



Council Offices, Kiln Road,  
Thundersley, Benfleet,  
Essex SS7 1TF.  
Tel. No: 01268 882200  
Fax No: 01268 882455



**David Marchant** LLB (Hons) BSc (Hons) CEng FICE FCMI  
**Chief Executive**

**A SPECIAL MEETING OF THE COUNCIL** of the Borough of Castle Point will be held in the Council Chamber, Council Offices, Kiln Road, Thundersley, on **WEDNESDAY, 6TH JUNE, 2018 at 7.30 p.m.**, and all Members of the Council, listed below, are hereby summoned to attend to transact the undermentioned business.

Councillors, A.C.Walter, (The Worshipful the Mayor), C.G. Riley, (Deputy Mayor), A.J. Acott, J. Anderson, D.A. Blackwell, Mrs.J.A Blissett, B. Campagna, S. Cole, D.T. Cross, W.J.C. Dick, Ms.N.B.Drogman, Mrs B. Egan, E. Egan, Mrs W. Goodwin, P.C. Greig, S.Hart, N.R. Harvey, Mrs P. Haunts, R.C. Howard, G.I. Isaacs, W.Johnson, N.E.Ladzrie, C.A. MacLean, P.J. May, C.E. Mumford, B.A. Palmer, J.A.Payne, Mrs. J. Payne, A. Partridge, Mrs C.J Sach, W.K.Sharp, A.G. Sheldon, T.F. Skipp, N.G. Smith, J.A. Stanley, A. Taylor, P.E.Varker, Mrs L. Wass, Mrs G. Watson, N. Watson and B.S. Wood.

**Chief Executive**

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## **AGENDA**

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### **PART I**

**(Business to be taken in public)**

- 1. Apologies for absence**
- 2. Members' Interests**
- 3. New Local Plan 2018**

This Special Meeting of the Council has been convened for the Council to approve the preparation of a new local plan for Castle Point and agree a new Local Development Scheme (LDS) which sets out the timetable for the New Local Plan 2018 and the Council's continuing contribution to Joint Strategic Plan for South Essex. A report is attached.

**SPECIAL COUNCIL**

**6th June 2018**

**Subject: New Local Plan 2018:  
Local Development Scheme 2018**

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**1. Purpose of Report**

- 1.1 This report is to advise Council of the need to formally commence work on a new local plan for Castle Point (the New Local Plan 2018).**
- 1.2 It also seeks Council's agreement to a new Local Development Scheme (LDS) (replacing all previous versions) which sets out the timetable for the New Local Plan 2018, as well as the Council's continuing contribution to the Joint Strategic Plan for South Essex.**

**2. Links to Council's priorities and objectives**

- 2.1 The matters described in this report are directly linked to the Council's "Transforming our Community" priority – incorporating objectives for putting the right planning framework in place to create a sustainable future.**

**3. Recommendations**

- 3.1 The Council wishes to retain its plan making powers and must now respond to the Secretary of State's concerns by committing to put in place a new Local Plan 2018 to an accelerated timetable and programme as shared with the Secretary of State with an emphasis on planning for growth in an area of high housing demand.**
- 3.2 That Council notes and accepts the advice on the Key Issues set out in Section 6 of this report and agrees to progress work on a technical and legally compliant New Local Plan 2018 for Castle Point on those terms.**

- 3.3 That Council approves the provision of a further £273,500 to earmarked reserves for the purpose of plan making.**
- 3.4 That Council approves the publication of the Castle Point Local Development Scheme 2018, attached as Appendix A to this report, as required by Section 15 of the Planning & Compulsory Purchase Act 2004 (as amended) - which incorporates both the New Local Plan 2018, and the Joint Strategic Plan for South Essex - and agrees that this supersedes all previous versions.**
- 3.5 That the Council expressly commits to the milestones set out in the Castle Point Local Development Scheme 2018.**
- 3.6 That Council agrees that formal consultation on the commencement of the preparation of the New Local Plan 2018 be carried out as required by Regulation 18 of the Town & Country Planning (Local Planning) (England) Regulations 2012, and in accordance with the Consultation Strategy and Plan attached as Appendix B to this report;**
- 3.7 That Council approves the Statement of Common Ground prepared by the Association of South Essex Local Authorities, attached as Appendix C to this report, to guide the preparation of a Joint Strategic Plan for South Essex.**

#### **4. Background**

- 4.1 In 2014 the Council prepared a draft local plan supported by technical evidence and made this available for public consultation. In response to the consultation process, an updated local plan was produced in 2016. Council approved this version for publication and submission to the Secretary of State for examination. In March 2017 following concerns expressed by the Planning Inspector regarding the “duty to co-operate”, this plan was withdrawn.**
- 4.2 Since then planning policy making has focused on strategic planning, with the Council fully engaged with neighbouring and nearby authorities in South Essex to address the “duty to co-operate” and to follow a more co-ordinated approach to strategic planning in the area. This has resulted in agreement to prepare a Joint Strategic Plan (JSP) for South Essex, to provide for new growth but aligned with place-making ambitions and improvements to infrastructure.**
- 4.3 In November 2017, the Secretary of State for Housing Communities and Local Government wrote to fifteen councils expressing concerns regarding delays to local plan making. Three councils are located in South Essex, including Castle Point. In its response to the Secretary of State’s concerns in January 2018, the Council pointed out that it had been working to address the Planning Inspector’s concerns regarding the “duty to co-operate” with neighbouring and nearby authorities in South Essex, as well as seeking to improve housing delivery through**

other means by for example the publication of its Brownfield Land Register.

- 4.4 The Secretary of State responded in March 2018 by expressing concern at the further delay in preparing a local plan, and continued his intervention. The Secretary of State instructed the Chief Planner and a team of consultants to review the Council's previous local plan work, and its capability to prepare a new local plan, with a view to direct intervention if evidence of rapid progress in plan making with a particular focus on housing delivery cannot be achieved.
- 4.5 Since the start of April 2018, the Chief Planner and his team have requested information to support their review to give confidence that the Council can deliver a local plan, including the following:
- An accelerated delivery programme for a local plan, including a draft LDS;
  - A draft consultation strategy and plans;
  - Capacity and resourcing;
  - The approach to the assessment and technical analysis of key pieces of evidence;
  - All evidence supporting the local plan in 2014, 2016 and any new evidence commissioned since then, to support the local plan and the JSP; and
  - An understanding of the progress, timetable and coverage of the JSP.
- 4.6 The Leader of the Council together with the Chief Executive have been directly engaged in discussions with the Chief Planner on a number of occasions. Each time they have sought to assert the Council's position that a new local plan can be prepared by the Council to an accelerated timetable without the need for direct intervention.
- 4.7 A final report on Intervention from the Secretary for State is expected at the end of June. At the end of May, to help the Secretary of State with his final decision, the Chief Planner encouraged the Leader and Chief Executive not to delay the delivery of a new local plan, and to consider agreeing a new timetable in early June.

