

Basildon Borough Council

Duty to Cooperate Report

V3: Submission

March 2019

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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 submitted its Local Plan in March 2019. It is the third version of this statement, having initially been drafted to set out the Duty to Cooperate process that had been undertaken to March 2018, and then updated in October 2018.

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 Borough, the details of which are set out in the following sections. The table below shows the planning position for these other local planning authorities.

Authority	Current Plan	Position with replacement
Essex County Council	Essex Minerals Local Plan (2014), Essex and Southend-on-Sea Waste Local Plan (2017)	N/A
Brentwood Borough Council	Brentwood Replacement Local Plan (2005)	Brentwood Local Plan Pre-submission Regulation 19 Local Plan (2019)
Castle Point Borough Council	Castle Point Adopted Local Plan (1998)	Castle Point Regulation 18 Consultation (2018)
Chelmsford City Council	Chelmsford Local Development Framework (2011)	Chelmsford Local Plan Submission Local Plan (2018)
Rochford District Council	Rochford Local Development Framework (2011)	Rochford Local Plan Regulation 18 Issues and Options Consultation (2017)
Southend-on-Sea Borough Council	Southend Local Development Framework (2007)	Southend Local Plan Regulation 18 Issues and Options Consultation (2019)
Thurrock Council	Thurrock Local Development Framework (2011)	Thurrock Local Plan Regulation 18 Issues and Options Consultation Part 2 (2019)
London Borough of Havering	Havering Local Development Framework (2008)	Havering Regulation 19 Publication Local Plan Consultation (2017)
The Mayor of London	Further Alterations to the London Plan (2016)	New London Plan Consultation (2017)

In respect of Chelmsford City'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 is provided as appendix 9.

Similarly, in response to issues raised by Chelmsford City regarding the Basildon Borough Revised Publication Local Plan, a Statement of Common Ground between Basildon Borough Council and Chelmsford City Council has been agreed in respect of the Basildon Borough Revised Publication Local Plan. This resolves the issues raised in Regulation 19 representations by Chelmsford City in respect of the Basildon Borough Local Plan, and means that there are no outstanding Duty to Cooperate matters. This is provided as appendix 10.

Separate Statements of Common Ground are also underway with the other neighbouring authorities, and the Greater London Authority, on behalf of the Mayor of London. The purpose of these will be to identify the areas of cross boundary agreement between the individual authorities and Basildon Borough Council. These will be completed in Spring 2019, prior to the Examination in Public. It should be noted that this is in addition to the South Essex Statement of Common Ground which is explained later in this report.

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). The EA have not raised any Duty to Cooperate issues in respect of the Revised Publication Local Plan, and their representation has been generally supportive. A Statement of Common Ground setting out the agreed position between the EA and Basildon Borough Council in respect of the Basildon Borough Local Plan is provided as appendix 11.

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). No Duty to Cooperate matters have been raised. However, the recent consultation response on the Revised Publication Local Plan sought some amendments to policies. Basildon Borough Council is working with Historic England to understand and prepare a joint position in respect of these amendments. A Statement of Common Ground setting out the agreed position between Historic England and Basildon Borough Council in respect of the Basildon Borough Local Plan is in the process of being prepared and will be available in time for the Examination in Public.

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 in time for the Local Plan's adoption. No Duty to Cooperate matters have been raised, with NE welcoming the Council's incorporation of the RAMS within the relevant policies in the Basildon Borough Local Plan. However, the recent consultation response on the Revised Publication Local Plan does seek some amendments to policies. Basildon

Borough Council is working with NE to understand and prepare a joint position in respect of these amendments. A Statement of Common Ground setting out the agreed position between NE and Basildon Borough Council in respect of the Basildon Borough Local Plan is in the process of being prepared and will be available in time for the Examination in Public.

The Mayor of London – Basildon Borough is not a London Borough and does not border the Greater London Boundary, 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 and influence 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 following political engagement to consider how the Borough needs to consider key commuter links and how it can benefit from economic development growth opportunities brought by Greater London. The Council has responded to London Plan consultations and sought to influence regional policy in London to secure a better inter-relationship with London. A Statement of Common Ground setting out the agreed position between the Mayor of London (via the Greater London Authority) and Basildon Borough Council in respect of the Basildon Borough Local Plan is in the process of being prepared and will be available in Spring 2019 in time for the Examination in Public.

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. The CAA has been consulted at each stage of the plan-making process for the Basildon Borough Local Plan, but have not responded and there are not known to be any Duty to Cooperate matters outstanding.

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 designated 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. Homes England has responded positively in its representations on the Revised Publication Local Plan, setting out how it intends to engage with Basildon Borough Council to bring forward strategic allocations on its land holdings, including through other enabling sites also allocated to relocate playing pitches and sports clubs on Land West of Gardiners Lane South (H5). The Council is working with Homes England to develop a Statement of Common Ground identifying the areas of agreement between Homes England and Basildon Borough Council as to how the Land West of Gardiners Lane South (H5) will be brought forward.

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 similar projects to improve health outcomes in the Borough. The NHS, on behalf of the CCG have responded positively to the Revised Publication Local Plan consultation, and it is not considered that there are outstanding issues between the CCG and Basildon Borough Council. That being said, the

Council continues to engage with the CCG through the NHS Local Estates Forum, as well as in relation to local scale projects.

The Office of Rail and Road – Has been consulted as part of the Local Plan process, but have not responded and there are not known to be any Duty to Cooperate matters outstanding.

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 has also been engaged in the preparation of the A127 Route Management Strategy and engaged, although did not sign¹, the London Borough of Havering's A127 Statement of Common Ground, which sought to influence coordinated planning and investment on the west-east route. Highways England's consultation response on the Revised Publication Local Plan failed to recognise this engagement, and a subsequent meeting has taken place to understand the concerns outstanding. Areas of agreement have now been identified and a Statement of Common Ground has been agreed which concludes that there are no outstanding Duty to Cooperate matters. This is included as appendix 12.

The Marine Management Organisation (MMO) – Basildon Borough has a limited marine environment, with tidal inlets and marshland in the south of the Borough only. However, it has consulted the MMO as part of the Local Plan process since its inception but it has not responded. 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. Most recently the Council responded to the consultation on the Iteration 3 of the South East Marine Plan (2019). There are not considered to be any outstanding Duty to Cooperate matters with the MMO.

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 and how to realise them. Transport and skills projects within the Basildon Borough have received SELEP funding to unlock development and enhance economic outcomes. There are not known to be any Duty to Cooperate matters outstanding.

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. There are not known to be any Duty to Cooperate matters outstanding.

Local and adjacent Parish Councils – These organisations whilst statutory consultees are not Duty to Cooperate bodies. Local and adjacent Parish Councils have been 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

¹ It opted for a Memorandum of Understanding with London Borough of Havering instead.

'Local Council Liaison Meetings' attended by officers and elected members in Basildon Borough. Where appropriate, one-to-one meetings have also taken place, as well as liaison meetings associated with the consideration or preparation of Neighbourhood Plans, in line with the Council's Neighbourhood Planning Support Policy 2015.

Local Police Body (Police and Crime Commissioner) – Whilst a statutory consultee the local police body is not a Duty to Cooperate body. The Council has consulted with Essex Police throughout the preparation of the Local Plan and Infrastructure Delivery Plan, and arranged a specific meeting in 2017 to ensure that any outstanding concerns were addressed.

Anglian Water – Whilst a statutory consultee the local drainage undertaker is not a Duty to Cooperate body. 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 – Whilst a statutory consultee the local water supply company is not a Duty to Cooperate body. 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; a Productivity 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. However, the revised NPPF and Planning Practice Guidance published in February 2019 made clear that authorities should continue to use the 2014-based household projections as a basis.

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

OAN by Authority

Authority	Dwellings per Annum		
	SHMA	2014-based Standard Method	2016-based Standard Method
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

TOTAL	3,760	4,158	3,641
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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. It is anticipated that these will be updated again in the summer when the draft Issues and Options report for the Joint Strategic Plan is circulated for approval by each authority for consultation.

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 will identify 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 (JSP) 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 culmination of expanding existing settlements outwards and installing a 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 (JSP) 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 JSP. 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 visual separation. Whilst both authorities signed off on the study's outputs, Brentwood Borough 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. Brentwood Borough Council have recently concluded consultation on their Regulation 19 Local Plan, which continues to include a garden village in the Dunton Hills location, against which Basildon Council have made several representations. The two authorities are continuing to work in partnership in order to prepare a Statement of Common Ground, which identifies areas of agreement in relation to the two separate Local Plans. It is expected that this will be completed in time for the Examination in Public of the Basildon Borough Local Plan.

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 JSP. In order to achieve this, work on the employment element of the JSP is therefore being coordinated with the Productivity Strategy, with Basildon Borough Council taking the lead, with support from Essex County Council.

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 JSP which aligns with a Productivity 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 first 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 Green Infrastructure destinations and crossings over major highway and railway 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 has therefore recently been completed 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 were on the Steering Group and part-funded the project. In order to ensure alignment with Thurrock, albeit it was outside the commission, the overarching strategy drew information from Thurrock also. The intention of this work was 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 each, one 6 lane facility could be provided in a location which can serve both authorities. The Basildon Borough

Revised 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 original Green Grid Strategy for the entire area – extending beyond its initial Thames Gateway boundaries, which left large parts of Basildon and Rochford and the entire Borough of 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 Councils 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 (JSP).

The outputs of joint working to date have been:

- a) the Green Grid Strategy;
- b) funding for Green Grid projects; and
- c) A Joint Playing Pitch and Built Facilities Strategy.

Intended outputs going forward include:

- a) Refresh of the South Essex Green Grid Strategy and aligned Open Space Assessments for incorporation in the JSP.

The outcomes to date have been the delivery of destination projects in South Essex e.g. new Visitor Centres 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. In 2016, it was recognised that the SFRA again needed updating both to reflect further changes to tide levels, and also as a consequence of changes to the way extreme rainfall events needed to be taken into account following serious surface water and river flooding events across the country. Basildon again worked with Castle Point and Rochford, and also Southend to prepare an updated SFRA for the area, capturing these revised modelling requirements. Throughout this work, the Environment Agency, and more recently Essex County Council as the Lead Local Flood Authority (LLFA) 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 (JSP) 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 LLFA 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 LLFA, has worked with the individual authorities to bring forward the flood alleviation schemes identified in the SWMP, including some in Basildon Borough. 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 Infrastructure Delivery Plan (IDP), the LLFA has engaged. This has enabled it 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 and update of Strategic Flood Risk Assessments over time, the preparation of a Surface Water Management Plan and Water Cycle 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 JSP.

A127 Corridor

In response to the Draft Local Plan 2016 consultation, the London Borough of Havering (Havering) raised concerns about the impacts of growth in Basildon Borough on the capacity of the A127. It made a similar representation to Brentwood Borough who were also undertaking a Local Plan 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, excluding Highways England, committing to working together to secure improvements to the A127 to support growth arising along its route (see appendix 4).

In November 2018, a A127 Task Force was established with Members of Parliament, elected members and officers of South Essex authorities, as well as those from Chelmsford City, Maldon District, London Borough of Havering and Essex County Councils, Transport for London and Highways England. The primary role of the A127 Task Force is to promote the importance of the A127 corridor (and its sphere of influence) in enabling economic growth across South Essex; to promote the trunking of the route between the M25 and Southend boundary; to secure investment and determine infrastructure priorities through partnership working.

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;
- b) A Statement of Common Ground committing the constituent authorities to work together to secure improvements to the A127; and
- c) The establishment of an A127 Task Force to act as a collective voice to secure investment in the route to enable economic growth.

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.

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 Borough. 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.

In their representation to the Revised Publication Local Plan, ECC has sought for an implementation strategy to be prepared to assist in the delivery of the grade separated junction required on the A127 to serve growth locations in south Wickford and east Basildon. Since that representation was made the two authorities have engaged frequently to discuss how this can be achieved, and work has commenced on developing the strategy and commissioning any necessary additional work as required. The intended outputs of this ongoing work are:

- a) A delivery strategy for the grade separated junction on the A127, and associated infrastructure; and
- b) Funding bids to secure investment for any funding gap remaining once developer contributions have been accounted for.

The intended outcome of the work to date, and the further work under way, will help to ensure that the agreed transport mitigation schemes are delivered which enable the growth set out in the Revised Publication Local Plan. A Statement of Common Ground is being prepared to set out how Essex County Council and Basildon Borough Council have worked together to address the transport impacts and transport mitigation required for the Local Plan. This will be completed in Spring 2019 prior to the Examination in Public.

Education and Early Years

Essex County Council (ECC) is the education authority that covers Basildon Borough. It has consequently been necessary to work closely with officers from ECC to identify the education requirements arising from the growth proposed in the Revised Publication 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 at 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 better 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 Revised Publication 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. A Statement of Common Ground is being prepared to set out how Essex County Council and Basildon Borough Council have worked together to address the education requirements emerging from the growth proposals in the Local Plan. This will be completed in the Spring 2019 prior to the Examination in Public.

There are some outstanding policy comments arising from ECC, who seek significant planning policy flexibilities with regard to their education estate. However, it is not considered that these are a Duty to Cooperate matter.

Infrastructure Planning

In 2016, the Essex Planning Officers Association (EPOA), as part of work on an Devolution 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 (excluding the unitary authorities of Southend on Sea and Thurrock), 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 much of Greater 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 tool for 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 Housing Infrastructure Fund (HIF) bids of which a number in Essex, including Basildon were successful.

The outputs of this work have been:

- a) A Growth and Infrastructure Framework for the much 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 Revised Publication 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 Revised Publication Local Plan. In addition to this, Chelmsford City Council are developing proposals for an accreditation scheme for developments that are designed to be healthy places – 'Live Well Accreditation', which could be applied across Essex. Again, officers from Basildon have been involved in developing these proposals, so that developers across Essex see the value in bringing forward developments that deliver healthy places.

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 Revised Publication 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 Spring 2019, and that this will be supplemented by the Live Well Accreditation scheme later in 2019.

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, which include New Towns, 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, officers 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 national Planning Practice Guidance (PPG)).

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.

Officers at Basildon have continued to work with the project's lead to advocate for additional elements to be addressed in the guide's next such as 'design for traveller sites' and 'design for commercial development' given the development needs specific to the Borough, which are not covered by the initial release.

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 has therefore prepared a *Viability Protocol* similar to that currently applied across Greater London, which could be applied across all Essex Districts, Boroughs and City. At this time however, there remains some outstanding issues with regard to the operation of the protocol, which need to be resolved ahead of implementation.

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.

Efficient and Effective Planning in Essex

In 2017, the EPOA identified the need to express its joint commitment to delivering more sustainable growth in Essex, through broader collaboration between the EPOA members and developers and by adopting a common set of principles that could underpin the delivery of local planning authorities services in Essex.

