respond accordingly to requests for support;
- (h) manage stakeholders effectively;
- (i) deploy appropriate resources. Ensure sufficient and appropriately qualified resources are available and authorised to fulfil the responsibilities set out in this MoU. [In particular the parties agree to make the contributions detailed in **Error! Reference source not found.** to this MoU]; and
- (j) act in good faith to support achievement of the Key Objectives and compliance with these Principles.

#### **4. PROJECT GOVERNANCE**

##### **4.1 Overview**

The governance structure defined below provides a structure for the development and delivery the Project.

##### **4.2 Guiding principles**

The following guiding principles are agreed. The Project's governance will:

- (a) provide strategic oversight and direction;
- (b) be based on clearly defined roles and responsibilities at organisation, group and, where necessary, individual level;
- (c) align decision-making authority with the criticality of the decisions required;
- (d) be aligned with Project scope [and each Project stage] (and may therefore require changes over time);
- (e) leverage existing organisational, group and user interfaces;
- (f) provide coherent, timely and efficient decision-making; and
- (g) correspond with the key features of the Project governance arrangements set out in this MoU.

#### 4.3 Sponsors' board

- (a) The **Sponsors' Board** provides overall strategic oversight and direction to the Project. This group will consist of:

**Partner One:** Bala Mahendran, Chief Executive, Basildon Borough Council

Ian Woolford, Commissioning Director, Basildon Borough Council

**Partner Two:** Claire Panniker, Chief Executive, Basildon & Thurrock University Hospital NHS Foundation Trust

Tom Abell, Deputy Chief Executive, Basildon & Thurrock University Hospital NHS Foundation Trust

- (b) The Sponsors' Board shall be managed in accordance with the terms of reference set out in **Error! Reference source not found.** to this MoU.

#### 4.4 Project board

- (a) The Project Board will provide strategic management at Project and workstream level. It will provide assurance to the Sponsors' Board that the Key Objectives are being met and that the Project is performing within the boundaries set by the Sponsors' Board.
- (b) The Project Board consists of representatives from each of the parties. The Project Board shall have responsibility for the creation and execution of the project plan and deliverables, and therefore it can draw technical, commercial, legal and communications resources as appropriate into the Project Board. The core Project Board members are:

Partner 1:

- Commissioning Director
- Head of Regeneration and Economic Development
- Commercial Specialist – Property
- Service Manager – Strategic Planning & Regeneration Strategy

Partner 2:

- Deputy Chief Executive
- Director for Buildings and Infrastructure
- Director for Clinical Care

The Core Group can be joined by other representatives of either Partner as deemed appropriate for particular tasks. The Project Board shall meet at least every 3 months unless otherwise instructed by the Sponsors' Board.

#### 4.5 Reporting

Project reporting shall be undertaken at three levels:

- (a) **Project Board:** Minutes and actions will be recorded for each Project Board meeting. Any additional reporting requirement shall be at the discretion of the Project Board.
- (b) **Sponsors' Board:** Reporting shall be at least every six months, based on the minutes from the Project Board highlighting: Progress this period; issues being managed; issues requiring help (that is, escalations to the Sponsors' Board) and progress planned next period and/or aligned with the frequency of the Sponsors' Board meetings.
- (c) **Organisational:** the Project Board members shall be responsible for drafting reports into their respective sponsoring organisation as required for review by the Project Board before being issued.

### 5. ROLES AND RESPONSIBILITIES

5.1 The parties shall undertake the following roles and responsibilities to deliver the Project:

Activity	Partner One (BBC)	Partner Two BTUH
<b>CHALLENGE 1: Understanding Our Health Challenges</b>	Lead	Assure
<b>CHALLENGE 2: Care of the Elderly and Long Term Conditions</b>	Assure	Lead
<b>CHALLENGE 3: Facilitating Cultural Change to Healthcare</b>	Assure	Lead

<b>Delivery</b>		
<b>CHALLENGE 4: The Hospital's Premises and Built Environment</b>	Assure	Lead

5.2 For the purpose of the table above:

- (a) **Lead:** the party that has principal responsibility for undertaking the particular task, and that will be authorised to determine how to undertake the task. The Lead must act in compliance with the Objectives and Principles at all times, and consult with the other party in advance if they are identified as having a role to Assure the relevant activity;
- (b) **Assure:** the party that will defer to the Lead on a particular task, but will have the opportunity to review and provide input to the Lead before they take a final decision on any activity. All assurance must be provided in a timely manner. Any derogations raised must be limited to raising issues that relate to specific needs that have not been adequately addressed by the Lead and/or concerns regarding compliance with the Key Objectives and Principles.