## **5. New Local Plan for Castle Point 2018**

- 5.1 If the Council is to retain control over plan-making for the Borough, it is essential that the Council now commits to the preparation of a New Local Plan for Castle Point 2018.
- 5.2 Council is therefore recommended to approve the commencement of work on a New Local Plan 2018 in accordance with the programme as seen by the Secretary of State. This decision will then be actioned and formal consultation will be carried out under Regulation 18 of the Town & Country Planning (Local Planning) (England) Regulations 2012. Regulation 18 requires the Council to notify consultation bodies, local

residents and businesses of its intention to prepare a plan and invite comments as to what this plan should contain. The Consultation Strategy and Plan attached as Appendix B to this report describes the approach to be followed.

- 5.3 Preparation of a New Local Plan will use the evidence prepared to support the draft New Local Plan 2014, including all those sites identified in the draft New Local Plan 2014 for development. Key areas of evidence will be updated and refreshed, as required. For example a “call for sites” was issued in May 2018, in order to inform the preparation of this year’s Strategic Housing Land Availability Assessment (SHLAA), and Brownfield Land Register. Assessment of all sites will be carried out in accordance with the National Planning Policy Framework (NPPF) as revised, and the National Planning Practice Guidance (PPG) – “assessing the suitability, availability and achievability of sites including whether the site is economically viable....”
- 5.4 The New Local Plan 2018 will put in place up-to-date planning policies, in accordance with the NPPF, and the PPG. The new Local Plan will have a timeframe of at least 15 years: however the housing delivery policies and site allocations will have a shorter timeframe of between 5 to 10 years. This shorter timeframe for the housing policy elements will ensure an upturn in housing delivery in the short term. In the longer term, the JSP aims to pick up any unmet need to support the aims of the South Essex 2050 vision. Work on the JSP for South Essex will continue in parallel to the development of the New Local Plan 2018.
- 5.5 The New Local Plan 2018 will need to provide policies and proposals to deal with high housing pressure. In 2017, the Government consulted on a standardised methodology for calculating housing needs, and this identified a need for 342 dwellings per annum in Castle Point. It is likely that the standardised methodology will become part of national planning policy/guidance through the new NPPF in summer 2018. Therefore the objectively assessed housing need (OAN) for Castle Point will be 342 dwellings per annum and previous evidence suggests that only approximately 100 dwellings per annum can be identified on brownfield sites. Whilst the plan must recognise nationally important physical and policy constraints, it is clear both from the evidence and from advice from the Chief Planner and consultants acting for the Secretary of State that some land in the Green Belt will need to be considered for housing.
- 5.6 As part of the arrangements described in the revised NPPF, under the “duty to co-operate”, formal requests will then need to be made to other authorities in the housing market area for assistance with unmet housing provision. Since all South Essex authorities are constrained by Green Belt, concerns are likely to be expressed again by those authorities if the Council has not taken difficult decisions on some Green Belt release.
- 5.7 The accelerated timetable for the preparation of the New Local Plan 2018 is formally described in the Local Development Scheme which is

attached as Appendix A to this report. However, Council should be aware that the following key stages will need to be completed in 2018, so that the plan may be submitted for examination in April 2019:

<b>Date</b>	<b>Activity</b>
July 2018	Regulation 18 Consultation Formal commencement of plan preparation
August 2018	Site evaluation and draft SHLAA 2018
September 2018	Review evidence base to reflect draft SHLAA
October 2018	Formal “duty to co-operate” engagement
November 2018	New Local Plan approved by Council for publication
January 2019	Regulation 19 Consultation Formal consultation on New Local Plan 2018
April 2019	Formal submission of New Local Plan 2018 to Planning Inspectorate

## **6. Corporate Implications**

### **Key Issues**

- 6.1 The most important issue to bear in mind is that the Secretary of State needs confidence that the Council will prepare a local plan. If he detects that there is an unwillingness to commit to an accelerated timetable to have a plan prepared quickly, or to commit to difficult decisions regarding the allocation of sites for housing (including those in the Green Belt), then he will direct that others (either a County Council, or consultants) prepare a plan for him, at cost to the Council. If that were to occur the Council will then play no further part in plan-making.
- 6.2 Accordingly the benchmark against which all decisions must be taken on the local plan is to ensure that the Council follows exactly the same timetable, approach to the assessment, technical analysis, engagement, public consultation and plan-making process that the Secretary of State or his agents would follow. The timetable, resources, process (including revisiting recent plans) and governance arrangements for sign off have all been discussed with the Ministry and the Leadership, and so deviation from these arrangements now will place the Council at risk. There is no scope for discretion on matters such as changes to the programme of engagement, public consultation or processes that will be determined by technical pieces of work and evidence bases.
- 6.3 The objective is to ensure that the new Local Plan is technically and legally compliant so that on examination the risk of failure is significantly reduced.

- 6.4 The second key issue concerns housing. As referred to above, the OAN for Castle Point, as per the new standardised methodology in the revised NPPF will be 342 dwellings per annum. Previous evidence suggests that only approximately 100 dwellings per annum can be identified on brownfield sites.
- 6.5 The Council is keen to ensure that brownfield sites have been fully considered and further work is underway to maximise the contribution that can be achieved from brownfield sites. The recent “call for sites” will inform the preparation of this year’s Strategic Housing Land Availability Assessment (SHLAA), and Brownfield Land Register. The Member Brownfield Land Register Working Group will be convened later in the year to consider the annual refresh of Part 1 of the Register and consider suitable brownfield sites.
- 6.6 Notwithstanding this work, and acknowledging that the plan must recognise nationally important physical and policy constraints, it is nonetheless clear that some land in the Green Belt will need to be considered for housing. Informal indications from emerging evidence and technical assessments, as well as discussions with Ministry officials and consultants, suggest that the figure in the new Local Plan will need to be significantly closer to the OAN as a reasonable and appropriate target. In order to assess and provide an accurate target justified by evidence, further work will need to be undertaken to analyse latest projections and site supply data.
- 6.7 For this reason, sites indicated for development in the draft New Local Plan 2014 will need to be considered again. For the avoidance of doubt these will include all those sites identified in the draft New Local Plan 2014 for development.
- 6.8 The third key issue concerns the “duty to co-operate.” Under the “duty to co-operate”, formal requests will need to be made to other authorities in the housing market area for assistance with unmet housing provision. Since all South Essex authorities are constrained by Green Belt, concerns are likely to be expressed again by those authorities if the Council has not taken difficult decisions on some Green Belt release. In future the question of unmet housing needs will be resolved through the JSP process, but the Ministry has indicated that the Council must be seen to make progress now on a local plan and short term housing delivery, at the same time as progressing with the JSP work.
- 6.9 The “duty to co-operate” process is continuous and ongoing and will now include a new local plan in June 2018. A programme of co-operation will be ongoing throughout the preparation of the New Local Plan and there will be a need to formally discuss strategic priorities and unmet housing provision.
- 6.10 The fourth key issue concerns Member involvement. As mentioned above, the Brownfield Land Register Working Group will be convened later in the year to consider the annual refresh of Register. For the local plan, Members of the Council will receive regular briefings from July

until November on the progress with the evidence being assembled, and on the technical work necessary to prepare the New Local Plan 2018. Decisions on the Local Plan will be made by Council only, in June and in November.