The Essex Planning Protocol has been designed to meet that commitment and it has been prepared with, and endorsed by, the newly formed Essex Developers' Group (EDG) in recognition that, in order to implement it positively throughout Essex, EDG members will also need to adapt their own approaches and behaviours to development and interaction with Essex local planning authorities and Essex County Council.

The Protocol's four commitments which have been agreed are:

- **Effective communication** - LPAs and developers will positively engage with one another and any other stakeholder or local body, as appropriate, to allow early identification and demonstrable resolution of key issues, including, but not limited to the formal pre-application processes. In turn, LPAs will endeavour to respond to applicant enquiries in reasonable time and developers will endeavour to provide high quality information in a clear and accessible format;

- **Ensuring certainty and consistency** – LPAs, Essex County Council and developers will recognise that high quality development is an outcome of more efficient and effective working practices of their multi-disciplinary professional teams. LPAs will positively consider the use of Planning Performance Agreements (PPAs) to achieve a more efficient and effective application process. Registered providers will be engaged as early as possible when affordable housing is required or proposed. Developers will recognise that providing draft Heads of Terms for S106 agreements in advance of applications helps ensure that all necessary information is available to LPAs and Essex County Council, and they will endeavour to negotiate and conclude them as quickly as possible to avoid delays to development delivery. LPAs, Essex County Council and developers will seek to develop a shared understanding of design quality standards;
- **Provision of resources to deliver an efficient and high quality planning service** – All parties will seek to ensure that there are sufficient planners and built/natural/historic environment specialists with the right skills and qualifications to incubate and deliver schemes; working collaboratively to manage development proposals through the planning system. Developers will ensure they have sufficient resources to submit high quality planning applications, helping LPAs to efficiently manage the application process for determination in the statutory time periods. Developers, where appropriate, will provide financial support to LPAs to secure resources through PPAs to assist in managing the larger and more complex schemes. LPA's charges for pre-application advice will be sufficient to support a high quality pre-application service, which they will sufficiently resource. Developers will provide the required information in advance of pre-application meetings to ensure the most that can be achieved, from the dialogue and advice, is achieved; and
- **Opportunities for training** - LPAs will work with developers and other bodies to provide training opportunities for their staff and other groups, including councillors, to build capacity and to promote a common understanding of issues, approaches and good practice.

Since its completion, a number of authorities, including Basildon have formally adopted the Protocol as a means to inform the delivery of effective and efficient planning in their areas.

The main outputs of this joint working to date have been:

- a) a shared approach to new development and growth in Essex between LPAs, Essex County Council and Essex developers. EPOA, EDG and Essex Housing Officers Group

Further outputs expected are:

- b) Periodically review the implementation and effectiveness of the Protocol and share best practice that emerges from such reviews to ensure it remains up to date.

The intended outcomes of this work is to ensure the delivery of more effective and efficient planning in Essex.

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 Greater 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 of this work, both GTAAs 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, although at this time insufficient sites are identified to meet the full need, and this has been raised as a soundness issue by Brentwood Borough Council and Thurrock Council in their representations to the Revised Publication Local Plan.

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 neighbouring Thurrock. Basildon, as part of a steering group, has therefore developed an 'Unmet Needs Protocol' for Gypsy and Traveller pitches, which was approved by the EPOA at its meeting in December 2018. Chelmsford City, in anticipation of this, sought for reference to this protocol to be included within the text of the Revised Publication Local Plan, and Basildon Council support this amendment. This has resolved any issues arising in relation to this matter from Chelmsford City.

Neither the Basildon, nor the Essex GTAA, was able to resolve the need for transit sites/temporary stopping places, due to insufficient and unreliable data that is held 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.

Additionally, Basildon Borough Council has made a significant financial contribution towards the Essex Design Guide update for 2018/19 in order to get a section included on best

practice design for Gypsy and Traveller accommodation. This will assist all authorities in Essex to secure well designed pitch provision, assisting with provision overall by reducing negative connotations, and by consequence, improving community cohesion.

The main outputs of this joint working to date have been:

- a) The publication of the Essex wide GTAA which includes Basildon's need information; and
- b) An unmet needs protocol setting out how authorities will work together to address any unmet need arising for traveller sites.

Further outputs expected are:

- a) An Essex wide assessment of the need and potential location of transit sites;
- b) Incorporation of design principles for Gypsy and Traveller sites within the Essex Design Guide.

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 also into the neighbouring counties of 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.

As a consequence of the level of housing provision in the Revised Publication Local Plan, the protocol was followed prior to the Council considering its Publication and Submission in October 2018. All of the authorities in the housing market were written to, and all replied that they would be unable to assist Basildon in meeting its unmet housing need at that time. The Joint Strategic Plan was identified as the mechanism by which such unmet need would be

addressed. Since that time, in consultation responses to the Revised Publication Local Plan, Thurrock Council has raised an objection to the soundness of the Local Plan in respect of the scale of housing need it makes provision for. It is not expected that a Statement of Common Ground resolving this objection can be agreed, although agreements are expected to be forthcoming from the other South Essex authorities in Spring 2019 in time for the Examination in Public.

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 Revised Publication 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).

Significant progress has been made on the RAMS, and the Council's SPI Committee approve the RAMS for operational use at its meeting on the 13 February 2019. Work is now underway to prepare a supporting SPD, and to put in place the Governance mechanisms needed to deliver the RAMS projects.

The output of this work to date has been:

- 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.

The intended outputs of this work are:

- b) An SPD which identifies how developers will be expected to contribute towards mitigation through the RAMS.
- c) Governance arrangements which enable the mitigation in the RAMS to be delivered.

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 establishment of European Costa Coffee Roastery which could not expand its site to meet its needs in Lambeth, 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 Revised Publication Local Plan makes specific provision of additional land, above and beyond that needed to meet local economic needs, to accommodate business growth, which may be displaced from London, or result from London's inability to meet all of its own economic growth requirements from within the London Boundary.

The output of this engagement has been the identification of land for economic growth in Basildon Borough through the Revised Publication 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 Borough, which will benefit the local economy and local people.

A Statement of Common Ground is being prepared supporting this direct allocation to support this strategic, cross boundary matter in Spring 2019 in time for the Examination in Public.

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.

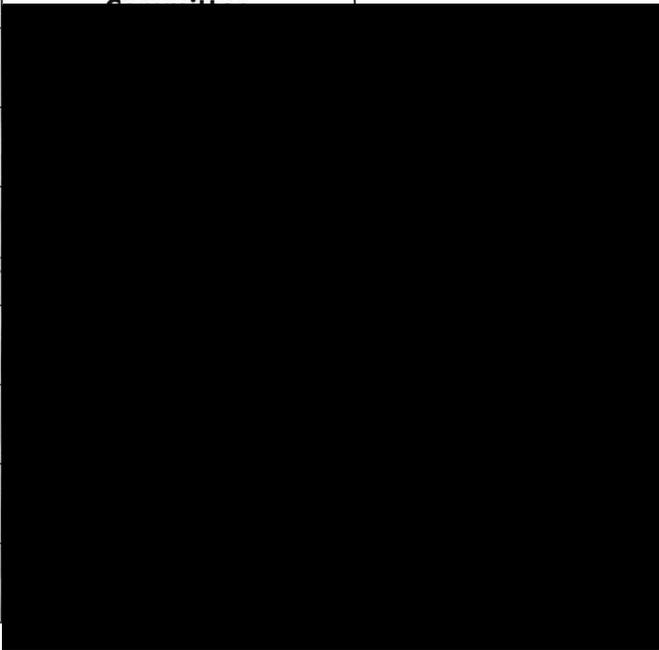
6. Charges and liabilities

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	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 councils¹ (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 impacts².

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;

¹ Localism Act 2011, section 110.

² 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
	Leader of Council		
	Chief Executive		

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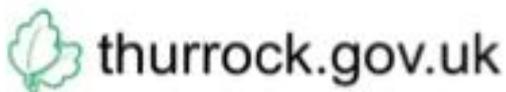
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Table of Signatories

Role	Authority	Date
Leader 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 Cooperate¹. Further details of this proposal were set out in the consultation document, published in September 2017² and are now formally included in the draft revised National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG).³ 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.

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

² 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

³ 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 priorities⁴, 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 years⁵, 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.

⁴ 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

⁵ 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.

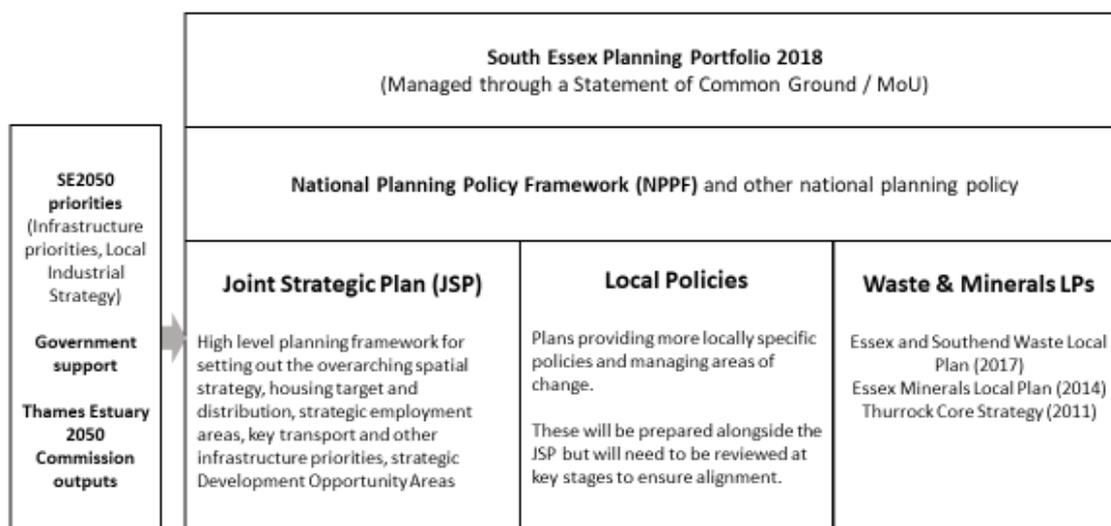
Within Thurrock Thameside/A13 corridor there are significant opportunities to build upon the areas historic focus for industrial and port related activity to support future economic and housing growth. Capitalising on strategic access provided by the C2C Thameside line and the A13, this SAO includes 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 JSP⁶, 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**

⁶ 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

- **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 framework⁷ 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.

⁷ 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.

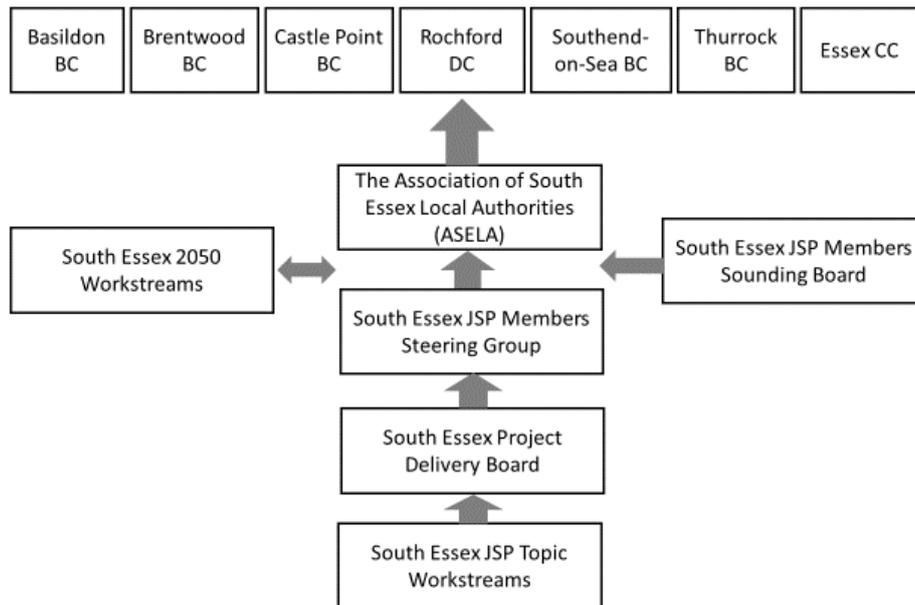
9.3 It is intended that the emerging JSP will provide the ‘effective strategic planning mechanism’ to ensure compliance with the requirements of the Duty to Cooperate, with the existing joint work, evidence base and shared governance through ASELA demonstrating that cooperation is proactive, positive 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 Council⁸. 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



⁸ 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.

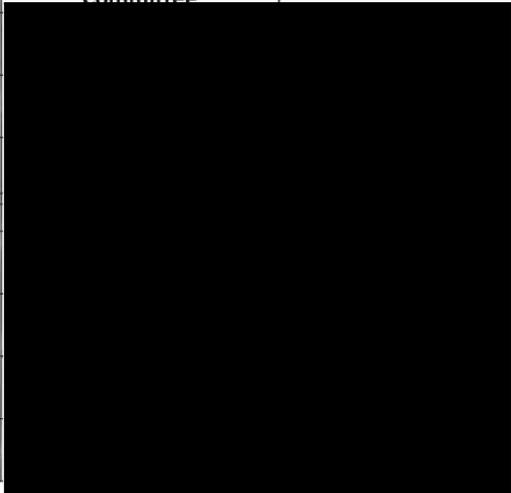
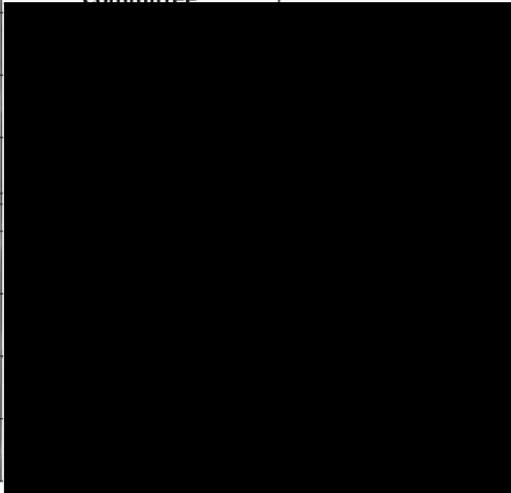
6. Charges and liabilities

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 councils¹ (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 2017² 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

¹ Localism Act 2011, Section 110.