**6. ESCALATION**

- 6.1 If either party has any issues, concerns or complaints about the Project, or any matter in this MoU, that party shall notify the other party and the parties shall then seek to resolve the issue by a process of consultation. If the issue cannot be resolved within a reasonable period of time, the matter shall be escalated to the Project Board, which shall decide on the appropriate course of action to take. If the matter cannot be resolved by the Project Board within 28 days, the matter may be escalated to the Sponsors' Board for resolution.
- 6.2 If either party receives any formal inquiry, complaint, claim or threat of action from a third party (including, but not limited to, claims made by a supplier or requests for information made under the Freedom of Information Act 2000) in relation to the Project, the matter shall be promptly referred to the Project Board (or its nominated representatives). No action shall be taken in response to any such inquiry, complaint, claim or action, to the extent that such response would adversely affect the Project, without the prior approval of the Project Board (or its nominated representatives).

**7. INTELLECTUAL PROPERTY**

- 7.1 The parties intend that [notwithstanding any secondment] any intellectual property rights created in the course of the Project shall vest in the party whose employee created them (or in the case of any intellectual property rights created jointly by employees of both parties in the party that is lead party noted in clause 5 above for the part of the project that the intellectual property right relates to).
- 7.2 Where any intellectual property right vests in either party in accordance with the intention set out in clause 7.1 above, that party shall grant an irrevocable licence to the other party to use that intellectual property for the purposes of the Project.

**8. TERM AND TERMINATION**

- 8.1 This MoU shall commence on the date of signature by both parties, and shall expire after 3 years. Either party may terminate this MoU by giving at least three months' notice in writing to the other party.

**9. VARIATION**

This MoU, including the Annexes, may only be varied by written agreement of the Sponsor's Board.

**10. CHARGES AND LIABILITIES**

- 10.1 Except as otherwise provided, the parties shall each bear their own costs and expenses incurred in complying with their obligations under this MoU.
- 10.2 The parties agree to share the costs and expenses arising in respect of the Project between them [in accordance with [the][a] Contributions Schedule [set out in **Error! Reference source not found.** to this MoU][to be developed by the Project Board and approved by the Sponsors' Board within three months of the date of this MoU].
- 10.3 Both parties shall remain liable for any losses or liabilities incurred due to their own or their employee's actions and neither party intends that the other party shall be liable for any loss it suffers as a result of this MoU.

## 11. FREEDOM OF INFORMATION

### ACCESS TO INFORMATION REGIMES.

11.1 THE TRUST HEREBY ACKNOWLEDGES THAT:

(I)THE COUNCIL IS A PUBLIC AUTHORITY FOR THE PURPOSES OF THE FREEDOM OF INFORMATION ACT 2000 (“THE FOIA”);

(II)UNDER THE FOIA THE COUNCIL IS UNDER A DUTY TO PUBLISH INFORMATION IN ACCORDANCE WITH ITS PUBLICATION SCHEME AND FROM 1 JANUARY 2005 IS UNDER A DUTY TO RESPOND TO REQUESTS UNDER THE GENERAL RIGHT OF ACCESS PROVIDED BY SECTION 1 OF THE FOIA; AND

(III)IN SOME CIRCUMSTANCES THE COUNCIL MAY BE A PUBLIC AUTHORITY FOR THE PURPOSES OF THE ENVIRONMENTAL INFORMATION REGULATIONS 2004 AND BE UNDER AN OBLIGATION TO MAKE INFORMATION TO WHICH THOSE REGULATIONS APPLY AVAILABLE TO EVERY PERSON WHO REQUESTS IT.

(IV)THE COUNCIL IS SUBJECT TO THE PROVISIONS OF THE ACCOUNTS AND AUDIT REGULATIONS 2003 AND BE UNDER AN OBLIGATION TO MAKE INFORMATION TO WHICH THOSE REGULATIONS APPLY AVAILABLE TO EVERY PERSON WHO REQUESTS IT.