- 6.11 The fifth key issue concerns the inclusion of potentially appropriate sites in the draft plan. It is highly likely that almost all suitable, available and achievable sites will be required for the plan, including those in the Green Belt, to achieve a target which is likely lower than the OAN but which would be acceptable at Examination. As with the draft New Local Plan 2014, the assessment of potential sites will be carried out in accordance with a methodology consistent with the requirements in the NPPF and PPG and supported by technical appraisals of matters such as flood risk, viability and access. Any deviation from the nationally recommended process of site evaluation will be unacceptable to the Secretary of State, and eventually brings the risk of the plan being found unsound. The overarching objectives will be to prepare a plan which promotes sustainable development for the benefit of the community as a whole.

**a. Financial Implications**

- 6.12 There are financial implications arising from the recommendations in this report. The Local Development Scheme describes the resources required to complete the preparation, publication and adoption of the New Local Plan 2018 on an accelerated timetable, as well as continuing work on the Joint Strategic Plan for South Essex.
- 6.13 Currently the local plan reserve identified for local plan matters is £330,100. In addition there is £81,400 available from existing staffing budgets, the Council is therefore requested to consider the provision of a further £273,500 for the purposes of plan-making.
- 6.14 However, if the Secretary of State were to take over the preparation of the Council's New Local Plan, then the cost of his work will need to be met by the Council. At this time there is no precise estimate as to the likely costs which he might incur but it is likely to be substantially in excess of the figure given above given that the Secretary will be likely to appoint nationally established planning consultants with expertise in local plan matters. An earmarked reserve of £500,000 was established for this contingency in the February 2018 Policy Framework and Budget Setting Report.

**b. Legal Implications**

- 6.15 The legal implications arising from the recommendations in this report concern the powers available to the Council to prepare plans, and to the Secretary of State to intervene in plan-making.
- 6.16 The current system of plan making is contained in the Planning and Compulsory Purchase Act 2004 (PCPA 2004) and the Town & Country Planning (Local Planning) (England) Regulations 2012 (2012 Regs), and supported by the NPPF and PPG.



- 6.17 Pursuant to Section 17(3) of the PCPA 2004 the Local Planning Authority's local development documents must (taken as a whole) set out its policies relating to the development and use of land in its area.
- 6.18 If any of the Authority's planning policy documents meet the definition set out within Regulation 5 of the 2012 Regs, they must be prepared as local development documents and be known as a local plan. Therefore any document produced by the Authority which provides for the development or use of land which the Authority wishes to encourage within a specified period, or allocation of sites or development management policies which are intended to guide development, it is likely to fall within the statutory definition and therefore be part of the local plan and therefore subject to the statutory procedure.
- 6.19 The Authority also has a statutory duty pursuant to Section 13 of the PCPA 2004 to keep under review matters which may affect the development of its area.
- 6.20 Under Section 17(6) PCPA 2004 the Authority must keep under review its local development documents in light of any review of its policies.
- 6.21 The Secretary of State's powers pursuant to Section 27 of PCPA 2004 apply where he thinks that the Authority are failing or omitting to do anything necessary in connection with the preparation, revision or adoption of a development plan document. He may prepare or revise a plan or direct that the Authority or another do so.

**c. Human Resources & Equality Implications**

- 6.22 There are human resource implications arising from the recommendations in this report. Because the Council will be following an accelerated timetable in the preparation of the plan, it has engaged the services of additional planning policy expertise through the use of Service Level Agreements with other councils or providers and through the use of expert consultants to address specific technical issues such as viability.
- 6.23 Equality implications will be considered through the technical and sustainability appraisals of policies and proposals, and through a formal Equality Impact Assessment.

**d. Timescale for implementation & Risk Factors**

- 6.24 The preparation of this plan will need to follow an accelerated timetable in line with the programme as already shared, to give the Secretary of State confidence that the Council is committed to the process, and is committed to planning for growth, and that the plan will be in place as quickly as possible.
- 6.25 If the Secretary of State detects that the Council is unable or unwilling to follow the necessary steps for the preparation of the plan he has

indicated that he will intervene, and direct that the plan is prepared by others for him, but at the Council's expense. The Council would have no role in that scenario.

- 6.26 Even if the Council avoids direct intervention by committing to the decisions and actions now required, the Secretary of State will continue to monitor the Council's progress on a regular basis until the submission and examination of the draft plan.

## **7. Conclusions**

- 7.1 If the Council wishes to retain its plan-making powers, it must now respond to the Secretary of State's concerns by committing to put in place a New Local Plan 2018 to an accelerated timetable and programme as shared with the Secretary of State and with an emphasis on planning for growth in an area of high housing demand.
- 7.2 It can do this by formally commencing the preparation of the plan now, by announcing the start of consultation under Regulation 18, based on the Consultation Strategy described in Appendix B, by approving the new Local Development Scheme, attached as Appendix A, and in November 2018 by agreeing to the draft New Local Plan for publication and submission to the Planning Inspectorate in April 2019.

## **Appendices**

**A Local Development Scheme 2018**

**B New Local Plan 2018 Consultation Strategy and Plan**

**C South Essex Local Authorities Statement of Common Ground June 2018**

## **Background Papers**

Letter from Secretary of State to Leader of the Council – 16.11.17  
Letter from Leader of the Council to Secretary of State – 31.01.18  
Letter from Secretary of State to Leader of the Council – 23.03.18  
Draft New Local Plan 2014.

## **Report Author:**

David Marchant – Chief Executive

Steve Rogers – Local Plan & Regeneration Adviser

## **Castle Point Borough Council Local Development Scheme (LDS)**

### **1. Introduction**

The Local Development Scheme (LDS) is the Council's project plan and timetable for preparing a new Local Plan for the Borough, which will eventually replace the Local Plan Saved Policies 1998. It sets out:

- The local planning documents that the Council intends to prepare;
- The subject matter and geographical areas for each document;
- The timetable for the preparation of each document.

This version replaces all earlier versions of the LDS.

### **2. The scope of the Local Development Scheme**

The Local Development Scheme has two principal purposes:

- To inform the public and stakeholders about the Local Plan for Castle Point Borough Council; and
- To set out a suitable timetable to prepare, or review these documents.

Appendix 1 sets out information relating to the Supplementary Planning Documents being prepared by the Council. Appendix 2 sets out a risk assessment for the preparation of the documents. Appendix 3 sets out the resources available for the preparation of the documents.

#### **Duty to Co-operate**

The Council has been co-operating with neighbours and statutory bodies to maintain a robust evidence base to support local decision making:

South Essex authorities have been working together to create a Joint Strategic Plan and the supporting evidence base documents.

On an Essex wide level the Essex Planning Officers Association (EPOA) has been working across Essex to develop shared evidence base work such as the Greater Essex Growth and Infrastructure Framework (GIF), and also shared work around the accommodation needs of Gypsies and Travellers. More recently, it has commenced work considering the relationships between different housing market areas and the potential for protocols to be established to

enable more effective, meaningful co-operation between authorities when addressing cross boundary strategic housing issues.