² 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

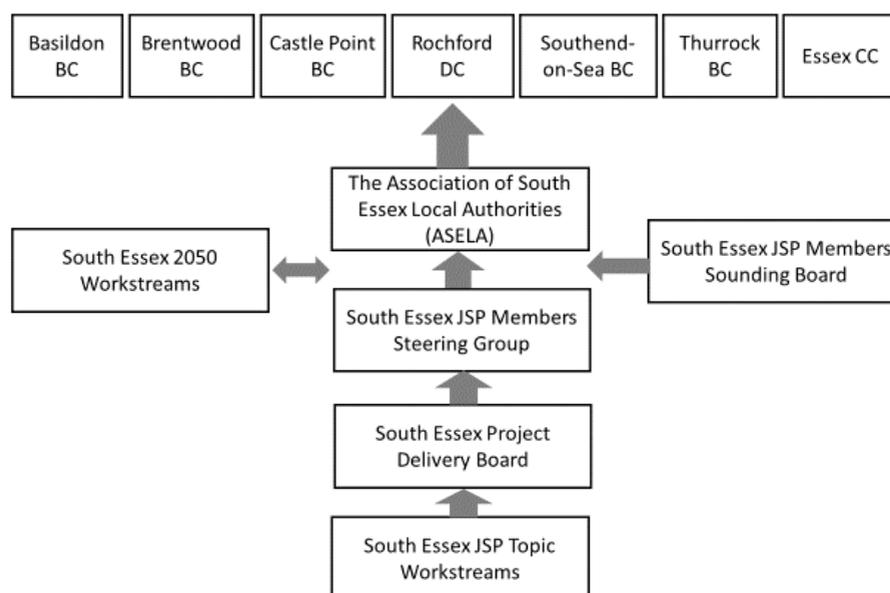
ANNEX 3

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).

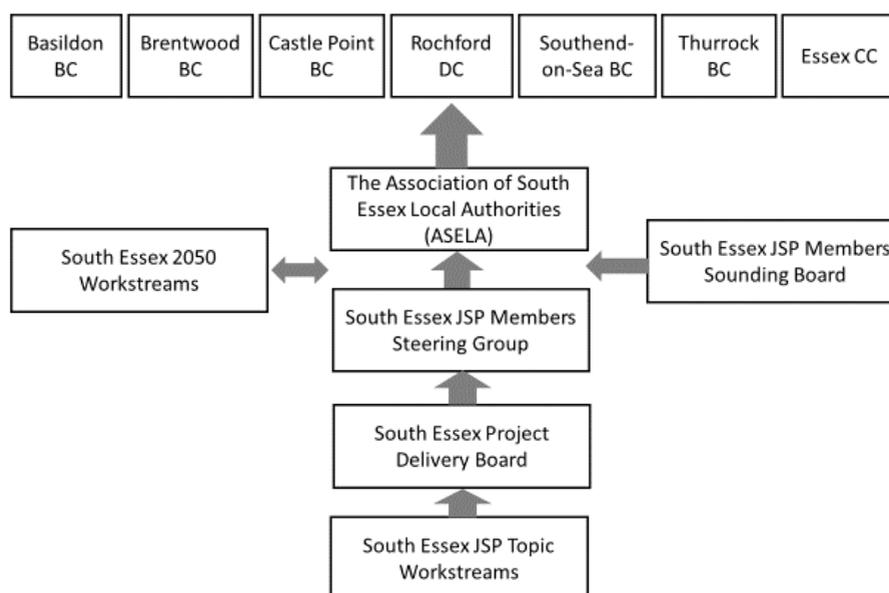
ANNEX 4

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"> • 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 • 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 • 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. • Development of evidence base will be focused on strategic priorities with any potential ‘mission creep’ flagged by project manager as soon as possible. • Evidence base and external support considered at ‘pre-commencement’ stage with project management/intelligent client function, budget and timescales secured. • A full audit of existing resources and capacity to be undertaken by ASELA at the JSP commencement stage. • 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. • Early discussion with Planning Inspectorate to ensure timetable for Examination can be met – Government to promote SE JSP as a priority if necessary.

<p>2. Government intervention destabilises JSP process</p>	<ul style="list-style-type: none"> • Early engagement with Government Ministers and senior Civil Servants to explore options around intervention mechanisms, highlighting risks to JSP progress. • Agree key milestones with MHCLG with regular updates from ASELA. • ASELA to support LPAs ‘at risk’ to meet published plan timetables • 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.
<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"> • 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
<p>4. Thames Estuary Commission undermines SE2050 Ambition and spatial strategy of JSP</p>	<ul style="list-style-type: none"> • Early and ongoing engagement between ASELA and Thames Estuary Commission to ensure alignment of growth ambitions on delivery strategy • 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.
<p>5. Key place shaping infrastructure is not delivered in order to facilitate strategic growth options</p>	<ul style="list-style-type: none"> • 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 • 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.
<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"> • Robust SE2050 Ambition developed with risk management built in to delivery plan(s) to ensure contingency funding and approach to deliver same outcome. • Robust evidence-base to justify overall approach even if not in conformity with new national policy • Procure legal advisers to assess and highlight potential risks at early stage and ensure

	<p>contingency approach with secures same overall outcome.</p> <ul style="list-style-type: none"> • work with MHCLG, PAS and PINs to ensure ongoing conformity with national policy and legislation.
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"> • ASELA ensure new leadership fully informed of JSP process and SE2050 Ambition • ASELA/Planning MoU to ensure agreement to JSP • Members Sounding Board established to ensure cross-party involvement and ownership in JSP • Communications strategy prepared to ensure ongoing briefings and opportunities to engage in JSP preparation are provided for all Members of partner authorities • Continuity in JSP member Steering Group throughout preparation process ASELA/Planning MoU to ensure agreement to JSP
8. Resources and skills	<ul style="list-style-type: none"> • 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) • Secure project management support during pre-commencement stage • Focus on key policy areas and evidence needed to support this (i.e. keep to agreed scope) • Agree training and development programme to fill gaps and upskill existing officers to reduce need to procure externally • Work on 'South Essex' basis, ensuring making the more effective and efficient use of all resources and skills across all seven partner authorities
9. External stakeholders undermine SE2050 Ambition/ JSP Spatial strategy	<ul style="list-style-type: none"> • Establish a stakeholder sounding board to ensure ongoing commitment / support from strategic stakeholders • Prepare a robust framework to ensure compliance with the Duty to Cooperate and engagement with Statutory Consultees • Prepare a Statement of Community Involvement at the start of the formal JSP preparation process (June 2018) and agree with stakeholder sounding board. • 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

	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"> • Identify potential challenges in JSP Delivery Plan (e.g. infrastructure funding) and agree risk management plan for addressing • Consider contingency approach which will still deliver same outcome.
11.Public consultation attracts opposition and seeks to undermine SE2050 Ambition/ JSP Spatial strategy	<ul style="list-style-type: none"> • Communications strategy prepared to ensure ongoing briefings and opportunities to engage in JSP preparation are explained for all partner authorities • Case for change articulated by highlighting benefits of growth and investment in infrastructure

Association of South Essex Local Authorities

ASELA Secretariat
c/o Alison Griffin, Chief Executive
Southend Borough Council
Civic Centre
Victoria Avenue
Southend on Sea
Essex SS2 6ER

01702 215101

29 January 2018

The Rt Hon Sajid Javid MP
Secretary of State for Housing, Communities & Local Government
Ministry of Housing, Communities & Local Government
4th Floor, Fry Building
2 Marsham Street
LONDON
SW1P 4DF

By email to: sajid.javid@communities.gsi.gov.uk

Dear Secretary of State

South Essex 2050

We understand that you are considering what action you may take in relation to the local plan process of three authorities namely Brentwood, Basildon and Castle Point in South Essex. To help inform your thinking, we are writing to you as the leaders of all the local authorities in South Essex setting out what we are doing to strengthen our collaboration across this economic and housing market corridor. We are working together to set out a new strategic approach to housing and planning which allows us collectively to deliver in full the homes and economic growth our area needs.

Local circumstances have made delivery of Local Plans in these three areas challenging with all authorities having to consider the Metropolitan Green Belt restraints on development.

Recognising the need to deliver housing in a sustainable way that will create strong communities across South Essex, we have come together to bring certainty to the adoption of local plans and most importantly are working to address the needs around new infrastructure that will support the much needed housing and economic development opportunities. Earlier this month we established the Association of South Essex Local Authorities (ASELA), which brings together all our authorities to progress our strategic long term ambitions for our region.

 **Basildon Council**
BASILDON • BILLERICAY • WICKFORD



 **castlepoint**
benfleet | canvey | hadleigh | thundersley

 **Essex County Council**

 **Rochford**
District Council

 **southend
on sea**
BOROUGH COUNCIL

 **thurrock.gov.uk**

2.

Critically, in forming the Association we have agreed to work together collectively across district borders to seek to realise our full economic and social potential and plan on a joint basis for new infrastructure, homes and jobs. A copy of the Memorandum of Understanding setting out our collective commitment to this work is attached.

We also attach to this letter a clear timetable for delivery of a joint infrastructure and spatial plan and the new Statement of Common Ground, which we have offered to pilot with your Ministry. This sets out our commitment that all of our local plans will be delivered in a joined up approach, with an emphasis on the provision of necessary infrastructure to support the expanding and new communities. Your department has previously discussed the importance of this and made reference to its relevance for new towns and new village and town developments, a position that we very much support.

Our focus is on ensuring the delivery of more than 90,000 homes over the next 20 years across South Essex in the shortest possible time with the necessary infrastructure. We recognise and accept that there will be some areas that will find full delivery of their plans more difficult than others. We are committed to working together to help address this and will co-operate across the region, recognising that the opportunities and challenges are not confined within single municipal boundaries.

Through ASELA we are committed to progress these matters collectively in the interests of South Essex as a whole, whilst respecting local priorities. The joint spatial plan will provide a strong framework to build on and deliver the sound individual local plans and provide the future strategic context for them. Individual authorities are taking immediate steps to progress their local plans and those three authorities at risk of intervention have set out to you individual responses which we fully support. Additionally within South Essex we will use the joint strategic plan to set the future strategic context for our local plans as part of the national requirement for a 5 year review of housing needs in the region. This will deliver our ambition of creating growth for our communities across the region, as we seek to develop a strong and robust South Essex economy.

We have a tremendous opportunity to work together across South Essex as a whole to deliver in full the homes we need. We want to do so in close partnership with Government. We are concerned that formal intervention in any one of the three authorities could disrupt the collective political progress we are making and would not make any faster progress towards getting sound local plans in place, slowing delivery of new homes.

Our plans are ambitious and we are keen to work in partnership with your Ministry to put in place the proposed framework. We intend to provide quarterly updates on the progress we are making in our shared objective of delivering new homes and communities within South Essex.



Yours sincerely,

Cllr Gavin Callaghan		Leader of Basildon Borough Council
Cllr Louise McKinlay		Leader of Brentwood Borough Council
Cllr Colin Riley		Leader of Castle Point Borough Council
Cllr Kevin Bentley		Deputy Leader of Essex County Council
Cllr Terry Cutmore		Leader of Rochford District Council
Cllr John Lamb		Leader of Southend Borough Council
Cllr Robert Gledhill		Leader of Thurrock Council

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Timetable for Preparation of Joint Spatial Plan for South Essex

Key Milestones	Work Programme	Accountable body/ Person*	Decision-making
	STAGE 1: PRE-COMMENCEMENT STAGE		
End of Jan 2018	SE2050 workstreams agreed and Association of South Essex Local Authorities (ASELA) Memorandum of Understanding setting out commitment to developing a joint spatial strategy agreed	SE Leaders	MoU signed 10.01.18
February 2018	Scope of JSP, Draft timetable and initial working arrangements agreed	SE HoS/ SPMG	ASELA 01.02.18
	Scope of (pilot) Statement of Common Ground agreed	SE HoS/ SPMG	ASELA 01.02.18
	Audit of existing evidence base and scope out additional requirements	SE HoS	
	Workshop between SE2050 spatial planning and infrastructure workstreams to agree working arrangements and responsibilities, evidence base	Lead CXs for workstreams	
	Prepare draft Statement of Common Ground	SE HoS	
	Audit of resources and skills	SE HoS	
	Initial engagement with Homes England and GLA	Lead CX/ SE HoS/	
March 2018	Draft Statement of Common Ground agreed (scope of JSP, timetable, working arrangements, initial work programme and risk assessment)	SE HoS	ASELA 01.03.18
	Initial consideration of how other local planning documents/ local plans will support delivery of the JSP & map timetables to ensure alignment	SE HoS	ASELA 01.03.18
	Budget for JSP agreed	SE HoS	ASELA 01.03.18
	Project management arrangements established	Lead CX/ SE HoS	
	Draft community and stakeholder engagement programme prepared	Lead CX/ SE HoS	
	Strategic evidence base commissioned	SE HoS	

April 2018	Ongoing development of evidence base and strategic policies	SE HoS	Purdah period
May 2018	Ongoing development of evidence base and strategic policies	SE HoS	
	Final Statement of Common Ground prepared	SE HoS	Purdah period
	Final timetable of JSP prepared with timetables established for all other local development plan documents that will be needed to deliver the JSP	SE HoS	
	New planning MoU drafted	SE HoS	
	Statement of Community Involvement (SCI), Strategic Stakeholder engagement arrangements and communications strategy drafted	Lead CXs	
June 2018	Statement of Common Ground and Planning MoU agreed and signed by all partner authorities		ASELA / All SE Authorities
	Statement of Community Involvement (SCI) for JSP agreed		ASELA / All SE Authorities
	Local Development Schemes updated to reflect JSP alongside individual local development plan activity with aligned timetables		All SE Authorities
	STAGE 2: PREPARATION OF DRAFT PLAN AND PREFERRED OPTION		
June – Nov 2018	Prepare draft spatial strategy based on SE2050 vision, evidence base, emerging Strategic Infrastructure Framework and Local Industrial Strategy.	SE HoS	
	Assess all emerging local development plan documents to ensure alignment with emerging JSP	SE HoS / individual LPAs	
December 2018	Agree draft strategy and policies for Regulation 18 consultation		ASELA / All SE Authorities
Jan – March 2019	Reg 18 Consultation on draft strategy options and policies		

	Stage 3: Preparation of Publication Plan		
April 2019	Review Reg 18 responses / update SCG		
April – Sept 2019	Prepare Publication Plan for Regulation 19 consultation		
October 2019	Agree Publication Plan for consultation		ASELA/ All SE Authorities
Nov – Dec 2019	Reg 19 Consultation on Publication Plan		
	STAGE 4: EXAMINATION IN PUBLIC		
Jan – Feb 2020	Review Reg 19 responses, update SCG and prepare proposed Mods for submission with plan		
March 2020	Agree JSP and supporting documents for submission for Examination		ASELA/ All SE Authorities
Late Spring/ Summer 2020	Examination of JSP (if fast-tracked to Examination by PINs)		
Autumn 2020	INSPECTORS REPORT & CONSULTATION ON MAIN MODIFICATIONS / ADOPTION OF JSP		ASELA/ All SE Authorities

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:

Date	Attendees	Topics discussed
19 th 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 nd 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 th 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 22nd 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 27th 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 22nd 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.

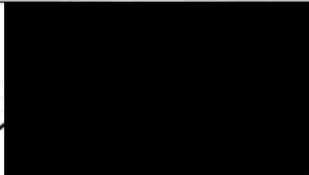
Conclusions

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 Co-operate 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

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.