11.2 THE TRUST SHALL, AT ITS OWN COST, PROVIDE ALL SUCH ASSISTANCE AS MAY BE REQUIRED FROM TIME TO TIME BY THE COUNCIL, AND SUPPLY SUCH DATA OR INFORMATION AS MAY BE REQUESTED BY THE COUNCIL TO ENABLE THE COUNCIL TO FULFIL ITS DUTIES OR OBLIGATIONS UNDER THE STATUTORY REQUIREMENTS SET OUT IN THIS CLAUSE IN AS MUCH AS IT RELATES TO THE PERFORMANCE OF THE KEY OBJECTIVES UNDER THIS MOU.

### DISCLOSURE OF INFORMATION

11.3 THE TRUST SHALL PROMPTLY INFORM THE COUNCIL ABOUT THE RECEIPT OF ANY REQUEST FOR INFORMATION HELD ON BEHALF OF THE COUNCIL WHETHER OR NOT EXPRESSED TO BE UNDER SECTION 1 OF THE FOIA AND SHALL NOT DISCLOSE OR RELEASE ANY INFORMATION WITHOUT FIRST OBTAINING EXPRESS CONSENT FROM THE COUNCIL.

## 12. DATA PROTECTION OBLIGATIONS

12.1 The Trust warrants and represents that it has obtained all necessary registrations, notifications and consents required by the DPA to process Personal Data for the purposes of performing the Key Objectives under this MoU.

12.2 The Trust undertakes that to the extent that the Trust and/or any of its employees or agents or sub-Trusts approved by the Council receives, has access to and/or is required to process Personal Data on behalf of the Council for the purpose of carrying out the Key Objectives, it will at all times comply with the provisions of the DPA for the time being in force, including without limitation the Data Protection Principles set out in Schedule 1 of the DPA. In particular, the Trust agrees to comply with the requirements and obligations imposed on the Data Controller in the Seventh Data Protection Principle set out in the DPA namely:

(a) the Trust shall at all material times have in place and maintain appropriate technical and organisational security measures designed to safeguard against accidental or unlawful destruction, accidental loss, alteration, unauthorised or unlawful disclosure of or access to Council Personal Data and any person it authorises to have access to any Council Personal Data will respect and maintain the confidentiality and security of Council Personal Data. This includes the obligation to comply with any records management, operational and/or information security policies operated by the Council, when performing the Key Objectives on the Premises and/or accessing their manual and/or automated information systems;

(b) the Trust shall only process Personal Data for and on behalf of the Council for the purpose of performing the Key Objectives in accordance with the MoU and where necessary only on written instructions from the Council to ensure compliance with the DPA;

(c) the Trust shall allow the Council to audit the Trust's compliance with the requirements of this clause on reasonable notice and/or, at the Council's request, provide the Council with evidence of the Trust's compliance with the obligations set out in this clause.

12.3 The Trust undertakes not to disclose or transfer any Council Personal Data to any third party without the prior written consent of the Council save that without prejudice to this clause

12.4 The Trust shall be entitled to disclose Council Personal Data to employees and third parties to whom such disclosure is reasonably necessary in order for the Trust to carry out the Key Objectives, or to the extent required under a court order.

12.5 The Trust agrees to use all reasonable efforts to assist the Council to comply with such obligations as are imposed on the Council by the DPA. This includes the obligation to:

(a) provide to the Council such access as may be reasonably required from time to time to all Personal Data stored or processed in the provision of the Key Objectives under this MoU in order to enable the Council to meet its obligations to respond to access requests from Data Subjects under the DPA;

(b) provide the Council with reasonable assistance in complying with any request for information served on the Council under Section 7 of the DPA; and promptly inform the Council about the receipt of any such request received by the Trust under Section 7 of the DPA and not disclose or release any information (including Council Personal Data) in response to such a request without first consulting with the Council, where the information sought relates to the Council, its employees, agents, approved sub-Trusts and/or its business operations.

12.6 The Trust shall indemnify the Council against all claims and proceedings and all liability, losses, costs and expenses incurred in connection therewith by the Council as a result of the Trust's destruction and/or damage to any Council Personal Data processed by the Trust, its employees, agents or sub-Trusts, or any breach of or other failure to comply with the obligations in the DPA and/or this clause by the Trust, its employees, agents or sub-Trusts.

12.7 The Trusts shall appoint and identify an individual within its organisation authorised to respond to enquiries from the Council concerning the Trust's Processing of Council Personal Data and will deal with all enquiries from the Council relating to such Council Personal Data promptly, including those from the Information Commissioner and will to the extent reasonably necessary co-operate with and assist in ensuring compliance with any Data Subject rights of data access, correction, blocking, suppression or deletion relating to Council Personal Data and in the defence or management of any enforcement action or assessment by the Information Commissioner or any other competent authority in relation thereto.