Since December 2017 eleven districts and boroughs within the County alongside Natural England have been working together to create a Recreational disturbance Avoidance Mitigation Strategy (RAMS) to help prevent disturbance to protected species along the Essex coastline. This project will deliver a Supplementary Planning Document (SPD) that will be integrated into the new Local Plan within Castle Point and the other participating authorities.

## **Minerals and Waste Planning**

Essex County Council is the Minerals and Waste Planning Authority for Castle Point Borough. The Essex Minerals Plan was adopted by the County Council in 2014. The Replacement Waste Local Plan was adopted in July 2017. These documents constitute part of the Development Plan for the Borough. Further information on the Essex Minerals Plan and the Replacement Waste Local Plan can be found by visiting the Essex County Council website: [www.essex.gov.uk](http://www.essex.gov.uk)

## **3. Monitoring and Review**

The Local Plan making process is designed by legislation to be a continuous process of preparation, monitoring and review. Since 2004, the monitoring and review elements of the process have been undertaken through the Authority Monitoring Report (AMR). The Localism Act 2011 removed the duty on planning authorities to submit their AMRs to the Secretary of State each year. However, LPAs (Local Planning Authorities) are still required to report at least annually on their planning activities, including monitoring the delivery of development and the effectiveness of local policies. It is expected that the findings of the AMR could, at some point, trigger the need for any full or partial review of the Local Plan should its delivery be underperforming.

## **Evidence Base**

The Council has collected, analysed and published a significant body of evidence, either individually or with other local planning authorities or partners, regarding planning matters over the course of many years. The complete library of evidence base material can be found at the Council's web-site using the following link: <https://www.castlepoint.gov.uk/evidence-base>

## 4. Timetable

### Castle Point Local Plan

The Local Plan must set out policies and proposals that will be used to guide decisions and investment on development and regeneration. It will help make sure that the Borough is developed in the right way.

The plan must set out how and where homes, jobs, community facilities, shops and infrastructure will be delivered and the type of places and environments to be created.

The new Local Plan will cover the district right up to 2031 and will replace the Saved Policies from the 1998 Local Plan.

The Local Plan must be based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of Castle Point Borough.

The process for producing a Local Plan is set out in national law and regulations. The Local Plan has to be submitted to the Secretary of State for approval and a public examination will be held by an independent Planning Inspector.

Stage	Commencement Date
Regulation 18	
Issues Consultation Sustainability Appraisal scoping report (6 weeks)	July 2018
Regulation 19	
Publication of Plan (6 weeks)	January 2019
Regulation 22	
Submission of Local Plan to Secretary of State	April 2019
Regulation 24-26	
Examination and Adoption of Local Plan	Anticipated Summer 2019 <sup>1</sup>

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<sup>1</sup> Once the Local Plan is submitted by the Council, the programme for examination is dictated by the Planning Inspectorate.

## South Essex Joint Strategic Plan

In July 2017, the Leaders and Chief Executives of the South Essex Authorities (Basildon, Brentwood, Castle Point, Rochford, Southend-on-Sea, Thurrock and Essex County Council) initiated an approach of collaboration to develop a long-term place-based growth ambition. A joint strategic approach will enable the South Essex sub-region to collectively support economic growth and respond to external pressures such as the Thames Estuary 2050 Commission and the London Plan.

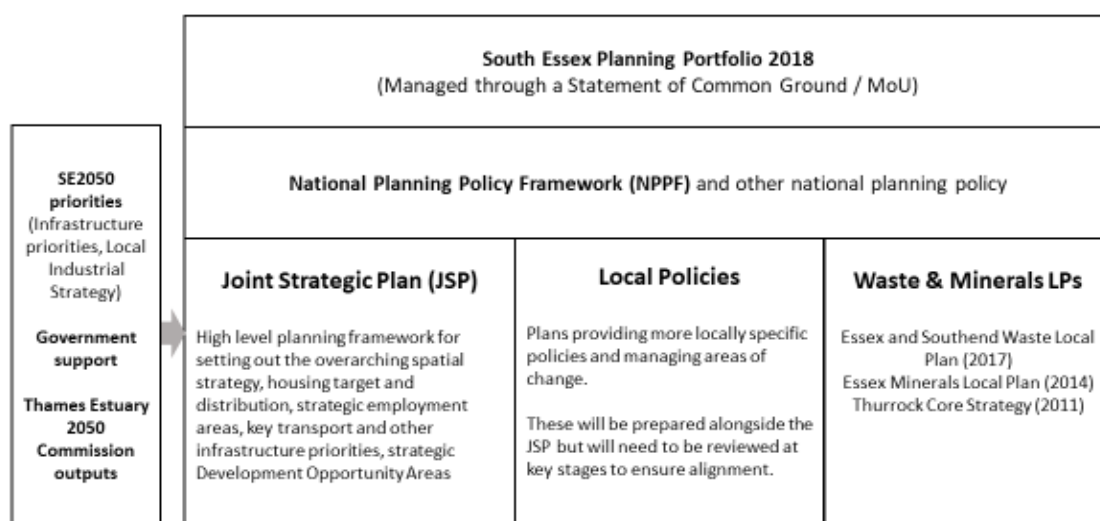
Part of the South Essex growth ambition will be realised through the preparation and adoption of a Joint Strategic Plan. The JSP will be a high level planning framework covering the whole South Essex area. It will set out the overarching spatial strategy, housing target and distribution, strategic employment areas, key transport and other infrastructure priorities and strategic development opportunity areas. It is set to deliver a minimum of 90,000 new homes and 52,000 new jobs by 2038. Along with housing and employment the vision aims to deliver large scale infrastructure that will permit long term growth for the region.

The JSP will be part of the development plan in Castle Point, forming a portfolio of documents that will be used to inform local decision making once adopted.

In accordance with NPPF, a statement of common ground will support the preparation of the JSP, to ensure that there is not only a proactive and positive approach to strategic planning matters across housing market areas, but that there is a clear (and agreed) approach to how these will be delivered in all relevant local plans.

The diagram below illustrates the relationship between the Castle Point Local Plan and the JSP:

Figure 1: South Essex Planning Portfolio



The provisional timetable for the JSP subject to agreement by respective ASELA councils is as follows:

Stage	Commencement Date
Regulation 18	
Issues and Options Consultation	January 2019
Regulation 19	
Publication of Plan	November 2019
Regulation 22	
Submission of Local Plan to Secretary of State	March 2020
Regulation 24-26	
Examination and Adoption of Local Plan	Summer and Autumn 2020 <sup>2</sup>

## 5. Statutory and Non-Statutory Assessments

### Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA)

Section 19 of the Planning and Compulsory Purchase Act 2004, as amended, requires LPAs to carry out a 'sustainability appraisal' of the proposals in a Local Plan during its preparation. Many of the requirements for sustainability appraisal are similar to the requirements set out in the Environmental Assessment of Plans and Programmes Regulations 2004, which give effect to European Directive 2001/42/EC regarding the assessment of the effects of certain plans and programmes on the environment. Such assessments are known as Strategic Environmental Assessment, and are normally incorporated within the wider Sustainability Appraisal process and reporting.