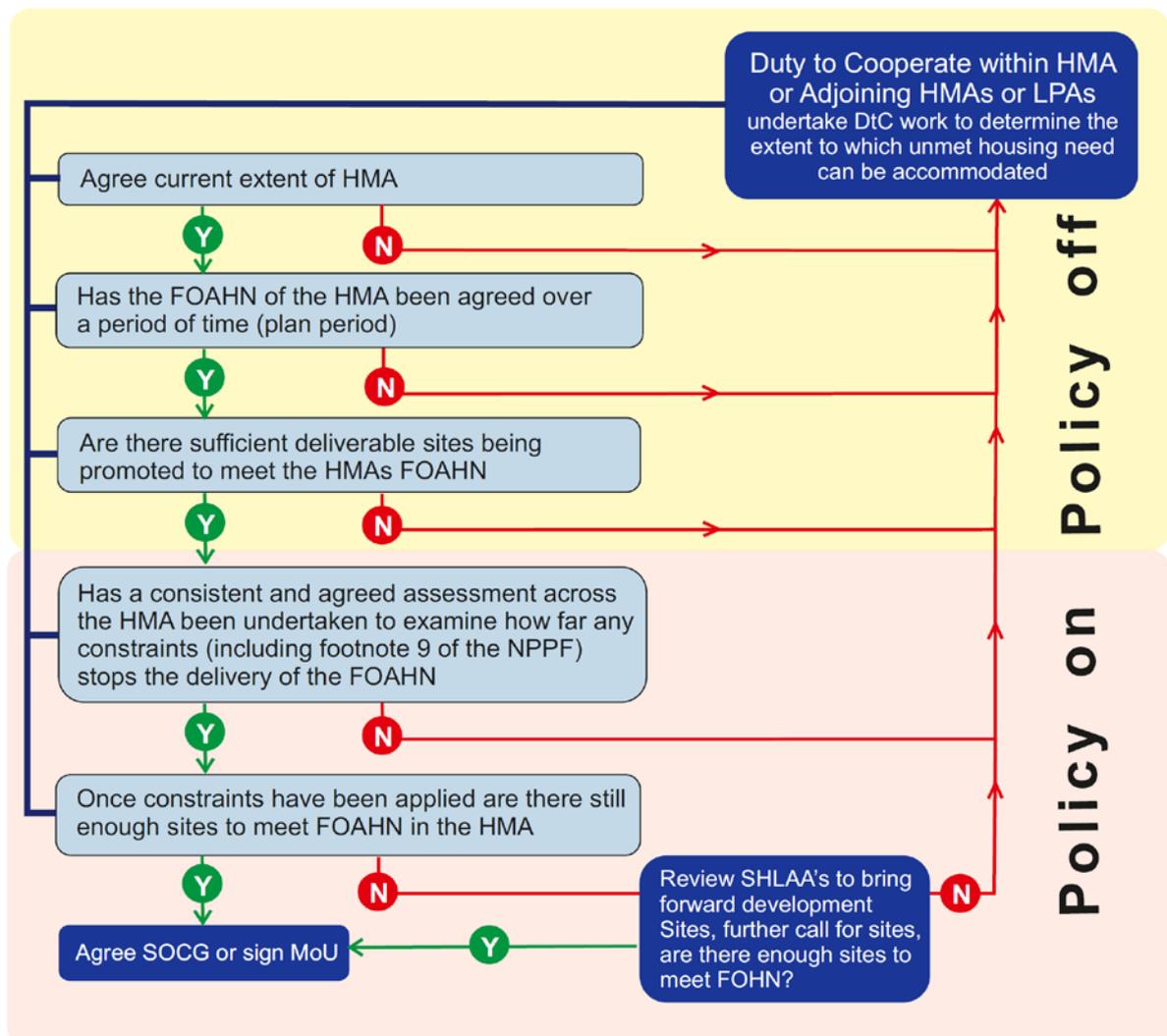
2.2 **Housing Supply** – Paragraph 159 of the NPPF identified the need to prepare a Strategic Housing Land Availability Assessment which identifies the potential supply of housing sites.

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

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January 2017

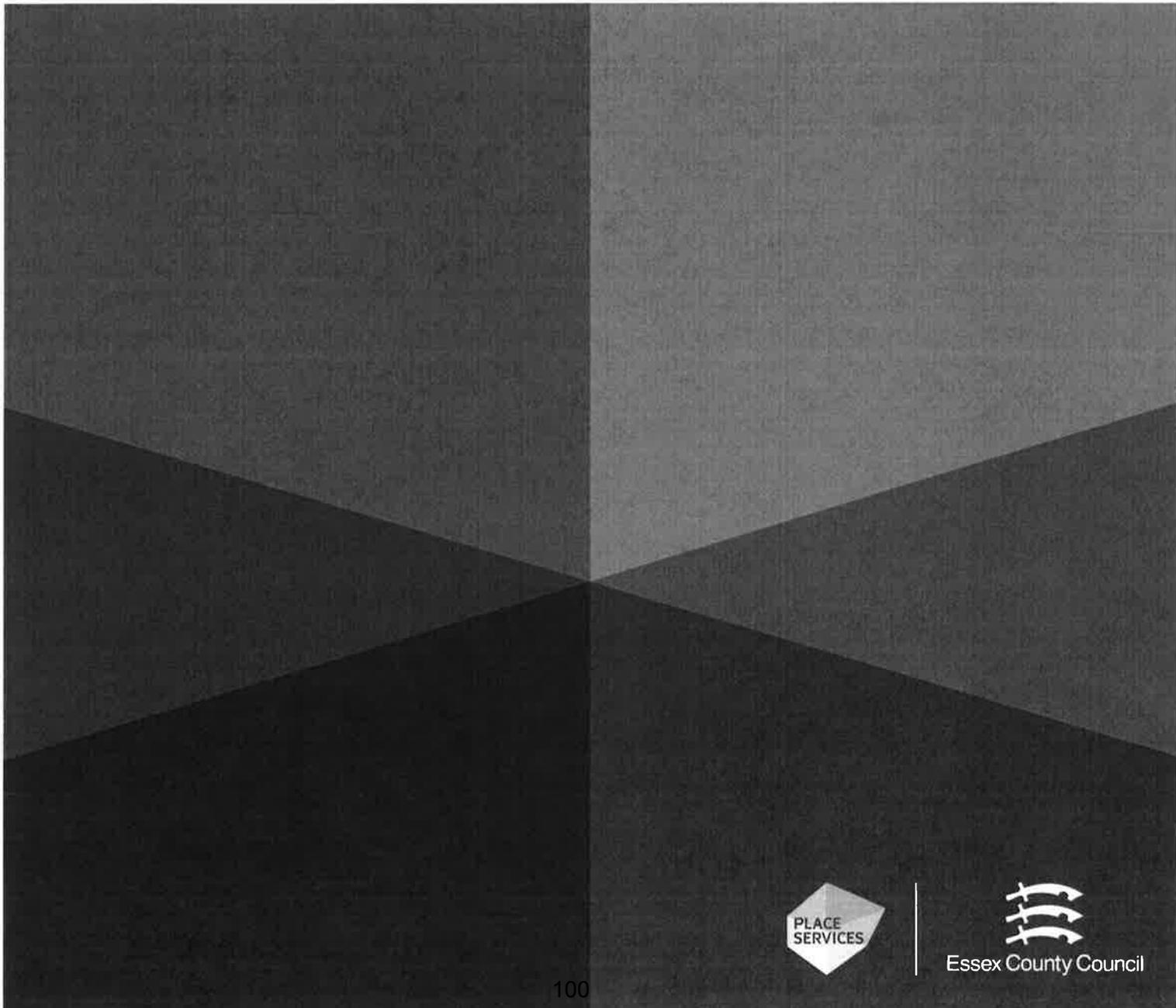


Essex County Council



The Essex Coast Recreational disturbance Avoidance and Mitigation Strategy

Memorandum of Understanding – January 2017



Essex County Council

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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: 	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



Date	Date
For and on behalf of Thurrock Council: Authorised Signatory	
Date	

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

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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
CHALLENGE 1: Understanding Our Health Challenges	Lead	Assure
CHALLENGE 2: Care of the Elderly and Long Term Conditions	Assure	Lead
CHALLENGE 3: Facilitating Cultural Change to Healthcare	Assure	Lead

Delivery		
CHALLENGE 4: The Hospital's Premises and Built Environment	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

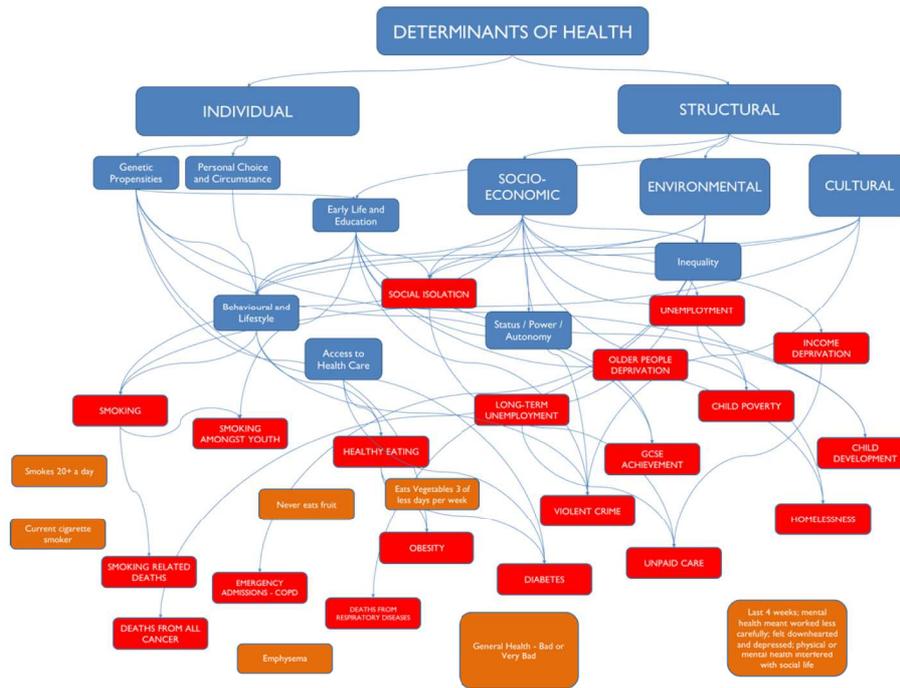
9. Basildon & Thurrock University Hospital NHS Foundation Trust was established in April 2004 and provides services for 405,000 people living in South West Essex, covering Basildon and Thurrock Boroughs, but also parts of Brentwood and Castle Point Boroughs. It is the largest hospital in Essex with 700 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: 2nd 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 14th 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

Scott Logan
Chief Executive
Basildon Borough Council

Our ref:
Your ref:
Date: 3rd October 2018
Telephone:
Email:

Dear Mr Logan,

Basildon Borough Local Plan 2014 – 2034: Duty to Co-operate Unmet Housing Needs

Thank you for your letter dated 14th September 2018 regarding the above.

The Southend Borough Council notes and welcomes the strong commitment of the Basildon Borough Council to work in partnership in the preparation of a Joint Strategic Plan for South Essex and its endeavours to try and accommodate all of its objectively assessed housing needs within its own administrative area.

It is noted that due mainly to a delivery lag, it is scheduled for a housing shortfall of 1,700 homes over the plan period to 2034 and requests partners views as to whether this unmet need can be accommodated within any of the South Essex local planning authority areas.

In the case of Southend, I am afraid that it is very unlikely that we will be able to assist in contributing to any of Basildon's objectively assessed housing need.

Our own local plan preparation is only just commencing and we have not yet consulted on our first phase an 'Issues and Options' report. Research and evidence gathering has, however, been taking place for the past year or so. The New Southend Local Plan will cover the period to 2038.

Southend is facing a similar dilemma to Basildon in so far as the emerging evidence suggests that we will not be able to meet our own objectively assessed housing need within our administrative boundary. Southend will therefore, need to explore how best to meet this challenge and work with adjoining local authorities through the duty to cooperate as to how it can meet its need in full.

Given these circumstances I do not envisage a situation where Southend itself would be able to assist other local authority partners in South Essex in meeting their objectively assessed housing needs. Should this situation change in any way I will of course keep you informed as part of the preparation of the South Essex Joint Strategic Plan.

Yours sincerely



Peter Geraghty
Director for Planning & Transport

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.

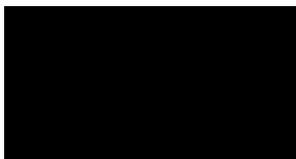
It is noted that your letter sets out that it is not anticipated that the housing land supply will be fully developed within the 16 remaining years of the plan period but it is not clear from your letter what the actual deliverable housing supply up until 2034 is and, therefore, what the actual scale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

Appendix 9: Statement of Common Ground between Chelmsford City Council and the South Essex Authorities regarding the Chelmsford Local Plan

Chelmsford Local Plan

Statement of Common Ground with South Essex Authorities

Organisations: Chelmsford City Council, Basildon Borough Council, Rochford District Council and Castle Point Borough Council

Date: August 2018

1. Introduction

- 1.1. This Statement of Common Ground identifies areas of agreement between Basildon Borough Council (BBC), Rochford District Council (RDC), Castle Point Borough Council (CPBC) and Chelmsford City Council (CCC) in relation to the Chelmsford Pre-Submission (Publication Draft) Local Plan and supporting evidence base. There are no outstanding areas of disagreement.
- 1.2. This statement has been prepared to assist the Examination of the Chelmsford City Council Local Plan. All authorities made representations to the Pre-Submission Local Plan. The following table sets out the relevant rep numbers for each authority:

District Authority	PS LP Rep Numbers
Basildon Borough Council	PS584, PS585, PS586, PS587
Rochford District Council	PS1149, PS1150, PS1151, PS1154, PS1155
Castle Point Borough Council	PS668, PS669, PS670

- 1.3. A Plan has been provided at Appendix 1 which shows the locations and administrative areas covered by the statement. Basildon Borough Council is an adjoining local authority located to the south of Chelmsford City Council's administrative area. Rochford District Council is an adjoining authority located to the south east, whilst Castle Point is located to the south adjoining Basildon and Rochford.
- 1.4. CCC has fully engaged with BBC, RDC and CPBC on the development of the Council's respective Local Plans from the outset. In accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012, BBC, RDC and CPBC has been formally consulted at every stage of consultation on the Local Plan together with its accompanying Sustainability Appraisal (SA) and the Habitat Regulations Assessment (HRA). BBC, RDC and CPDC have all made representations to each stage of consultation on the Local Plan. The Duty to Co-operate Compliance Statement outlines in detail the engagement activities and outcomes together with the joint evidence base studies undertaken during the plans preparation.