### **13. Protection of Children and Vulnerable Adults**

13.1 The Trust acknowledges that the Council has legal responsibilities under section 11 of the Children Act 2004 and Safeguarding Vulnerable Groups Act 2006 together

the “Safeguarding Acts” in providing the Key Objectives under this MoU, the Trust warrants that it will cooperate with the Council to enable the Council to comply with the Safeguarding Acts.

13.2 The Trust shall give reasonable assistance to the Council to comply with the Safeguarding Acts and shall not do any act either knowingly or recklessly that would cause the Council to be in breach of the Safeguarding Acts.

13.3 The Trust shall make arrangements during the provision of the Project to ensure that it complies with Safeguarding Acts and accordingly the Trust shall comply with the Council’s policy regarding safeguarding children members of vulnerable groups and the Safeguarding Acts.

13.4 Failure by the Trust to comply with the provisions of this clause may lead to the termination of this MoU at the absolute discretion of the Council.

13.4 If required by the Council the Trust shall at its own cost obtain for each individual involved in the provision of providing the Key Objectives a clear Disclosure and Barring Service check and shall provide a copy of the Certificate to the Council prior to commencement of the Project.

#### **14. STATUS**

14.1 This MoU is not intended to be legally binding, and no legal obligations or legal rights shall arise between the parties from this MoU. The parties enter into the MoU intending to honour all their obligations.

14.2 Nothing in this MoU is intended to, or shall be deemed to, establish any partnership or joint venture between the parties, constitute either party as the agent of the other party, nor authorise either of the parties to make or enter into any commitments for or on behalf of the other party.

#### **15. GOVERNING LAW AND JURISDICTION.**

This MoU shall be governed by and construed in accordance with English law and, without affecting the escalation procedure set out in clause 6, each party agrees to submit to the exclusive jurisdiction of the courts of England and Wales.

Signed for and on behalf of **BASILDON  
BOROUGH COUNCIL**

Leader Signature: .....

Chief Executive Signature: .....

Names:

Date: .....

Signed for and on behalf of **BASILDON  
AND THURROCK UNIVERSITY  
HOSPITAL NHS FOUNDATION  
TRUST**

Chairman Signature: .....

Chief Executive Signature: .....

Names:

Date: .....

## **Annex A. The Project**

1. Basildon & Thurrock University Hospital NHS Foundation Trust and Basildon Borough Council will establish a new Exploratory Partnership to improve health outcomes in the Basildon Borough for which the intent, approach and scope of which is confirmed by a Memorandum of Understanding.
2. The partnership commits both the Council and the Hospital Trust to work more closely together for the wider healthcare benefit of, and sustainability of services to the local communities in the operational areas of both organisations including (but not limited to) strategic planning, regeneration, property asset management, housing delivery, healthcare planning, organisational support and back office.

### **Partner 1: Background to Basildon Borough Council**

3. Basildon Borough Council is the lower tier Local Authority which provides local government administration for the Basildon Borough for areas including town planning, regeneration, economic development, housing delivery, housing management and environmental health. The Borough's upper tier functions, such as highways, education, adult & social care and public health are the delivery responsibility of Essex County Council.
4. It is an active member of the Basildon Borough Health and Well Being Board working with various public and voluntary sector partners. This work has led to joint investigations and interventions including evaluating the spread of hot food takeaways, as part of efforts to tackle obesity and the commissioning of a Housing Stock Condition Model for the Borough to tackle hazards in the home and limit impact on the health sector.
5. The Council is also the Borough's Local Planning Authority for all matters except County Council development, Waste and Minerals. It has a statutory duty to prepare a Local Plan to guide growth and development in the Borough over the next 15-20 years. The latest draft of its Local Plan, which is providing the planning framework until 2034, seeks to provide over 15,000 new homes in the Borough to address population growth and economic needs. It recognises that such a level of growth will require upgrades to the Borough's infrastructure including primary, acute, mental and

community healthcare services and the Council needs to engage with healthcare authorities and providers to understand the impact of growth and how their facilities may need to change over the lifespan of the Local Plan to support it.