### Habitat Regulation Assessment (HRA)

A Habitat Regulation Assessment is required as a consequence of the European Habitat Directive 92/43/EEC. This requires the Local Planning Authority to undertake an assessment of the policies and proposals set out within its Local Plan on sites of International and European importance in terms of nature conservation i.e. Ramsar sites; Special Protection Areas (SPAs) and Special Areas of Conservation (SACs).

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<sup>2</sup> Once the Joint Strategic Plan is submitted by the Councils, the programme for examination is dictated by the Planning Inspectorate.

## **Equality Impact Assessment**

The Equality Act 2010 provides a statutory duty on the Council to have “due regard”, as part of any decision making process and before reaching a decision, to eliminate discrimination, harassment, victimisation and other conduct prohibited by the Act.

To this end, development plan documents that affect how people access services will be subject to an Equality Impact Assessment.

Relevant protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion, sex and sexual orientation.

## **Economic Viability Assessment**

The NPPF expects local planning authorities to consider economic viability when preparing local planning policies.

As part of the evidence base, it is expected that a Viability Assessment will be prepared testing the impacts of various policy options such as affordable housing provision and any developer contribution requirements on the viability of development proposals. This will be used to ensure that economic viability has been considered when preparing development plan documents. Separate work on economic viability has been undertaken on the master plans.

## **6. Statement of Community Involvement**

Section 17 (1) (b) of the Planning and Compulsory Purchase Act 2004 stipulates that the Local Planning Authority’s Statement of Community Involvement (SCI) must be specified in the Local Development Scheme. The SCI sets out how and when anyone with an interest in planning in the Borough can have their say on:

- Applications for planning permission for development
- Planning appeals (where permission is refused by the Council, but an applicant appeals to the Secretary of State
- Planning enforcement; and
- Local Plans.

The Castle Point Borough Council’s SCI was reviewed and a new version adopted in 2014, a further review will be required in 2019.



## Appendix 1 – Document list

### Supplementary Planning Documents (SPDs)

Detailed guidance on policy matters is normally set out in supplementary planning documents (SPDs) provided that there is a clear link to policies in an approved development plan document. The requirement for additional guidance on a topic determines the need for such documents to be prepared.

The below documents are SPDs that are currently adopted in Castle Point:

- Essex Design Guide Urban Place Supplement (2008)
- Essex Vehicle Parking Standards (2010)
- Developer Contributions Guidance (2008)
- Canvey Town Centre Masterplan (2012)
- Residential Design Guidance (2013)

It is expected that an Essex Coast Recreational disturbance and Avoidance Mitigation Strategy (RAMS) SPD will be adopted by April 2019.

The RAMS SPD will sets out a strategic approach to identifying the scale of recreational disturbance to Special Protection Areas, Special Areas of Conservation and Ramsar Avoidance and sites along the Essex coast and proposes measures to mitigate impacts. The SPD will be supported by a technical strategy prepared by consultants on behalf of eleven local planning authorities across Greater Essex (Basildon District Council, Braintree District Council, Brentwood Borough Council, Castle Point Borough Council, Colchester Borough Council, Chelmsford City Council, Maldon District Council, Rochford District Council, Southend-on-Sea Borough Council, Tendring District Council and Thurrock Council).

### Evidence base

Since the previous Local Development Scheme (July 2017) the following progress in regards to evidence base documents has been made in preparation of the new Local Plan:

- Essex Gypsy and Traveller Accommodation Needs Assessment (2018)
- South Essex Economic Development Needs Assessment (2017)
- South Essex Strategic Flood Risk Assessment Part 1 (2018)
- South Essex Retail and Leisure Needs Assessment (2018)

The following progress on the evidence base will be made by autumn 2018:

- Strategic Housing Land Availability Assessment (2018)
- Castle Point Strategic Flood Risk Assessment Part 2 (2018)
- South Essex Sport and Leisure Facilities Needs Assessment (2018)

- South Essex Playing Pitch Strategy (2018)
- Castle Point Community Infrastructure Needs Assessment (2018)
- Sustainability Appraisal (SA) Scoping Report (2018)
- Transport Modelling (2018)
- Brownfield Land Register Part 1 (2018)
- Greenbelt Review (2018)
- Viability Assessment (2018)

## Appendix 2 – Risk Management

There are several factors which may impact upon the ability of the Council to keep to the timetable for the production of local plan documents. This will have implications for the Council in terms of putting in place a plan for the Borough which provides certainty to residents, businesses and other stakeholders about where development will, and will not, be directed.

Without such a plan, the Council will not be able to:

- Take into account the cumulative effects of development in an area when assessing planning applications and seeking S106 contributions towards infrastructure;
- Bid effectively for infrastructure funding where the criteria are linked to growth;
- Charge a Community Infrastructure Levy;
- Have a secured housing land supply that provides certainty over local service and infrastructure requirements and the Council Tax Base; and
- Defend appeals for development in locations which are not preferred locally. Where a plan is out of date, national policy in the National Planning Policy Framework, including the presumption in favour of sustainable development, will be applied

Additionally, the Government has confirmed that it will intervene in plan-making in areas where councils without a post 2004 local plan have not submitted a plan for consideration by the Planning Inspectorate. This will reduce the control the local planning authority has over such matters. In March 2018, the Council received a letter from the Secretary of State for Housing, Communities and Local Government confirming the intention to commence Intervention in the Castle Point Local Plan. As of June 2018, the form of this Intervention had not been confirmed, but dialogue with the Ministry has confirmed the need for a Local Plan to be prepared to an accelerated timetable, and this Plan must focus on bringing forward new homes in the early part of the Plan period.

The key risks to the successful production of the local plan documents are:

Threat	Level of risk	Comment and proposed mitigation	Managed risk
Significant public opposition to the Local Plan	High	<p>The Local Plan will tackle contentious issues that could give rise to significant public opposition. Whilst every effort will be made to build cross community consensus, there remains risk of significant public opposition to the Local Plan proposals.</p> <p>Logistically this could cause a higher volume of work in the processing and analysis of representations than accounted for in the LDS timetable, which could set it back.</p>	Medium

Threat	Level of risk	Comment and proposed mitigation	Managed risk
		To help reduce this risk, responses from the 2014 and 2016 draft Local Plan consultations will be used to assess public opinion. The 2014 and 2016 draft Local Plans will form the majority of the new Local Plan so previous consultation responses as well as updated evidence will help inform the Plan.	
Legal Challenge	High	A legal challenge can be lodged to any Local Plan document within 6 weeks of its adoption. The degree to which this could occur is uncertain due to the relatively new Local Plan system created by changes made to the Planning Acts, by the Localism Act 2011. To avoid a legal challenge, every effort will be made to ensure that procedures and regulatory requirements are followed.	Medium
Inability of the Planning Inspectorate (PINS) to deliver examinations / reports to timetable	High	<p>Since 2010, the Planning Inspectorate's remit has expanded and its budget cut as part of the Government's austerity measures. This has led to a number of changes in how the Inspectorate operates. There remains a risk therefore that PINS may not have the capacity to provide an Inspector at the exact time the Council would like an Examination in Public to start. Despite recent efforts to recruit additional Inspectors, there remains a risk that demand for Inspectors to serve EiPs may outstrip the supply, compounding staff shortages that have been present for some time.</p> <p>The Council will maintain an open dialogue with PINS during the preparation of the Local Plan up to Regulation 19 stage to gauge whether timescales can be met by both organisations.</p>	
Staff turnover, staff loss, long term sickness	Medium	As with any organisation, from time to time staffing pressures such as sickness, maternity, paternity leave and staff loss need to be effectively managed. This will be undertaken in line with Council procedures for staff retention, as well as measures such as recruiting into vacancies as quickly as possible, using temporary staff and secondments, or Service Level Agreements with other Councils, where possible, to cover maternity/paternity leave.	Low
Financial shortfall	Medium	Local Plan document preparation can be expensive, particularly the preparation or commissioning of the evidence base, production of documents, thorough consultation and public examination. Examination costs may inflate due to the length or complexity of an examination	Medium