Areas of Agreement

- **That CCC has worked collaboratively with Basildon, Rochford and Castle Point to ensure that all cross-boundary strategic issues have been properly considered and where appropriate reflected in the Chelmsford Local Plan and effective and on-going joint working has and will continue to be undertaken.**

Housing Requirement

- 1.5. CCC has worked with adjoining and nearby local authorities within its Housing Market Area (HMA) (Braintree, Colchester and Tendring) to consider and agree on how the needs of the housing market area are met. CCC has also worked with BBC, RDC, CPBC and all the other Essex local planning authorities on the Essex-Wide Gypsy and Traveller and Travelling Showpeople Accommodation Assessment (GTAA).
- 1.6. From the joint evidence base studies undertaken; Strategic Housing Market Assessment Update 2015, Objectively Assessed Housing Need (OAHN) Study 2015 and 2016, Gypsy and Traveller and Travelling Showpeople Accommodation Assessment (GTAA) (2017), Gypsy, Traveller and Travelling Showpeople Accommodation Assessment Joint Methodology (2018) and Essex wide Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (2018), CCC has agreed the housing, and Gypsy and Traveller need which have been taken forward to the Local Plan and can be accommodated within the administrative area of Chelmsford.
- 1.7. Detailed analysis in the evidence base reports suggests that a HMA comprising Braintree, Colchester, Chelmsford and Tendring Council areas forms a sound basis for assessing housing need.
- 1.8. The requirements for all new housing are outlined in Strategic Policy S8 – Housing and Employment Requirements. CCC is meeting its full needs over the plan period and has no outstanding requests to take housing needs from other local authority areas at this time. The approach taken by CCC is now supported by CPBC as noted in representation PS668.
- 1.9. Para 6.6 of the Local Plan states that ‘The Council, alongside the partner authorities within the HMA, will review housing numbers regularly in accordance with national policy requirements, and in doing so will have regard to the housing needs of the wider area through the Duty to Co-operate’. The Plan goes on to state ‘The Council will monitor the implementation of the national methodology for calculating housing need and will review the Local Plan in accordance with Policy S15’ (para 6.8). This is also highlighted in the reasoned justification for Policy S15 Monitoring and Review.

Areas of Agreement

- **Chelmsford is accommodating its OAHN within its boundaries resulting in no unmet housing or Gypsy, Traveller and Travelling Showpeople needs.**

- That the Councils have a protocol in place for managing future unmet housing need from adjoining authorities. The protocol was developed and agreed by the Essex Planning Officers' Association (EPOA) in September 2017 to establish a mechanism for the consideration of unmet housing need across the Essex authorities. This protocol sets out the methodology by which each local planning authority, in partnership with their HMAs, should agree their full objectively assessed housing number and if there is an unmet housing need the process to follow to request an adjoining HMA take the unmet need.
- RDC, CPBC and BBC support CCC in the inclusion of specific policy and reference to an early review process to address the implications of the national standardised approach to calculating local housing need. The review may also address potential unmet housing needs from surrounding HMAs and Duty to Cooperate in line with the agreed protocol.

Jobs and Employment

- 1.10. Evidence base studies have informed the job numbers and amount of land for employment use for the Chelmsford Local Plan. The Local Plan seeks to deliver 10,875 new jobs during the Plan period, based on a flexible rolling supply of 725 a year, which equates to 55,000sqm of new office floorspace and 13,400sqm of retail floorspace. Employment growth will be delivered as part of mixed use development on brownfield sites in Chelmsford City Centre, with strategic employment growth directed to site allocations at north east and east Chelmsford. Some jobs will be created due to expansion of current businesses.
- 1.11. The requirement for all new employment is outlined in Strategic Policy S8 – Housing and Employment Requirements; and the distribution in Strategic Policy S9 – The Spatial Strategy.
- 1.12. CCC has met its objectively assessed need for employment through its Plan policies, informed by working with the wider HMA. There have been no requests for CCC to meet the employment needs of any neighbouring authorities.

Areas of Agreement

- **CCC is accommodating its employment needs within its boundaries resulting in no unmet need.**

Infrastructure Delivery

- 1.13. The Infrastructure Delivery Plan (IDP) (2018) is the key evidence base document setting out details of the infrastructure identified by CCC and other service providers as being needed to support the delivery of new development across the City up to 2036.
- 1.14. Other evidence base studies to support the Local Plan include:
- Strategic and Local Junction Modelling (2018)
 - Transport Impact of the Local Plan (2017)
 - Local Plan Viability Study (2018)

- 1.15. Strategic infrastructure requirements are outlined in Strategic Policy S11 – Infrastructure Requirements; Strategic Policy S12- Securing Infrastructure and Impact Mitigation addresses the mechanisms; and individual site policies list the site-specific details for infrastructure provision.
- 1.16. Rochford has reiterated the need to give due consideration to the impacts of the proposed growth in South Woodham Ferrers, on the A130, A132 and Rettendon Turnpike for Rochford District and neighbouring authority areas. CCC should continue to work with Rochford District Council as this progresses (PS1154). This is covered by the proposed change AC192 and AC50 set out in the Schedule of Changes (SD 002) and outlined below under the traffic section.

Areas of Agreement

- **CCC has consulted on the IDP during the Pre-Submission Local Plan consultation. Service providers have worked alongside CCC to advise on the impact the Local Plan growth would have upon their services and facilities. As a result, the requirements for services, facilities and appropriate mitigation measures to support the Local Plan growth have been assessed and agreed with all partners.**

Retail

- 1.17. The Local Plan seeks to reinforce Chelmsford’s role as ‘Capital of Essex’. Retail matters for the Local Plan are underpinned by the Chelmsford Retail Capacity Study 2015.
- 1.18. The Local Plan includes proposals for 11,500sqm of convenience floorspace in Chelmsford and 1,900sqm in South Woodham Ferrers, set out in Strategic Policy S8 – Housing and Employment Requirements. Due to the recent City Centre expansion, no further comparison goods floorspace has been identified.

Areas of Agreement

- **There are no areas of uncommon ground or unresolved strategic matters.**

Landscape

- 1.19. Chelmsford has a wide range of designations which relate to the natural environment, including SSSI’s, local landscape designations, wildlife habitats and woodlands, and water courses. CCC’s area also contains land designated as Green Belt.
- 1.20. The Local Plan specifically seeks to protect and enhance the natural environment Green Belt and valued landscapes, while delivering the growth required.
- 1.21. The Local Plan will protect and enhance the networks of biodiversity and green infrastructure in line with the Council’s Green Infrastructure Strategy. It also seeks to minimise the loss of the Best and Most Versatile Agricultural Land, and recognises the river valleys as an important

asset which offer natural flood protection but also contribute significantly to the local landscape and character of the area. The need to address climate change and minimise pollution is also set out.

- 1.22. The Pre-Submission Local Plan sets out an extensive package of mitigation measures and opportunities to enhance and protect the natural environment, which is mindful of surrounding landscapes outside CCC area also (PS670). This is supported by an extensive evidence base, including a Green Wedge and a Green Corridor Assessment and Green Infrastructure Strategy.

Areas of Agreement

- **There are no areas of uncommon ground or unresolved strategic matters.**

Transport and Highways

- 1.23. Local Plan policies identify what and where new transport infrastructure is required. They have been informed by a robust evidence base and through engagement and support from key stakeholders including Essex County Council (ECC), Highways England (HE) and the promoters of the main developments.
- 1.24. CCC has worked in partnership with ECC and HE as Highways Authorities to ensure projected development growth in Chelmsford is tested robustly and a strategy for mitigation is formulated.
- 1.25. A number of traffic modelling studies have been undertaken during the Local Plan preparation to assess the impact of emerging and preferred development options on the transport network.
- 1.26. The junction modelling report assesses the likely impacts of planned growth on the highway network in the Chelmsford area. This has included a high-level analysis of cross boundary traffic flows on key corridor routes including A130 to/from Basildon Borough Council and A414 East to/from Maldon District Council.
- 1.27. During the Pre-Submission Local Plan consultation, BBC identified some areas of concern in relation to proposed highway improvements which could negatively affect the Basildon Borough resulting in an objection to the Local Plan. BBC sought assurance from CCC that any impacts arising from growth in the Chelmsford City area, on the A130, or on the A132 as it passes through Wickford will be fully mitigated (PS586).
- 1.28. Subsequent work has since been carried out between BBC and CCC in order to provide a resolution to the objection raised by BBC which includes amendments to the Pre-Submission Local Plan. This includes an agreed amendment to paragraph 7.339 and a new paragraph inserted after 7.339 and additional wording inserted to the end of paragraph 6.60. A letter of agreement has been received from BCC which will be submitted to the Planning Inspector (PSD001) by means of evidencing this agreement and removing BCC objection to the Local Plan.

- 1.29. Castle Point Borough Council supports CCC's proposed improvements to strategic transport infrastructure in particular the A130, Fairglen Interchange with the A127/A1245 and sought that the supporting evidence highlight this important investment (PS669).

Areas of Agreement

- That CCC and BCC have agreed the following proposed changes as set out in Schedule of Additional Changes (SD 002) and outlined below:

Note: The Schedule of Additional Changes published in June 2018 as shown as an extract below will be amended prior to a modifications consultation to ensure that the reason for change is updated to clarify that the change was also in response to issues raised by Rochford Borough Council.

Ref No.	Para/Policy /Figure/ Table/Map Ref.	Local Plan page	Proposed Additional Change	Reason for Change
AC50	6.60	76	<p>Add to end of para: <u>The Local Plan traffic modelling evidence base is considered to be adequate and robust by Essex Highways. The junction modelling report assesses the likely impacts of planned growth on the highway network in the Chelmsford area. This has included a high-level analysis of cross boundary traffic flows on key corridor routes including A130 to/from Basildon Borough Council and A414 East to/from Maldon District Council. More detailed analysis of traffic impacts and mitigation options testing will be required through the preparation of Transport Assessments/Statements as part of future planning applications. These will be required to consider the transport implications and mitigation measures (where appropriate) necessary in the adjoining Maldon, Basildon and Rochford Districts in respect to the Strategic Site Allocation at South Woodham Ferrers.</u></p>	<p>Change in response to issues raised by Basildon Borough Council PS586 and Rochford Borough Council PS1154</p>
AC192	7.339	175	<p>Amend para 7.339: Impacts from development on the local and strategic road network must be mitigated, and may include appropriate road and junction <u>highway</u> improvements along Burnham Road, the roundabout junctions at the B1418, Ferrers Road and Rettendon Turnpike, and the A132 and local junctions between the Town and the A130, in line with the Highway Authority requirements. Impacts of development in <u>from within and to the adjoining areas including Basildon, Rochford and Maldon District</u> need <u>will</u> to be part of this consideration.</p> <p>Inset new para after para 7.339: <u>Any improvements to the existing highway required to mitigate the impact of development from this strategic growth site, will be primarily focussed on junction enhancements, such as to the A132/B1012 Rettendon Turnpike, in order to improve the flow of traffic onto the strategic road network. These should not encourage through-traffic movements to use the local road network through neighbouring settlements such as Runwell and Wickford. The road network to the south of Chelmsford City Council's area, is also proposed for improvement by the Highway Authority including the A130, A127, A13</u></p>	<p>Change in response to issues raised by Basildon Borough Council PS587 and Rochford Borough Council PS1154</p>

		<p>corridors. These include the A127/A130 Fairglen Interchange improvement scheme. Where appropriate, offsite mitigation of this strategic growth site should complement other relevant Highway Authority schemes to help ensure the strategic road network provides the most attractive route for through-traffic.</p>	
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Site Allocations

- 1.30. In relation to paragraph 7.340, BBC objected to the plan on the basis that the same regard has not been given to the impacts of development in Basildon Borough, and consequently, there may be cumulative impacts arising, particularly in relation to the capacity of the A132 in Wickford, which have not been identified. BBC sought the same consideration as that which has been given to Maldon in term of the consideration of impacts requesting the necessary modification is made to the Local Plan (PS587). CCC has proposed changes in the Schedule of Additional Changes (SD002) as outlined above.

Sustainability Appraisal (including SEA)

- 1.31. The Spatial Strategy contained within the Pre-Submission Local Plan is sound and supported by a comprehensive and robust evidence base.
- 1.32. Appropriate and robust SA/SEA has been undertaken throughout the preparation of the Local Plan in an iterative and consultative manner which has led to the Local Plan containing the most appropriate and sustainable strategy.

Areas of Agreement

- **There are no areas of uncommon ground or unresolved strategic matters.**

2. Further Joint Working

It is agreed by CCC, BBC, CPBC and RDC that:

- 2.1. The need for a similar Essex-wide guidance note for unmet Gypsy and Traveller accommodation has also been identified by the EPOA. This work is at an early stage of preparation, but will seek to agree requirements for assessing any unmet need for Gypsy and Traveller accommodation. Ongoing engagement will continue through the Essex Planning Officers Association (EPOA) with all authorities across Essex.
- 2.2. Following the publication of the EPOA Gypsy and Traveller Accommodation Assessment Report, January 2018, an initial scoping exercise has been identified to be undertaken by EPOA to review transit site requirements.

- 2.3. In addition, local authorities across Essex are working alongside ECC and Natural England to produce a joint approach to recreational disturbance avoidance and mitigation, known as the Essex-wide Recreational Avoidance and Mitigation Strategy (RAMS). The RAMS project assesses the mitigation measures required for European Designated Sites impacted upon by development from across Essex. Once completed, it is expected to be adopted as SPD by each of the participating authorities, and will set out where new development is required to contribute towards implementation of the Strategy. Once the SPD is adopted and Local Plans across Essex are implemented, joint work with all partners will continue to enable appropriate monitoring of the Strategy.

3. Areas of Uncommon Ground

- 3.1. There are no remaining areas of uncommon ground where an agreement has not been reached.

4. Additional Strategic Matter

- 4.1. There are no additional strategic matters which CCC is aware of which have not already been addressed by this Statement of Common Ground.