6. The Council has a strong ambition and track record of delivering strategic and local regeneration priorities. It has procured development partners to assist in the delivery of Basildon Town Centre's regeneration and through land assembly, local leadership and programme management it has coordinated multi-agency schemes engaging Essex County Council, landowners, developers, the NHS, education providers and commercial operators in other town centre and residential locations throughout the Borough. In 2014, it established its own house building company Sempra Homes to help in the delivery of these wider objectives.
7. The Council is a Local Housing Authority with a stock of around 11,000 homes which need to be let, managed and invested in. The majority of this stock consists of family homes, however it also includes specialist types of accommodation including Sheltered Housing schemes. The needs of all stock are kept under review to ensure they remain fit for purpose and can deliver what the Council needs to provide for its communities in the most cost effective way possible.
8. Finally, the Council is also a land owner, some of which it uses for its own services however it also leases property to others. In addition, it provides a number of generic back office services for its own functions as well as neighbouring Councils including finance, insurance, human resources and telephony.

## **Partner 2: Background to Basildon & Thurrock University Hospital NHS Foundation Trust**

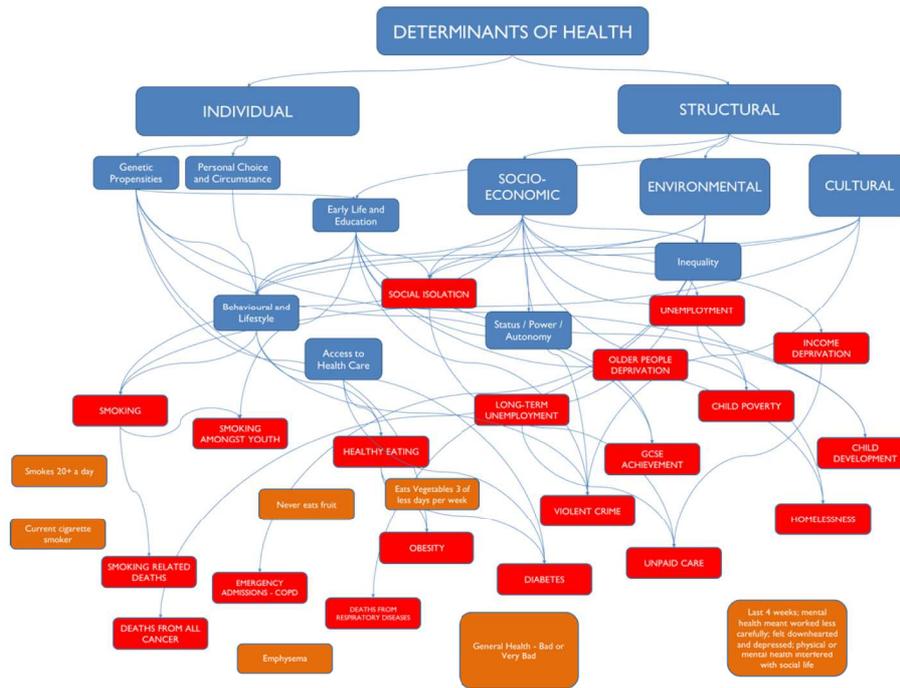
9. Basildon & Thurrock University Hospital NHS Foundation Trust was established in April 2004 and provides services for 405,000 people living in South West Essex, covering Basildon and Thurrock Boroughs, but also parts of Brentwood and Castle Point Boroughs. It is the largest hospital in Essex with 700 in-patient beds, 350-400 A&E attendances a day and 500-600 daily out-patient appointments.
10. It provides an extensive range of acute medical healthcare services at Basildon University Hospital, which includes the Essex Cardiothoracic Centre (CTC) and Orsett Hospital, as well as x-ray and blood testing facilities at St Andrew's Centre in Billericay. It also provides dermatology services across the whole of South Essex.

The CTC provides a full range of tertiary cardiothoracic services for the whole of Essex and further afield.

11. With a budget of more than £288m, the Trust treated 77,500 in-patients and day patients, provided nearly 300,000 outpatient appointments and attended to 103,000 patients in accident and emergency in the last financial year.
12. The Essex Success Regime Review, led by the Trust's Chief Executive is currently underway and it is hoped that Basildon University Hospital will adopt further specialities as part of the reorganisation of hospital service delivery in Essex which will mean it will need to review and consider how best to use its site on an ongoing basis.
13. In line with the broader NHS and public sector the Trust faces significant financial challenges and considers the development of new and innovative operating models to improve the outcomes of the communities it serves as key to secure the longer term sustainability of local NHS and care services.