Threat	Level of risk	Comment and proposed mitigation	Managed risk
		and the hiring of expert witnesses to defend the Council's plan. Legal challenge could also mean further unforeseen costs are incurred, such as legal fees. The Local Plan budget is subject to regular monitoring and profiling by Financial Services and the Transformation Manager to ensure that any pressures are identified early and to enable unspent budget to be carried forward across financial years to ensure this LDS remains financially supported and therefore viable as a plan-making programme. The S151 officer is notified through this process should overspends be predicted in current or future years to ensure the budget remains on target.	

The Statement of Common Ground supporting the South Essex Joint Strategic Plan is a live document and will be updated in response to the emerging plan and cooperation between the Local Planning Authorities. The Statement of Common Ground can be viewed on the [Castle Point Borough Council website](#). The Statement includes a risk register which will be maintained as a key project management tool to guide the deployment of resources and achievement of milestones for the JSP.

## Appendix 3 – Resources

In order to deliver the programme set out in this LDS in an effective and timely manner it is necessary for the right resources to be put in place.

Table 1: Cost of Castle Point Local Plan work

<b>Task</b>	<b>Estimated Costs £</b>
Evidence base work 2018-2019	90,000
Statutory assessment consultancy 2018-19	35,000
“Duty to co-operate” work 2018-19	20,000
Consultation work 2018-19	30,000
Temporary staff 2018-19	20,000
Service Level Agreement – Essex County Council	235,000
Service Level Agreement - Basildon Borough Council	135,000
Programme officer 2019	30,000
Examination 2019	90,000
<b>Total expected costs</b>	<b>685,000</b>
Less amount in earmarked reserve	(330,100)
Less amounts in existing staffing budgets	(81,400)
<b>Total additional budget required</b>	<b>273,500</b>

Table 2: Costs of CPBC contribution to South Essex Joint Strategic Plan

<b>Task</b>	<b>Estimated Costs £</b>
Statement of Common Ground 2018-19	10,000
Memo of Understanding 2018-19	10,000
Evidence base work 2018-19	20,000
Statutory assessment consultancy 2019-21	20,000
Consultation work 2019-20	10,000
Temporary staff 2019-20	20,000
Programme officer 2020-21	10,000
Examination 2021	10,000
Adoption 2021	10,000
<b>Total expected costs</b>	<b>110,000</b>

At this time it is envisaged that these costs will be able to be fully funded from the Planning Delivery Fund grant from central Government. Should that change extra budget would likely be required for any elements not able to be funded by the grant.

**Castle Point New Local Plan 2018  
Consultation Strategy and Consultation Plan**

**1. Background**

- 1.1. The Council is committed to putting in place a New Local Plan 2018, to replace the Adopted Local Plan 1998, and following the withdrawal of a draft Local Plan 2016.
- 1.2. Following advice from the Secretary of State for Housing Communities and Local Government, the Council intends to prepare and publish a Plan to an accelerated timetable, as described in the Local Development Scheme.
- 1.3. This Strategy sets out how consultation on the preparation and submission of the Plan will be conducted.

**2. The Statement of Community Involvement 2014**

- 2.1. The Statement of Community Involvement commits the Council to engage with residents and local businesses on the preparation of the Local Plan, together with a range of public and private sector bodies (including neighbouring and nearby councils) under the “duty to co-operate”.
- 2.2. The Statement also commits the Council to prepare a Consultation Plan for each of the stages of the Local Plan preparation. The Consultation Plan must describe the methods by which consultation will be conducted. A minimum period of 6 weeks will be allowed for consultation and responses.

**3. The Consultation Strategy for the New Local Plan 2018**

- 3.1. Together with representatives from the Ministry of Housing Communities and Local Government, the Council has reviewed the draft Plan work from 2014 and 2016, together with the supporting evidence and concluded that the previous work to prepare a Local Plan could helpfully be used to inform the New Local Plan 2018. The consultation for the New Local Plan 2018 will consist of two stages of consultation.
- 3.2. The first stage will be in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012, and the Council will consult on the issues it believes that the New Local Plan should

address. The consultation will draw upon the draft New Local Plan 2014 and 2016, together with the evidence supporting these drafts, and the representations received as at July 2014 and onwards as context. This will commence in July 2018.

3.3. The second stage will be in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, and the Council will consult on the final “publication” version of the New Local Plan. This will commence in January 2019, with a view to submitting the New Local Plan in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 to the Secretary of State in April 2019.

3.4. Responses to this consultation will be a matter for the Planning Inspector appointed to examine the plan.

3.5. The Statement of Community Involvement makes reference to a range of engagement methods used previously by the Council, these methods are optional and need not be used at every stage of Plan preparation. Engagement on the Local Plan in 2014 and 2016 made use of these methods and there is no need to duplicate this engagement because the outcomes from that engagement will be used to inform the preparation of the Plan going forward as well as the outcomes from the New Local Plan consultations.

#### **4. Consultation Plan for Issues consultation - July 2018**

4.1. Consultation will commence on 04 July 2018, and will conclude at 11:59pm on Wednesday 15 August 2018.

4.2. The consultation will be promoted by means of the Council’s web-site, and by making technical information available on the Council’s web-site.

4.3. Individual letters will be delivered to all residential and business addresses in the Borough, and those public and private bodies with a specific interest in or expertise relating to the Local Plan, explaining the purpose of the consultation and how to respond.

4.4. Meetings with neighbouring and nearby local planning authorities and statutory consultees will be offered under the “duty to co-operate”.

4.5. Representatives of groups identified as hard to reach such as young people, the very elderly and individual members of the business sector will be offered a briefing to encourage a response to the Local Plan consultation:



- Age Concern
- Castle Point Youth Co-ordinator
- CAVS
- Business Forum

4.6. Electronic responses to the consultation are preferred, which can be loaded directly into the Council's New Local Plan database. For those for whom this is not possible a simple consultation form will be available and which can be returned to the Council via email. Any personal data will be held and managed in accordance with the General Data Protection Regulations.

4.7. The results of the consultation will be reported to the Council in November 2018, when it considers the draft New Local Plan, designed to address these issues.