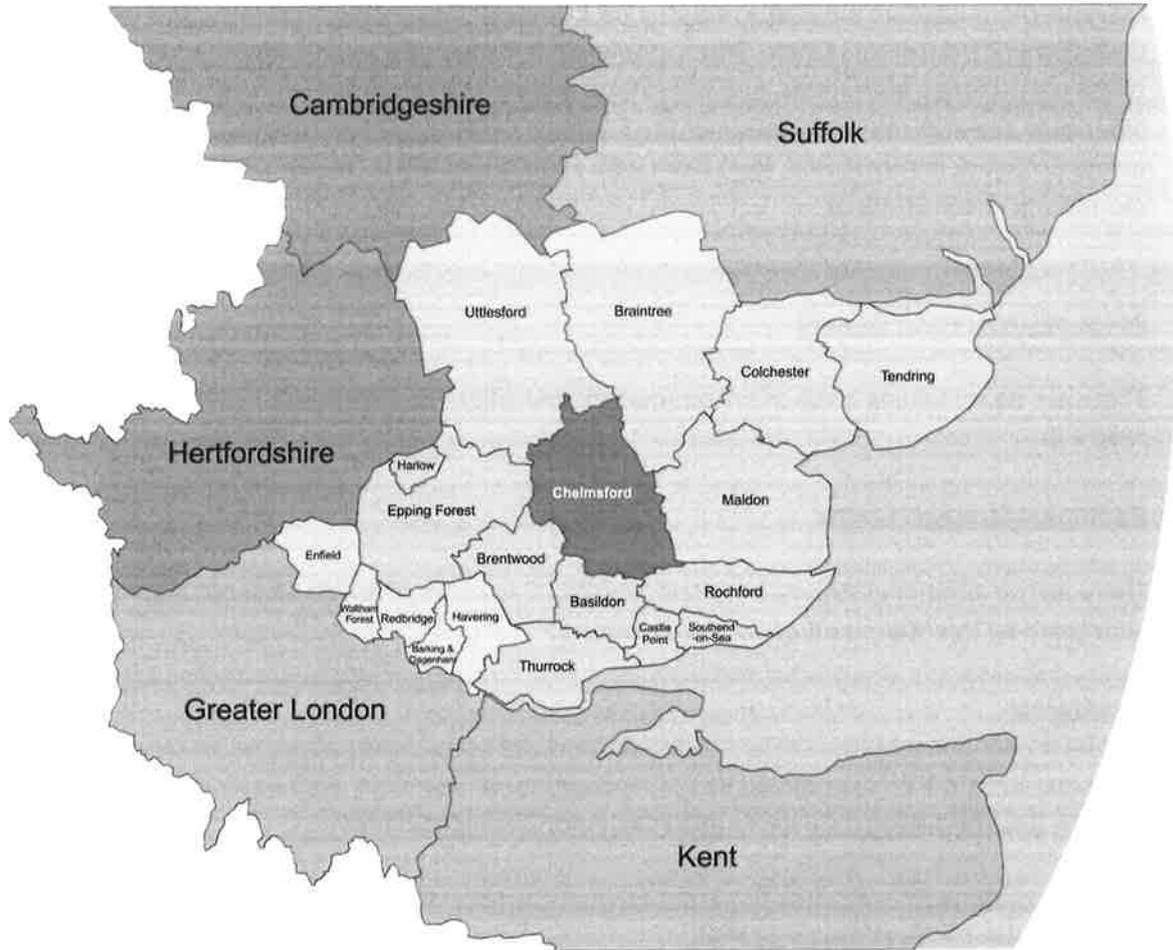
5. Monitoring

- 5.1. This statement will be maintained by CCC and update as necessary with Basildon Borough Council, Rochford District Council and Castle Point Borough Council.
- 5.2. CCC will continue to work with all parties beyond the Local Plan adoption for the monitoring and implementation of the Local Plan.

6. Signatories:

Signature: 	Signature:
Matthew Winslow Service Manager – Strategic Planning, Housing and Regeneration Strategy Basildon Borough Council	Natalie Hayward Planning Policy and Economic Development Team Leader Rochford District Council
Date: 4 October 2018	Date
Signature:	Signature:
Steve Rogers Local Plan and Regeneration Adviser Castle Point Borough Council	Jeremy Potter, Planning and Strategic Housing Policy Manager Chelmsford City Council
Date	Date

Appendix 1:



Appendix 10: Statement of Common Ground between Basildon Borough Council and Chelmsford City Council regarding the Basildon Local Plan

Basildon Borough Local Plan 2014-2034

Statement of Common Ground

Organisations: Basildon Borough Council and Chelmsford City Council

Date: March 2019

1. Introduction

- 1.1. This Statement of Common Ground identifies areas of agreement between Basildon Borough Council (BBC) and Chelmsford City Council (CCC) in relation to the Basildon Borough Revised Publication Local Plan and supporting evidence base. There are no outstanding areas of disagreement.
- 1.2. This statement has been prepared to assist the examination of the Basildon Borough Local Plan. Chelmsford City Council made representations to the Regulation 19 Revised Publication Local Plan published for consultation on the 1 November 2018. The following table sets out the relevant representation numbers:

Chapter and Policy	RPLP No.
Whole Plan	RPLP/1645
Chapter 2	RPLP/1639
Chapter 5	RPLP/1640
Chapter 6 SD1	RPLP/1641; RPLP/1642
Chapter 9 T2/T6	RPLP/1644
Chapter 11 H3	RPLP/1643

- 1.3. A Plan has been provided at Appendix 1 which shows the locations and administrative areas covered by the statement. Chelmsford City Council is an adjoining local authority located to the north of Basildon Borough Council's administrative area.
- 1.4. BBC has fully engaged with CCC on the development of each Council's respective Local Plans from the outset. In accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012, CCC has been formally consulted at every stage of consultation on the Local Plan together with its accompanying Sustainability Appraisal (SA) and the Habitat Regulations Assessment (HRA). CCC has made representations to each stage of consultation on the Local Plan. The Duty to Co-operate Compliance Statement 2019 outlines in detail the engagement activities and outcomes together with the joint evidence base studies undertaken during the plans preparation and any protocols agreed which benefit strategic and cross-boundary plan-making.

Areas of Agreement

- 1. That BBC has worked collaboratively with CCC to ensure that all cross-boundary strategic issues have been properly considered and where appropriate reflected in the Basildon Borough Local Plan 2014-2034 and effective and on-going joint working has and will continue to be undertaken.**

Housing Requirement

- 1.5. The Basildon Borough Local Plan has been informed by the South Essex Strategic Housing Market Assessment (2016) and Addendum (2017). The Addendum used the 2014-based CLG Household Projections to calculate the full objective assessment need for housing in Basildon Borough as 972 to 986 homes per annum, resulting in a need for between 19,440 and 19,720 homes between 2014 and 2034. The overall housing need for South Essex was around 4,000 homes per annum. This was prepared in accordance with the Planning Practice Guidance that underpinned the NPPF2012.
- 1.6. The Basildon Borough Local Plan will however be examined against the NPPF2019, which requires housing need to be calculated in accordance with the standard methodology set out in the current Planning Practice Guidance. This expects the use of the 2014-based CLG Household Projections as the baseline position, adjusted to address affordability, with the adjustment capped at 40%. The standard methodology results in an identified OAN for Basildon of 1,077 homes per annum. This is however calculated only for the remaining period of the plan 2018 to 2034, resulting in a need for 17,232 homes.
- 1.7. The Basildon Borough Revised Publication Local Plan identifies supply for around 17,791 homes. This comprises urban capacity, site allocations, limited infilling capacity in the borough's Green Belt settlements in accordance with policy GB4, a windfall allowance beyond 2023, and completions between 2014 and 2018. Against, the OAN identified in the SHMA Addendum 2017 this supply is around 2,000 homes short. There were 2,247 completions between 2014 and 2018. When applying the standard methodology these should not be included in the supply figure. This reduces the supply to 15,544. Against the standard methodology calculation using the 2014-based CLG Household Projections the supply is around 1,800 homes short. There is therefore an unmet housing need arising in Basildon Borough of between 1,800 and 2,000 homes depending on the methodology used for the OAN calculation.
- 1.8. The Basildon Borough Revised Publication Local Plan also identifies delivery challenges with regard to the housing supply taking into account infrastructure and environmental constraints, and also applying realistic build out rates to sites within the current extent of the Green Belt, which due to the level of objection to the principle of development in the Green Belt cannot be considered available until the plan is adopted. Consequently, the Basildon Borough Local Plan is only able to commit to delivering around 15,465 homes within the period to 2034. Whilst this is expressed as a minimum level of delivery within policy SD1, delivery at this level would result in a higher unmet need of up to 4,000 homes.

- 1.9. To address this issue, the Basildon Borough Revised Local Plan commits within policy SD1 to bringing forward a Joint Strategic Plan (JSP) for South Essex. It further commits itself to a review if the JSP identifies new opportunities for further growth and infrastructure in Basildon Borough. In addition to this policy SD2 identifies two broad locations within Basildon Borough for potential housing growth in the future, once proposals for improvements to the A127 have been developed through the JSP. At this time, the options available for bringing sustainable development forward in these locations is dependent on knowing what land needs to be retained for these transport improvements.
- 1.10. At this time, it is anticipated that any unmet need arising from Basildon Borough will therefore be addressed within the South Essex Housing Market Area, either through the South Essex JSP or through the allocation of sites within the broad locations as part of the first review of the Basildon Borough Local Plan. There is no expectation at this time that Chelmsford City Council, which forms part of a different Housing Market Area, will meet any of Basildon Borough's unmet housing needs. This is consistent with the Essex Planning Officers' Association (EPOA) Unmet Housing Needs Protocol 2017 which anticipates opportunities to address unmet housing needs will be exhausted within the broader Housing Market Area first before exploring opportunities in neighbouring Housing Market Areas.
- 1.11. The Revised Publication Local Plan does not however specifically reference the EPOA Unmet Housing Needs Protocol 2017. In their representation (RPLP/1641) CCC seeks for specific reference to be included within the Basildon Borough Local Plan to this protocol to provide additional clarity as to how unmet need will be met. It is agreed that this will provide necessary clarity and a minor modification is proposed to paragraph 6.5 of the Local Plan as follows:

Modification No.	Policy/ Para No.	Page No.	Proposed Modification	Reason for Modification
OM6.1	Para 6.5	20	<p>INSERT AFTER PARAGRAPH 6.5</p> <p><u>The JSP therefore provides an effective mechanism for addressing any unmet needs arising from authorities in the South Essex Housing Market Area. The EPOA Unmet Housing Need Protocol and the separate EPOA Unmet Gypsy, Traveller and Travelling Showpeople Needs Protocol both expect appropriate opportunities to address development needs to be exhausted at a local, then at a housing market area level, before seeking support from authorities in neighbouring housing market areas. By looking to the JSP to provide the effective mechanism for unmet needs, Basildon is therefore complying with the EPOA unmet need protocols. Given the Joint Strategic Plan is still in development and covers two</u></p>	<p>Clarification which addresses concerns raised by Chelmsford City Council in representation RPLP/1641</p>

			<p><u>housing market areas (South Essex and Brentwood), there is therefore no expectation with regard to neighbouring housing market areas to accommodate any unmet need arising through this plan.</u></p>	
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Areas of Agreement

2. **The Basildon Revised Publication Local Plan does not allocate sufficient sites to meet the full OAN for housing at this time. However, it commits to working with its neighbours in the South Essex and Brentwood Housing Market Area to prepare a Joint Strategic Plan which may identify opportunities for this unmet need to be addressed. The plan also identifies two broad locations which will be brought forward as part of the plan’s first review, once proposals to improve capacity on the A127 have been identified. There is therefore no expectation of BBC, within the Revised Publication Local Plan or otherwise, that CCC will meet any of Basildon Borough’s unmet housing need.**
3. **That the Councils have a protocol in place for managing future unmet housing need from adjoining authorities. The protocol was developed and agreed by the Essex Planning Officers’ Association (EPOA) in September 2017 to establish a mechanism for the consideration of unmet housing need across the Essex authorities. This protocol sets out the methodology by which each local planning authority, in partnership with their HMAs, should agree their full objectively assessed housing number and if there is an unmet housing need, the process to follow to request an adjoining HMA take the unmet need. At the request of CCC, a modification has been made to the supporting text of the Basildon Borough Local Plan to make clear that this protocol will be applied (modification no. OM6.1)**

Gypsy and Traveller Needs

- 1.12 The evidence of the need for pitches to accommodate the needs of Gypsies, Travellers and Travelling Showpeople within Basildon Borough is identified through the Basildon Borough Gypsy, Traveller and Travelling Showpeople Local Needs Accommodation Assessment (BBLNAA) completed in January 2018. The method used for this assessment aligns with that used for the Essex Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessment 2018, and the findings are integrated into the Essex wide study.
- 1.13 The BBLNAA identifies a specific need for 47 additional pitches for those gypsies and travellers that meet the definition in the Planning Policy for Traveller Sites (PPTS). There is also a need for a further 6 pitches to address the needs arising from growth in the population of gypsies and travellers whose status in relation to the PPTS is unknown. This represents 10% of growth arising from the ‘unknown’ population. It also identifies a need for 3 plots to meet the need of the Travelling Showpeople population.
- 1.14 The Basildon Borough Revised Publication Local Plan makes provision for the Travelling Showpeople population, and also makes provision for the majority of the Gypsy and Traveller population. However, at this time it acknowledges that there is an unmet need of nine pitches for Gypsies and Travellers. This need arises towards the end of the plan period.

1.15 Paragraph 11.46 indicates that given some of the existing population exists within neighbourhood planning areas, some of this unmet need will be met through Neighbourhood Plans. It also indicates that BBC will continue to work with neighbouring authorities to identify a strategic approach to meeting the needs of Gypsies, Travellers and Travelling Showpeople. CCC in their representation RPLP/1643 seek reference to be included to the EPOA Unmet Gypsy, Travelling and Travelling Showpeople Accommodation Needs Protocol 2018 in respect of this engagement which expects opportunities in the local area, and then Housing Market Area to be exhausted before opportunities are explored in neighbouring Housing Market Areas. It is agreed that this will provide clarity and a minor modification is proposed to paragraph 11.46 of the Local Plan as follows:

Modification No.	Policy/ Para No.	Page No.	Proposed Modification	Reason for Modification
OM11.2	11.46	108	The Council will therefore work closely with the neighbourhood area, where the community includes Gypsy and Travellers to ensure that growth arising from within these area is accommodated within their Neighbourhood Plans. The Council will also continue to work with neighbouring authorities, having regard to the EPOA Unmet Gypsy, Traveller and Travelling Showpeople Accommodation Needs Protocol , to identify a strategic approach to meeting the needs of Gypsies, Travellers and Travelling Showpeople in accordance with the requirements of national policy.	Clarification which addresses concerns raised by Chelmsford City Council in representation RPLP/1643

Areas of Agreement

4. **The Basildon Revised Publication Local Plan does not allocate sufficient sites to meet the full requirement for Gypsy and Traveller Sites at this time. However, it commits to working with those bringing forward Neighbourhood Plans to address unmet needs arising in their areas. It also commits to working with neighbouring authorities to identify a strategic approach to meeting the needs of the Gypsy and Traveller population. There is however no expectation within the Basildon Borough Revised Publication Local Plan that BBC expects CCC to meet its unmet needs.**
5. **That the Councils have a protocol in place for managing future unmet Gypsy, Traveller and Travelling Showpeople Accommodation Needs from adjoining authorities. The protocol was developed and agreed by the Essex Planning Officers' Association (EPOA) in December 2018 to establish a mechanism for the consideration of unmet need across the Essex authorities. This protocol sets out the methodology by which each local planning authority, in partnership with their HMAs, should agree their full objectively assessed need and if there is an unmet**

need the process to follow to request an adjoining HMA take the unmet need. At the request of CCC, a modification has been made to the supporting text of the Local Plan to make clear that this protocol will be applied (modification no. OM11.2)

Jobs and Employment

- 1.12. Evidence base studies have informed the job numbers and amount of land for employment use for the Basildon Borough Revised Publication Local Plan. The Local Plan seeks to deliver at least 20,000 new jobs during the Plan period, and has identified 92ha of employment land supply in order to secure this. This level of land provision exceeds the need identified in evidence (the South Essex Economic Development Needs Assessment 2018), and addresses a request from the Greater London Authority for willing partners to deliver displaced demands for employment land arising from London.
- 1.13. Employment growth will primarily be delivered through the re-use and logical extensions of the A127 Enterprise Corridor, with some additional growth secured in town centres and in smaller employment areas within Billericay and Wickford.
- 1.14. The requirement for all new employment is outlined in Strategic Policies SD1 – A Strategic Approach to Sustainable Development and SD2 – Settlement Hierarchy and the Distribution of Growth. Detailed policies in relation to employment are meanwhile set out in Policies E1 to E11.
- 1.15. BBC has met its objectively assessed need for employment through its Plan policies, and has also entered into discussions with the GLA to assist in supporting displaced industrial development from the London area. There are no outstanding requests for BBC to meet the employment needs of any neighbouring authorities.