### **Understanding Local Health Challenges and the case for a Partnership**

14. In the widest perspective, the general wellbeing of individuals and communities are affected by different determinants of health and what specific needs they will place on society, as set out in Figure 1.
15. In turn these result in direct or indirect health and wellbeing challenges for people or communities which result in a need for specific health or care interventions to be provided either by the public, private or voluntary sector; all of which have an embodied cost, either short term or long term and require different management techniques, professional input or service delivery.



16. The principal challenges faced by the hospital, how they relate to the wider Borough healthcare needs in the future and that are hoped could be assisted by this new partnership are identified as:

### CHALLENGE 1: Understanding Our Health Challenges

- Whilst much work has been prepared by the Clinical Commission Group, NHS England, the Hospital Trust, Public Health authorities and the Council to evaluate and understand the complexity of the changing health needs in the Borough, both parties accept that there are challenges in analysing and interpreting this information in a meaningful way that can inform new and updated policies, service priorities and projects.
- Technology, software and licencing challenges are already negatively affecting how both parties can quickly work together to interpret information, look for trends and identify possible solutions.
- The impacts of the Borough's growth and development over time on the demand and operation of the Hospital Trust's facilities needs to be more clearly understood in order to inform how the Trust, NHS and Council need to respond.

17. The Council and Trust commit to become more open with their health and anonymised patient data to facilitate the analysis, comparison and understanding of health data at a spatial level and compared against other social, economic and environmental factors to inform interventions and joint health related projects.

18. The Council and Trust commit to a closer working relationship in respects of strategic planning so that the impacts of population change on the Trust's infrastructure and services can be more fully understood and attributed to help coordinate the delivery of sufficient upgrades to cope with demands.

### **CHALLENGE 2: Care of the Elderly and Long Term Conditions**

- Improving the health and well-being of frail older people and people living with long term conditions to reduce the level of demand on hospital unplanned care services by delaying or preventing crisis and complication. This includes better management of respiratory conditions, diabetes, falls and other general well-being issues of patients and those who care for them.
- Getting patients discharged from the hospital at the right time and the right place, reducing reliance of traditional forms of nursing/residential accommodation and exploring opportunities for other forms of care, such as adaptations of private homes or Council accommodation.

19. The Council and Trust, together with other local partners are working towards the agreement of an Ageing Well Charter consistent with the aims and ambitions of this Memorandum of Understanding, but will work together to implement and further it through the new partnership.

### **CHALLENGE 3: Facilitating Cultural Change to Healthcare Delivery**

- A key cultural change within healthcare delivery will be to move away from the Hospital being seen as a place where reactive treatment is provided, to a place which can coordinate and deliver more proactive health management, shifting resources from higher cost unplanned care provision to lower cost planned and preventative care.
- A key step towards facilitating this move will be to tackle the structural weaknesses in current general practice in Basildon Borough. They are outside the control and commissioning of the Hospital Trust and therefore this limits the ability to secure the cultural shift outlined above. The average number of patients per GP in Basildon and Brentwood is 1,952 (England average is 1,600), with 35% of GPs being over the age of 55 (England average 20%) and 23% of practices consisting of single GPs (England average 10%).

20. There is an opportunity for the hospital to consider direct provision of general practice and other community based services to help secure this service change and for the Council to consider how it could facilitate this through the use of its existing and future assets, land assembly, regeneration delivery and its relationship with the Basildon and Brentwood Clinical Commission Group.

#### **CHALLENGE 4: The Hospital's Premises and Built Environment**

- The Trust accepts that the hospital site which first opened in 1973 and has been added to incrementally since needs reorganising to maximise its potential.
- This includes reconsidering how the site can best cater for acute high risk and high tech healthcare provision, staff welfare, patient and visitor facilities to improve their experience and well-being.
- It also recognises that some back office and support services, as well as some health related departments including phlebotomy, ultrasound, orthopaedics, outpatient care, pain management and rehabilitation are not essential to provide completely at the hospital site and could be provided better elsewhere within the Borough by the Trust at satellite locations; freeing up space at the hospital site to enable necessary upgrades.
- As part of its University status, the accommodation dedicated to medical learning and student accommodation needs to be kept under review to ensure it remains fit for purpose. In the future, this could include reviewing whether a learning and medical skills campus has to be accommodated on site, or whether it could be provided better, in full or in part, elsewhere.
- There remains an ambition to accommodate a purpose-built helipad on site for the first time to enable the smooth transition of patients to A&E and the Essex Cardio Thoracic Centre from the East of England Air Ambulance Heli-med fleet.
- Some provision of accommodation needs for students, junior doctors and nurses is available on site but it varies in quality and design and in time will require major investment. It needs to be considered whether this must remain in full, or in part on site or whether other opportunities are present which could relocate it elsewhere.
- The catchment of the hospital is not just the local area, given the hospital's specialisms. There is a growing need for the provision of short-stay accommodation stock in the vicinity of the hospital to provide hotel style

accommodation for some relatives, elective surgery patients and some short term staff needs.