## **5. Consultation Plan for Draft New Local Plan - January 2019**

5.1. This consultation will follow the same format followed for the Issues consultation in July 2018.

5.2. Consultation will commence on Thursday 10 January 2019, and will conclude at 11:59pm on Thursday 21 February 2019.

5.3. The consultation will be promoted by means of the Council's web-site, and by making technical information available on the Council's web-site.

5.4. Individual letters will be delivered to all residential and business addresses in the Borough, and those public and private bodies with a specific interest in or expertise relating to the Local Plan, explaining the purpose of the consultation and how to respond.

5.5. Meetings with neighbouring and nearby local planning authorities and statutory consultees will be offered under the "duty to co-operate".

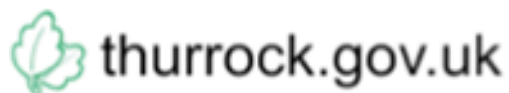
5.6. Representatives of groups identified as hard to reach such as young people, the very elderly and individual members of the business sector will be offered a briefing to encourage a response to the Local Plan consultation:

- Age Concern
- Castle Point Youth Co-ordinator
- CAVS
- Business Forum

5.7. Electronic responses to the consultation are preferred, which can be loaded directly into the Council's New Local Plan database. For those for whom this is not possible, a simple consultation form will be available and which can be returned to the Council via email. Any personal data will be held and managed in accordance with the General Data Protection Regulations.

5.8. The results of the consultation will be reported to the Planning Inspector appointed to examine the Plan, in order to allow the Planning Inspector to establish whether the Plan has met all legal requirements, including the "duty to co-operate" and that the plan meets the tests of "soundness" as set out in the National Planning Policy Framework.

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## **South Essex Joint Strategic Plan**

# **STATEMENT OF COMMON GROUND**

**June 2018**

## 1. Introduction

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

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

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

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

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

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

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

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

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

## **2. South Essex - the Place**

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

### 3. South Essex District by District

#### 3.1 **Basildon**

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

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

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

#### 3.3 **Brentwood**

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

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

### 3.5 ***Castle Point***

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

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

### 3.6 ***Rochford***

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

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

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

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

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

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

Southend has four areas of metropolitan green belt within its administrative boundary, all of which form a small part of the extensive Green Belt separating settlements within South Essex.

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

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

### 3.12 **Thurrock**

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

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

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



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

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

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

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

## 5. The South Essex 2050 Ambition

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

### The Ambition

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

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

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

## **6. South Essex Strategic Areas of Opportunity**

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

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

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

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

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

### **6.3 *The A127 Transport Corridor***

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

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

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

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

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

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

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

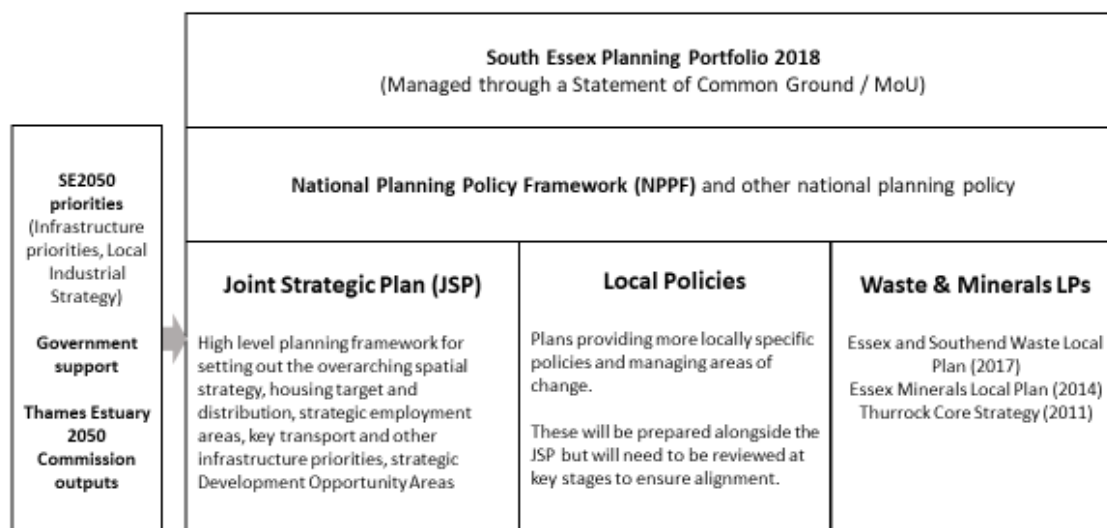
Within Thurrock Thameside/A13 corridor there are significant opportunities to build upon the areas historic focus for industrial and port related activity to support future economic and housing growth. Capitalising on strategic access provided by the C2C Thameside line and the A13, this SAO includes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

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

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

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

**Figure 4: The South Essex Planning Portfolio**



## 8. Delivering the South Essex Planning Portfolio

### 8.1 The Joint Strategic Plan

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

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

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

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

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

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

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

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

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

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

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

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

March 2020: JSP submitted for Examination

Autumn 2020: JSP adopted by all South Essex LPAs

## **9. Local Plans**

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

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

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

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

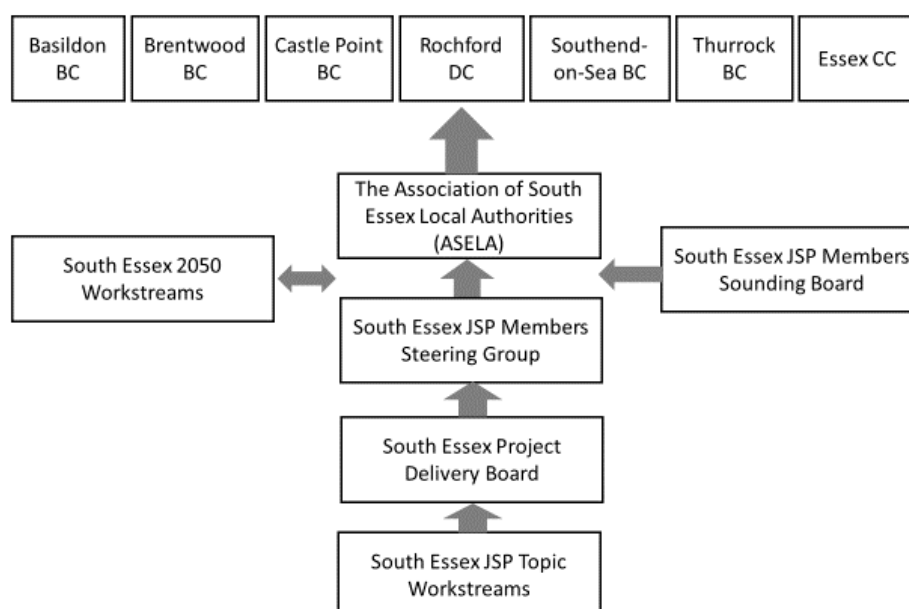
9.3 It is intended that the emerging JSP will provide the 'effective strategic planning mechanism' to ensure compliance with the requirements of the Duty to Cooperate, with the existing joint work, evidence base and shared governance through ASELA demonstrating that cooperation is proactive, positive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

#### 9.4 **Minerals and Waste Planning**

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

## 10. Making Decisions and working together

Figure 5: JSP Governance Structure



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



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

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

## **11. Managing the Risks**

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

## **12. Monitoring and review**

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

## **Annex 1**

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

between

Basildon Borough Council

Brentwood Borough Council

Castle Point Borough Council

Essex County Council

Rochford District Council

Southend on Sea Borough Council

Thurrock Borough Council

#### **Background**

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

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

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

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

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

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

2.3. The aims of ASELA will be to:

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

## **3. Principles of collaboration**

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

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

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

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

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

#### 4. Term and Termination

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

#### 5. Variation

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

#### 6. Charges and liabilities

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

#### 7. Status

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

#### Signed by

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

## Annex 2

# STRATEGIC PLANNING IN SOUTH ESSEX

## Memorandum of Understanding

between

Basildon Borough Council

Brentwood Borough Council

Castle Point Borough Council

Essex County Council

Rochford District Council

Southend on Sea Borough Council

Thurrock Borough Council

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

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

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

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

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

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

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

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

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

In preparing the JSP, all ASELA partners agree to:

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

#### **Area Covered**

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

## **Status**

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

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

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

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

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

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

## **Governance, Roles and Responsibilities**

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

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

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

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

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



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

### **Risk Management**

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

### **Review of the MoU**

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

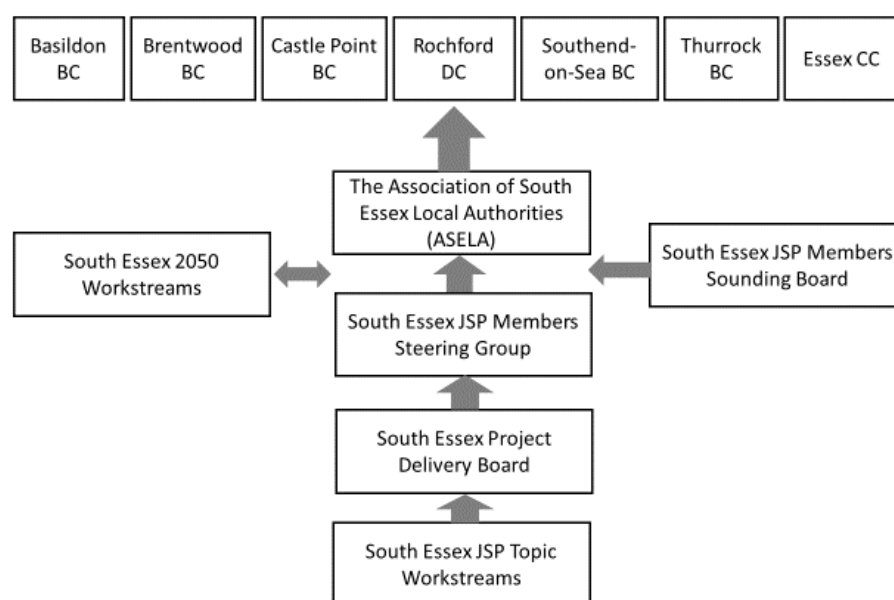
## ANNEX 3

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

March 2018

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

#### JSP Governance Structure



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

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

## ANNEX 4

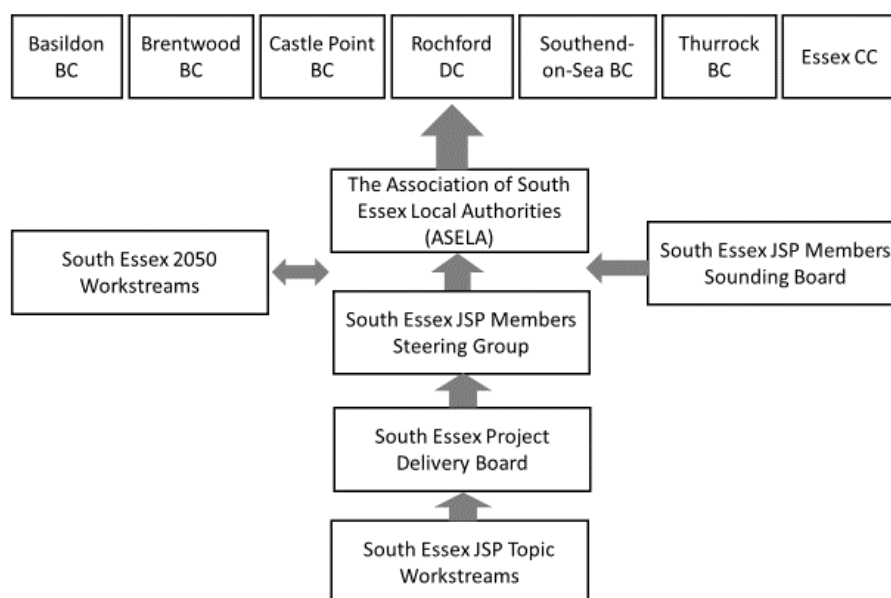
### SOUTH ESSEX JOINT STRATEGIC PLAN

#### MEMBERS STEERING GROUP – TERMS OF REFERENCE

March 2018

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

#### JSP Governance Structure



#### Purpose of the JSP Member Steering Group

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

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

## **Membership**

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

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

The Local Authority partners are:

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

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

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

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

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

### **BASILDON**

Q2 2018 - Regulation 19 Publication

Q3 2018 - Submission

Q2 2019 - Adoption

### **BRENTWOOD**

Q3 2018 – Regulation 19 Publication

Q4 2018 – Submission

Q2 2019 - Adoption

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

July 2018 – Regulation 18 Consultation

January 2019 – Regulation 19 Publication

April 2019 – Submission

Autumn 2019 - Adoption

### **ROCHFORD**

Winter 2019/Spring 2020 – Regulation 19 Publication

Summer 2020 – Submission

Spring/Summer 2021 - Adoption

### **SOUTHEND**

Autumn/Winter 2020 – Regulation 19 Publication

Spring 2021 – Submission

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

### **THURROCK**

July 2018 – Regulation 18 Consultation

July 2019 – Regulation 19 Publication

Late 2020/early 2021 – Adoption

## Annex 6: Joint Strategic Plan Risk Assessment

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

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



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

	<ul style="list-style-type: none"> <li>• Agree an approach with Government to support emerging SE2050 ambitions whilst JSP is prepared and reduce the risks of stakeholders undermining delivery e.g. deviation for 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).</li> </ul>
10.Evidence base highlights significant challenges in delivering the JSP Spatial Strategy and SE2050 Ambitions	<ul style="list-style-type: none"> <li>• Identify potential challenges in JSP Delivery Plan (e.g. infrastructure funding) and agree risk management plan for addressing</li> <li>• Consider contingency approach which will still deliver same outcome.</li> </ul>
11.Public consultation attracts opposition and seeks to undermine SE2050 Ambition/ JSP Spatial strategy	<ul style="list-style-type: none"> <li>• Communications strategy prepared to ensure ongoing briefings and opportunities to engage in JSP preparation are explained for all partner authorities</li> <li>• Case for change articulated by highlighting benefits of growth and investment in infrastructure</li> </ul>