Areas of Agreement

- **BBC is accommodating its employment needs within its boundaries resulting in no unmet need.**

Infrastructure Delivery

- 1.16. The Infrastructure Delivery Plan (IDP) (2018) is the key evidence base document setting out details of the infrastructure identified by BBC and other service providers as being needed to support the delivery of new development across the Borough up to 2034. It is a 'living document' intended to be updated regularly as the plan is delivered.
- 1.17. Other evidence base studies to support the Local Plan include:
 - Basildon Council – Part 1 Draft Local Plan Transport and Highway Impact Assessment (2017)
 - Basildon Council – Part 2 Publication Local Plan Transport and Highway Impact Assessment (March 2018)
 - Basildon Council – Part 2 Addendum Publication Local Plan Transport and Highway Impact Assessment (August 2018)

- Basildon Local Plan and CIL Viability Update Study (February 2018) and Addendum (September 2018)

- 1.18. BBC is still developing its Community Infrastructure Levy, having consulted on the Preliminary Draft Charging Schedule at the same time as the Regulation 19 consultation for the Revised Publication Local Plan. The Local Plan and CIL Viability Study will therefore be kept under review as the Local Plan is progressed towards adoption, and the CIL is revised in light of consultation responses.
- 1.19. In terms of securing infrastructure through the implementation of the Local Plan, Policy SD1 establishes as a strategic principle the alignment growth with services and infrastructure provision. Transport infrastructure requirements are outlined in Chapter 9 – Promoting Sustainable Transport. Community infrastructure requirements are outlined in Chapter 13 – Promoting Healthy Communities. Detailed requirements ensuring infrastructure delivery is aligned with development are set out in Chapter 18: Implementation.

Areas of Agreement

- **BBC has consulted on the IDP during the Revised Publication Local Plan consultation. Service providers have worked alongside BBC to advise on the impact the Local Plan growth would have upon their services and facilities. As a result, the requirements for services, facilities and appropriate mitigation measures to support the Local Plan growth have been assessed and agreed with all partners.**

Retail

- 1.20. The Local Plan seeks to regenerate Basildon Town Centre as a sub-regional centre. It also seeks to regenerate Laindon, Pitsea and Wickford Town Centres as district centres. The enhancement of Billericay Town Centre as a district centre. Retail matters for the Local Plan are underpinned by the Basildon Retail and Commercial Leisure Capacity Study 2015, and updated by the South Essex Retail Study 2017.
- 1.21. Based on evidence, the Local Plan includes proposals for 2,500sqm for comparison goods, and 700sqm for convenience goods in the period to 2021, and a further 21,600sqm for comparison goods and 4,200sqm for convenience good to the end of the plan period. Provision will also be made for 9,300sqm of commercial leisure provision. A sequential approach which directs development to town centre locations through mixed use regeneration is the preferred strategy as set out in Chapter 8 of the Revised Publication Local Plan.

Areas of Agreement

- **There are no areas of uncommon ground or unresolved strategic matters.**

Natural Environment

- 1.22. Basildon Borough has a wide range of designations which relate to the natural environment, including SSSI's, ancient woodlands and local wildlife designations. There are also areas of freshwater and tidal marshland and water courses. The undeveloped parts of BCC's area is

also substantially designated as Green Belt. Green Belt designation currently extends to 63% of the boroughs area.

- 1.23. The Local Plan specifically seeks to protect and enhance the natural environment including important ecological designations, the Green Belt and high quality landscapes, whilst delivering the growth required. This has been achieved through the undertaking of a Green Belt Review (2017), and the use of landscape evidence (Basildon Landscape Study 2015, and Outline Landscape Appraisals of Potential Strategic Sites 2017) and ecology evidence (Basildon Ecology Surveys 2016 and 2017) to identify appropriate development locations and any mitigation required.
- 1.24. The Local Plan will protect and enhance the networks of biodiversity and green infrastructure in line with the South Essex Green Grid Strategy, as set out in policy NE1, and supports the review and extension of this strategy across the whole South Essex area. The need to address climate change and minimise pollution is also set out within Chapters 15 and 16 of the Revised Publication Local Plan.
- 1.25. As a key cross-boundary strategic issue, policies NE1 and NE4 of the Revised Publication Local Plan also addresses the impacts of growth on the Essex Coast Natura 2000 sites by committing to the Essex Coast Recreation Avoidance and Mitigation Strategy (RAMS). Due to the in-combination impacts of plans across Essex, CCC are also a partner to the RAMS and have equally committed in their own plan to this strategy.

Areas of Agreement

- **Both BBC and CCC have committed, through their emerging Local Plans, to mitigating the in-combination effects of their respective plans on the Essex Coast Natura 2000 sites through the Essex Coast Recreation Avoidance and Mitigation Strategy (RAMS). A further nine authorities in Essex are also party to the RAMS and are gradually incorporating its requirements into their emerging Local Plans.**
- **There are no other areas of uncommon ground or unresolved strategic matters.**

Transport and Highways

- 1.26. Local Plan policies set out in Chapter 9 identify what and where new transport infrastructure is required. They have been informed by a robust evidence base prepared working in partnership with ECC as the Highway Authority to ensure projected development growth in Basildon is tested robustly and a strategy for mitigation is formulated.
- 1.27. A number of traffic modelling studies have been undertaken during the Local Plan preparation to assess the impact of emerging and preferred development options on the transport network.
- 1.28. The junction modelling report assesses the likely impacts of planned growth on the highway network in the Basildon Borough area. This has included a high-level analysis of cross boundary traffic flows on key highway links including B1007 in Stock, A130 to/from Chelmsford City Council, A127 (Brentwood BC, Southend UA, Rochford DC) and A13 (Thurrock UA, Southend UA, Castle Point DC).

- 1.29. The flows and percentage increases on the key strategic cross boundary routes as a result of Local Plan growth, show some significant increases in traffic along the A127 corridor towards Brentwood. The A130 to/from Chelmsford and A13 to/from Thurrock are likely to experience traffic increases of 10-15%.
- 1.30. The outcomes of the modelling work have been developed to support the Basildon Borough Local Plan. However, where data has been available from the Chelmsford City Council modelling on the A130 and B1007, in regard to forecast flows, this has been reflected in the Basildon Borough modelling. The potential disparity between the two models is explained due to the different forecast year, different days for traffic count data etc. which has not allowed for a direct comparison.
- 1.31. During the Revised Publication Local Plan consultation, CCC sought assurances that growth arising in both Billericay and Wickford will not have a negative impact on key transport connections between the authority areas, particularly in relation to Stock, and the A130 and A132 routes. To this end, they requested in their representation (RLP/1644) that additional words be included within the Basildon Borough Local Plan requiring transport assessments prepared for applications on relevant sites in Billericay and Wickford to consider the transport implications and mitigation measures necessary in the adjoining Chelmsford City area. BBC note that a reciprocal modification was proposed in respect of the Chelmsford City Local Plan at the pre-submission stage on request of Basildon Borough Council, and therefore it is appropriate for the Basildon Borough Local Plan to also include such text to capture such cross-boundary development impacts. The following minor modification is therefore proposed in this respect:

Ref No.	Para/Policy No.	Page No.	Proposed Modification	Reason for Change
OM9.29	Policy T6 – Part 2	87	The assessment/statement must demonstrate how the impacts of the development on the highway network will be mitigated to limit significant effects on highway and junction capacity in order to satisfy the requirements of the Highway Authority. <u>Where a site is located close to the borough boundary, or may have transport implications beyond the borough boundary by virtue of its scale, the Transport Assessment/Statement must consider the transport implications and mitigation measures (where appropriate) necessary in adjoining local planning authority areas.</u>	Clarification which addresses concerns raised by Chelmsford City Council in representation RPLP/1644

Areas of Agreement

- That BBC has worked with CCC to prepare evidence to identify and mitigate the impacts of the Local Plan on the highway and transport infrastructure.
- In order to ensure that the Local plan is clear that impacts of specific development proposals in Billericay and Wickford on the transport network in Chelmsford City Council’s area must be fully assessed and mitigated at the planning application stage, modifications requested by CCC have been agreed as appropriate by BBC and are incorporated into the schedule of minor modifications (Modification No. OM9.29)

Site Allocations

- 1.32. CCC has not raised specific objections with regard to site allocations in the Basildon Borough Local Plan, although the comments in respect of traffic impacts, dealt with above, do impact on some of the allocations in Billericay and Wickford. The modifications proposed in respect of the transport section above address this concern, and therefore there are no outstanding matters regarding site allocations.

Areas of Agreement

- **There are no areas of uncommon ground or unresolved strategic matters.**

Sustainability Appraisal (including SEA)

- 1.33. The Spatial Strategy and policies within the Revised Publication Local Plan are sound and supported by a comprehensive and robust evidence base.
- 1.34. Appropriate and robust SA/SEA has been undertaken throughout the preparation of the Local Plan in an iterative and consultative manner which has led to the Local Plan containing an appropriate and sustainable strategy.

Areas of Agreement

- **There are no areas of uncommon ground or unresolved strategic matters.**

2. Further Joint Working

It is agreed by BBC and CCC that:

- 2.1. Following the publication of the EPOA Gypsy and Traveller Accommodation Assessment Report, January 2018, an initial scoping exercise has been identified to be undertaken by EPOA to review transit site requirements across Essex. This is dependent on new survey data being collected in 2019.
- 2.2. Whilst the RAMS has been completed, there is a need for a SPD to be developed and for joint governance arrangements to be put in place to implement and deliver the action plan set out in the RAMS in order to deliver effective mitigation of housing growth in Essex on the Essex Coast Natura 2000 sites.

3. Areas of Uncommon Ground

- 3.1. There are no remaining areas of uncommon ground where an agreement has not been reached.

4. Additional Strategic Matter

4.1. There are no additional strategic matters which BBC or CCC are aware of which has not already been addressed by this Statement of Common Ground.

5. Monitoring

5.1. This statement will be maintained by BBC and updated as necessary.

5.2. BBC will continue to work with all CCC beyond the Local Plan adoption for the monitoring and implementation of the Local Plan.

6. Signatories:

Signature: 	Signature: 
Matthew Winslow Service Manager – Strategic Planning, Housing and Regeneration Strategy Basildon Borough Council	Jeremy Potter Spatial Planning Manager Chelmsford City Council
Date	Date 19.3.19

Appendix 1:



Appendix 11: Statement of Common Ground between Basildon Borough Council and the Environment Agency regarding the Basildon Local Plan

Basildon Borough Local Plan 2014 - 2034

Statement of Common Ground

Organisations: Basildon Borough Council and the Environment Agency

Date: March 2019

Introduction

1. This Statement of Common Ground identified areas of agreement between the Environment Agency and Basildon Borough Council in relation to the Environment Agency's representations on the Basildon Borough Revised Publication Local Plan, and the supporting Sustainability Appraisal and Habitat Regulations Assessment.
2. This Statement identifies the matters raised by the Environment Agency in its representations. These are listed in the table below. There are no areas of dispute which affect the soundness of the Plan, but some outstanding suggestions to enhance the Local Plan which continue to be promoted by the Environment Agency.
3. Basildon Borough Council has worked closely with the Environment Agency on the development of the Local Plan, the Sustainability Appraisal and the Habitat Regulation Assessment from the outset. In accordance with the Town and Country Planning (Local Development)(England) Regulations, the Environment Agency has been formally consulted at every stage of consultation.

Sustainability Appraisal

4. The Environment Agency raised no issues with the Sustainability Appraisal for the Revised Publication Local Plan, and consider it to a comprehensive document.

Habitat Regulation Assessment

5. The Environment Agency raised no issues with the Habitat Regulation Assessment for the Revised Publication Local Plan, and its update, and consider them to provide a comprehensive assessment.

Revised Publication Local Plan

6. The Environment Agency consider the Revised Publication Local Plan sound but made some comments which could enhance the Local Plan:
 - a) Table 1 sets out those comments made by the Environment Agency where no amendments were required.
 - b) Table 2 sets out those comments made by the Environment Agency where Basildon Borough Council agree that the amendment proposed would enhance the plan.
 - c) Table 3 sets out those comments which have not been taken forward, and remain an outstanding suggestion by the Environment Agency as to how the plan could be improved.

Table 1: Environment Agency comments not requiring an amendment

Rep No.	Policy No.	Summary of Comment
RPLP/2625 (Part)	Policy CC2	<ul style="list-style-type: none"> Happy with the supporting text to this policy, including the reference to the TE2100 Plan and Riverside Strategies. Welcomes reference to joint working on the creation of intertidal habitats. It is important to manage the impacts of tidal flood risk on wildlife receptors. Welcomes reference to the protection of washlands as FRZ 3b. Welcomes the clear undertaking to apply the sequential approach to the allocation of land for development. Supports the requirement that developers are expected to fund flood risk mitigation or defences.
RPLP/2626	Policy CC3	Support for the recognition of the engineered washlands as Flood Risk Zone 3b.
RPLP/2627	Policy CC4	Support for the policy and its supporting text and justification.
RPLP/814 (Part)	Policy NE1	<ul style="list-style-type: none"> Pleased that the new requirements, with regard to Appropriate Assessments, under the Habitats Regulations as a result of the 'People over wind' case have been considered and acted upon where necessary. Pleased the needs of wildlife are also considered as part of the climate change chapter. Pleased that blue infrastructure has been included within Strategic Objective 1. Supportive of the point in policy NE1 'bringing these [protection and enhancement of the built, natural and historic environment] qualities together, we will eventually be able to move away from a net loss of biodiversity to achieving net gains for nature'. Supportive of the provision of additional green corridors throughout the borough. Encouraged that para 16.14 covering the Nature Improvement Partnership includes guidance explaining how development can contribute towards its aims. Pleased that paragraph 16.22 identifies future issues regarding water based pollution and air quality, and the benefits of trees is identified.
RPLP/2649 (Part)	Policy NE4	<ul style="list-style-type: none"> It is welcomed that the policy recognises that a HRA may be needed for planning applications. This increases the opportunity for environmental enhancements. Order of considerations under part 4 of the policy NE4 addresses previous comments, and the EA are therefore satisfied.
RPLP/2650	Policy NE7	<ul style="list-style-type: none"> Pleased to see cross reference to EA documents.