- Redevelopment of entrance and reorganisation of parking and access routes into hospital estate could provide better public transport, parking management, public realm and retail opportunities on site for the benefit of hospital patients, visitors and staff.

21. There is therefore an opportunity for the Hospital Trust and Council to consider the optimal locations for providing different healthcare and support facilities to deliver the highest quality accommodation and environment which patients, medical staff and visitors need.

### **Conclusion**

Given these challenges, the separate strengths and different experience of both organisations and their specialisms, the new partnership formed from the MOU will commit both organisations to jointly explore how they both could help each other in delivering better healthcare outcomes for the Basildon Borough.

### **Disclaimer**

The commitment to the MOU will not affect the sovereignty of either organisation. It does not overrule governance and decision making arrangements either organisation has. It does not bypass the need for further funding, contractual or other agreements that may be necessary to deliver the joint aspirations of the MOU.

## **Annex B. Information Sharing Protocol**

Data Sharing Agreement to follow.

## **ANNEX C:**

### **Sponsors' Board Terms of Reference 2017**

#### **Purpose / role of the group:**

- To provide overall strategic oversight and direction to the Project.

#### **Membership/representatives:**

Partner 1 – Basildon Borough Council

- Bala Mahendran, Chief Executive
- Ian Woolford, Commissioning Director

Partner 2 - Basildon & Thurrock University Hospital NHS Foundation Trust

- Claire Panniker, Chief Executive
- Tom Abell, Deputy Chief Executive

#### **Voting rights:**

- Each partner shall have one representative within the Sponsors' Board who has one vote
- All decisions shall require a quorum of two representatives.
- Decisions of the Sponsors' Board shall require a majority decision

#### **Meetings:**

- The Sponsors Board will meet at least twice a year.
- The meetings will be chaired by either the representative of Basildon Borough Council or Basildon & Thurrock University Hospital NHS Foundation Trust on an alternating basis.
- Meetings will be organized and serviced by the Partner organization chairing the respective meeting
- Non-members may be invited to Board Meetings by mutual agreement of the Partners to present/discuss particular agenda items where specialist input would be beneficial

**Appendix 8: South Essex Housing Market Area – Responses to Unmet Need Request September 2018**

Scott Logan  
Chief Executive  
Basildon Borough Council

Date: 2<sup>nd</sup> October 2018  
Telephone: 01268 882200

Dear Scott,

**BASILDON BOROUGH COUNCIL LOCAL PLAN 2014-2034: DUTY TO COOPERATE  
UNMET HOUSING NEEDS**

Thank you for your letter of 14<sup>th</sup> September enquiring whether Castle Point Borough Council would be in a position to meet any unmet Objectively Assessed Housing Need (OAHN) arising in Basildon.

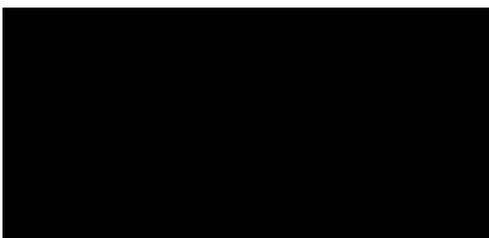
We are currently working to very tight timeframes for the delivery of a Local Plan and as I am sure you are aware Castle Point is itself constrained in terms of land availability, green belt designations, nature conservation areas and flooding.

As part of the plan making process the Council is doing everything possible to meet its own OAHN, including amongst other things reviewing densities in sustainable locations and reviewing green belt boundaries for potential release.

Work on the plan continues, however, we are aware at this stage that it is unlikely that we will be able to meet the OAHN in Castle Point in which case we will be making requests of our neighbours to meet our need once the level of unmet need has been finalised. As such we are not able to meet any unmet housing need in Basildon.

That being said, we welcome the opportunity to continue to work with Basildon and neighbouring authorities to bring forward the Joint Strategic Plan (JSP) and we recognise that the resolution of unmet need lies in the preparation and delivery of the JSP in respect of cross boundary strategic matters.

Yours faithfully,



David Marchant

Chief Executive

Sent via email

Scott.Logan@basildon.gov.uk

Ask for: Matthew Thomas  
Direct Dial: 01702 318015

Email:  
matthew.thomas@Rochford.gov.uk

My Ref: MT/KT/dtc

2 October 2018

Dear Mr Logan

**Basildon Borough Local Plan 2014-2034: Duty to Cooperate Unmet Housing Needs**

Thank you for your letter dated 14 September 2018.

Rochford District Council acknowledges the approach that Basildon Borough Council has taken to explore all possible avenues for meeting its objectively assessed housing need (OAN) in full up to 2034 within its emerging Local Plan. It also acknowledges that Basildon Borough Council has identified requirement for 1,700 homes is unlikely to be delivered over this period.

As a neighbouring authority, we are working collaboratively with the five other South Essex authorities and Essex County Council to develop a collective 2050 Vision and subsequently a Joint Strategic Plan. Alongside this strategic work, we are in the process of updating our technical evidence base and reviewing our adopted local development plan to deliver a new Local Plan.

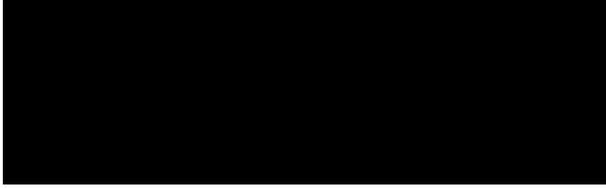
Similar to Basildon Borough, the ability of Rochford District to meet its OAN within its existing urban area is very limited as evidenced by our most recently published Brownfield Register and Strategic Housing Land Availability Assessment. Likewise, outside our urban area is designated Metropolitan Green Belt. Whilst such evidence will continue to be reviewed and updated as we progress our plan-making, it is highly likely that our current position will remain unaltered.

Furthermore given Rochford District's location in South Essex, infrastructure is likely to present significant challenges for us when determining how to meet our OAN in a sustainable and inclusive manner.

As such, whilst we appreciate the position that Basildon Borough Council finds itself in owing to identified land supply and delivery constraints, Rochford District Council is not in

a position to assist with meeting any identified unmet need within the current iteration of its draft Local Plan.

Yours sincerely



**Assistant Director – Planning Services**

28 September 2018

Scott Logan  
Chief Executive  
Basildon Borough Council

Dear Scott

Thank you for your letter dated 14 September 2018, setting out the updated position regarding Basildon Borough Council's Local Plan, and in particular requesting that Thurrock Council consider whether any of Basildon's unmet housing needs could be met within the Thurrock local authority area and to determine whether that need could be met by 2034.

As set out in your letter, you have indicated that the Basildon Local Plan will be approximately 1,700 homes short of fulfilling Basildon's housing needs to 2034. Thurrock Council consider that this figure is not an accurate reflection of unmet housing need over the plan period as it relates solely to the deficit between the identified housing need and the **total** identified housing land supply.

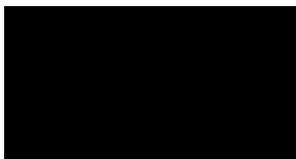
It is noted that your letter sets out that it is not anticipated that the housing land supply will be fully developed within the 16 remaining years of the plan period but it is not clear from your letter what the actual deliverable housing supply up until 2034 is and, therefore, what the actual scale of unmet housing need within the plan period is.

Notwithstanding the comments above, with regard to your request as to whether Basildon's unmet housing need could be accommodated in Thurrock, our position has not changed from my letter dated 8 March 2018 in response to a previous request for assistance in meeting your unmet housing need.

Thurrock Council is at an early stage of its Local Plan preparation and has identified an urban capacity of approximately 6,500 homes. This figure falls significantly short of the land supply required to meet Thurrock's own housing need and the Council recognises that it will need to consider the release of Green Belt land in order to meet the borough's housing requirement.

Whilst the Council is still in the process of assessing whether the borough has the capacity to accommodate its own housing need, it is not in a position to accommodate any of the unmet housing needs of surrounding HMA authorities, including the deficit of 1,700 homes identified by Basildon Council.

Yours sincerely



Lyn Carpenter  
Chief Executive