Table 2 Environment Agency comments taken forward by Basildon Borough Council

Rep No.	Policy No.	Summary of Comment	Agreed Modification to be recommended to Inspector
RPLP/2625 (Part)	Policy CC2	<ul style="list-style-type: none"> Amend paragraph 15.22 to clarify the relationship between the infrastructure improvements needed to manage flood risk in the TE2100 Plan and the habitat creation requirements in the 	<p>Paragraph 15.22: The <i>TE2100 Plan</i> sets out the Environment Agency's and its partner's aspirations and approach to flood risk management within this part of the Borough. It states that policy P4 should be applied to the Bowers Marshes area (policy unit). This means that further action will be taken</p>

		<p>same plan, and add additional information to the evidence base detailing the specific projects and costs of those projects arising from the TE2100 Plan.</p>	<p>to keep up with climate and land use change so that flood risk does not increase. In order to achieve this, the Plan for the sea defences and mechanical flood barriers protecting this area will be maintained and improved to respond to future sea-level rise. it proposes that the sea defences and mechanical structures protecting this area will be maintained and improved to respond to sea-level rises. However, it also expects that some parts of Bowers Marsh, Vange Marsh and/or Fobbing Marsh, where limited development is present, will be turned into inter-tidal marsh (i.e. some inundation by the River Thames will be permitted). The Plan advocates policy P3 for Vange marshes, to continue with existing or alternative actions to manage flood risk accepting that the likelihood of flooding will increase because of climate change. As outlined in section 15.15, the TE2100 Plan aspires to deliver intertidal habitat creation opportunities across its three phases to 2100 in order to off-set the loss of such habitat resulting from climate change. This may mean that some mechanical structures such as the East Haven and Fobbing Horse barriers may not be maintained in the future, in order to allow for inundation. This will require a revised approach to flood risk management in this part of the Borough, and there is the opportunity for consideration of candidate sites on the marshes currently upstream of the existing East Haven and Fobbing Horse tidal flood barriers. This may mean a review of the most appropriate means of delivering the aspired tidal flood risk management policy for the given policy unit in this part of the Borough in conjunction with the Environment Agency and partners. The <i>TE2100 Plan</i> requires the preparation development of a Riverside Strategy ies in order to improve floodplain management in the vicinity of the river, to create better access to the riverside and improve the riverside environment. The development preparation of a Riverside Strategy approach for Bowers and Vange Marshes should potentially be developed in line with similar strategies across the south Essex and wider Thames Estuary area, for</p>
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			Fobbing Marsh in Thurrock and West Canvey Marsh in Castle Point, and should seek to address the issues challenges posed by the long-term requirement to create new intertidal habitat, and the any required changes to the means of flood risk management this will require.
RPLP/2649 (Part)	Policy NE4	Should reference water voles in the supporting text amongst the list of protected species.	Paragraph 16.37: Beyond designated sites for nature conservation, biodiversity can be found throughout the rural and built environment. This includes species protected by law including badgers, bats, water voles and Great Crested Newts. Harm to these protected species will also need to be avoided or otherwise fully mitigated or compensated.

Table 3: Environment Agency's outstanding comments

Rep No.	Policy No.	Summary of Comment	Basildon BC Response
RPLP/618	Policy CC1	Policy would benefit from a third point stating the Council will seek to ensure all new development is sustainable, taking account the potential increased impacts of climate change on flood risk over a development's lifetime.	Policy CC2 covers the strategic management of flood risk in some detail and therefore this addition to policy CC1 would be repetitious.
RPLP/814 (Part)	Policy NE1	<ul style="list-style-type: none"> Should make reference to emerging guidance on biodiversity net gains. Could include reference to the importance of pollinators and associated Bugslife B-Line project. 	Two modifications are sought: 1) Reference to the emerging BNG guidance. It is not clear to the Council that it can give support to guidance which has yet to be published 2). Reference to Bugslife B-Line. This is considered too detailed for inclusion in the Local Plan.

Site Allocations

- The Environment Agency has not raised specific objections with regard to site allocations in the Basildon Borough Revised Publication Local Plan, and there are no areas of uncommon ground between the Environment Agency and Basildon Borough Council in respect of the Basildon Borough Revised Local Plan's site allocations.

Further Joint Work

- As both a statutory consultee but also as a key partner, the Environment Agency will be engaged fully in joint work on the implementation of the Basildon Local Plan, and as part of work emerging on the South Essex Joint Strategic Plan.

9. Basildon Borough Council will meanwhile continue to work with the Environment Agency, as necessary, to deliver its strategies and programmes within Basildon Borough.

Additional Strategic Matters

10. There are no additional strategic matters which Basildon Borough Council or the Environment Agency are aware of which are not addressed by this Statement of Common Ground.

Monitoring

11. This statement will be maintained by Basildon Borough Council and updated as necessary. Basildon Borough Council will continue to work with the Environment Agency beyond the Local Plan adoption for the monitoring and implementation of the Local Plan.

Signature: 	 Signature:
Matthew Winslow Service Manager – Strategic Planning, Housing and Regeneration Strategy Basildon Borough Council	Pat Abbott – Planning Advisor, Environment Agency, Iceni House, Cobham Road, Ipswich
Date 19 March 2019	Date 21 March 2019

Appendix 12: Statement of Common Ground between Basildon Borough Council and Highways England regarding the Basildon Local Plan

Basildon Borough Local Plan 2014-2034

Statement of Common Ground

Organisations: Basildon Borough Council and Highways England

Date: March 2019

1. Introduction

- 1.1. This Statement of Common Ground identifies areas of agreement between Basildon Borough Council (BBC) and Highways England (HE) in relation to the Basildon Borough Revised Publication Local Plan and supporting evidence base. There are no outstanding areas of disagreement.
- 1.2. This statement has been prepared to assist the examination of the Basildon Borough Local Plan. Highways England made representations to the Regulation 19 Revised Publication Local Plan published for consultation on the 1 November 2018. The following table sets out the relevant representation numbers:

Chapter and Policy	RPLP No.
Chapter 9 T1	RPLP/2072

- 1.3. A Plan has been provided at Appendix 1 which shows the locations and administrative areas covered by the statement. Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). In spatial planning and development control terms, HE have a duty to safeguard the operation of the SRN as set out in the DfT Circular 02/2013 (The Strategic Road Network and the Delivery of Sustainable Development). The circular encourages Highways England to work co-operatively with Local Planning Authorities within the framework of the Government’s policies for planning, growth areas, regeneration, integrated transport and sustainability.

2. Matters Agreed

- 2.1. BBC has fully engaged with Highways England on the development of each Council’s respective Local Plans from the outset. In accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012, HE (and before their existence the Highways Agency) has been formally consulted at every stage of consultation on the Local Plan together with its accompanying Sustainability Appraisal (SA) and the Habitat Regulations Assessment (HRA).

- 2.2. Neither Highways England nor the Highways Agency previously, have provided representations on the previous consultations regarding the Basildon Borough Local Plan despite being invited to do so. The representation received in respect of Revised Publication Local Plan is the first occasion Highways England have commented on the proposals it contains.

Areas of Agreement

- **That BBC has made appropriate efforts to engage with HE to ensure that all cross-boundary strategic issues have been properly considered and where appropriate reflected in the Basildon Borough Local Plan 2014-2034.**

Lower Thames Crossing

- 2.3. The Lower Thames Crossing is also identified as a priority for investment in the National Infrastructure Plan and will form part of the strategic highway network providing congestion relief and additional capacity to the existing Dartford river crossings. It is necessary to work closely with Highways England, Essex County Council and neighbouring authorities to ensure that in addition to maximising the opportunities the crossing presents, any challenges arising from it to the local transport network are fully addressed.
- 2.4. So far, Basildon Borough Council has been a member of the Stakeholder Advisory Panel for the Lower Thames Crossing project. The purpose of the Lower Thames Crossing Stakeholder Advisory Panel is to help Highways England draw upon local knowledge and understand stakeholders' needs, priorities and opinions with respect to the Lower Thames Crossing. Panel members have provided local knowledge and evidence as well as advice on engaging their own organisations and others with an interest in proposals for an additional crossing of the Lower Thames.
- 2.5. Basildon Borough Council has previously provided representations to consultations on the Lower Thames Crossing. In 2013, Basildon Council strongly agreed with the principle of Highways England's proposal to locate a crossing at Route Option C, rather than just increasing capacity at the existing crossing as part of Route Option A. In 2016, the Council's view was that on balance Route 4, which took a route to the east of the A128 closer to the Basildon Borough, connecting with a widened A127 from junction 29 on the M25 should be the preferential route for the Lower Thames Crossing. This route was considered by Basildon Council to offer the most economic benefits to the Borough's local communities and businesses, including prompting upgrades on interconnecting routes.
- 2.6. In the most recent representation to the LTC in 2018, Basildon Borough Council strongly supports Highways England's notion that a new Lower Thames Crossing is needed. However, Basildon Council also expressed concerns that the traffic modelling underestimated the potential impact of Local Plan growth in the south Essex sub-region due to a generic assumption of a 2.5% increase in trips. The Government agenda to increase the supply of housing through the completion of local development plans is likely to encourage the impacts shown in the 2041 and 2051 forecasts for the LTC to be felt much sooner. If this is the case, Basildon Borough Council recognised that there may be a need to incorporate more localised improvements to the road network including the A127, A13, and A130.

Areas of Agreement

- **BBC and HE agree that they will continue to work together to secure the best possible planning, investment and coordination of upgrades to existing and new transport infrastructure that could positively affect the standard and reliability of key movement corridors and river crossings. This includes the continuation of the good working practices already established as part of the LTC project, where BBC has been actively involved in the Stakeholder Advisory Panel.**

Site Allocations

- 2.7. HE has not raised specific objections with regard to site allocations in the Basildon Borough Local Plan.

Areas of Agreement

- **There are no areas of uncommon ground or unresolved strategic matters in respect of site allocations.**

3. Matters Currently Under Discussion

South Essex Joint Strategic Plan 2018-2038

- 3.1. Basildon Borough sits within the South Essex sub-region. There is a long history of the authorities in South Essex working together on Strategic Planning and in 2017 the Leaders and Chief Executives of the six Local Planning Authorities (LPA) and Essex County Council came together to create a shared vision for South Essex: South Essex 2050. The vision identified key policy themes to be supported and six growth areas within South Essex where it is expected development will be focussed.
- 3.2. In June 2017, through a Memorandum of Understanding these authorities formed the Association of South Essex Local Authorities (ASELA).
- 3.3. Through a Statement of Common Ground signed in June 2017, ASELA has agreed to prepare a Joint Strategic Plan (JSP) for South Essex. The ambition is to use this joint, statutory planning mechanism to coordinate the delivery of the South Essex 2050 vision, through partnership working at local and national levels, including sub-national transport bodies to bring forward the strategic infrastructure improvements needed to support growth.
- 3.4. The JSP has, in turn, been incorporated into the six LPA Local Development Schemes and is now being prepared. Highways England will need to be an integral part of the JSP as it progresses as the results of this plan will identify any major mitigation elements required to the highway network in order to sustain additional growth across South Essex.

Areas of Agreement

- **BBC, HE and the ASELA authorities will work together to ensure that strategic highway matters are addressed across South Essex as the Joint Strategic Plan emerges.**

Transport and Highways

- 3.5. In the case of the Basildon Borough, although there is no SRN directly within the Borough, however, the A13, A127, A1089 and M25 in particular junctions 28, 29 and 30, are located to the north and west of the area respectively.
- 3.6. A Statement of Common Ground exists between the London Borough of Havering, the Essex LPAs and Highway Authorities along the entire route of the A127 to work together more collaboratively to plan and secure improvements to the key strategic route. Highways England did not sign up to this Statement of Common Ground as they considered that it did not adequately represent the Strategic Road Network, however, they have subsequently signed a Statement of Common Ground separately with the London Borough of Havering.
- 3.7. A Route Management Strategy for the A13 is also currently being developed by the Highway Authorities across South Essex in order to plan and secure improvements to the key strategic route, although this strategy is somewhere behind the A127 in terms of its development. Given Highways England's role as the highway authority for part of its route, Basildon Borough Council and Essex County Council will ensure that Highways England are involved in the progression of this strategy.
- 3.8. As part of the Lower Thames Crossing process mentioned in section 2, Basildon Borough Council has shared details of all development proposals contained in the Revised Publication Local Plan, and also all urban development that has planning permission, is currently under construction, or has been promoted for development through the Council's Housing and Employment Land Availability Assessment, so that the associated traffic impact can be modelled on the highway network covering the area of interest for HE in relation to the SRN.
- 3.9. Basildon Borough Council and Highways England believe that in order to fully understand the potential impact of the Basildon Borough Revised Publication Local Plan on the Strategic Road Network, there is a need to consolidate the transport modelling work that has already been done. This includes detailed modelling of the highway network for the following projects:
- A127 / A130 Fairglen Interchange Model;
 - Essex County Council South Essex Model;
 - Highways England Lower Thames Crossing Model.
- 3.10. Both Basildon Borough Council and Highways England are confident that consolidating the modelling work already done it will be possible to accurately understand the full impact of the Revised Publication Local Plan on the Strategic Highway Network. It is also understood that the Lower Thames Crossing Model is likely to be the most accurate and detailed model in terms of forecasting the impact of growth across the whole of the south Essex authorities, and if following the most recent consultation, Highways England decide to model all of the individual site allocations as requested by Basildon Borough Council in its consultation response in 2018, this model should be able to provide the level of modelling required.

Areas of Agreement

- BBC and HE agree that there is a need to action a piece of work which reviews the existing modelling work already done to fully understand the impact of growth in the Revised Publication Local Plan on the Strategic Road Network.

4. Matters Not Yet Agreed

4.1. There are no areas of uncommon ground where an agreement has not been reached.

5. Monitoring

5.1. This statement will be maintained by BBC and updated as necessary.

5.2. BBC will continue to work with HE beyond the Local Plan adoption for the monitoring and implementation of the Local Plan.

6. Signatories:

Signature: 	Signature: 
Matthew Winslow Service Manager – Strategic Planning, Housing and Regeneration Strategy Basildon Borough Council	Janice Burgess Spatial Planning Manager Highways England
Date	Date 27 March 2019

Appendix 1:

