

Supplementary Committee Agenda



Epping Forest District Council

Cabinet Monday, 25th October, 2010

Place: Council Chamber
Civic Offices, High Street, Epping

Time: 7.00 pm

Democratic Services: Gary Woodhall (The Office of the Chief Executive)
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9.a LOCAL DEVELOPMENT FRAMEWORK CABINET COMMITTEE - 4 OCTOBER 2010 (Pages 121 - 126)

(Leader of the Council) To consider the minutes from the recent meeting of the Local Development Framework Cabinet Committee held on 4 October 2010 and any recommendations therein.

19. ANY OTHER URGENT BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs (6) and (24) of the Council Procedure Rules contained in the Constitution require that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

In accordance with Operational Standing Order 6 (non-executive bodies), any item raised by a non-member shall require the support of a member of the Committee concerned and the Chairman of that Committee. Two weeks' notice of non-urgent items is required.

Following publication of the agenda, the Leader of the Council has permitted the following to be considered at the meeting:

- (i) Liquidation of a Company providing services to the Council.

20. EXCLUSION OF PUBLIC AND PRESS

Exclusion

To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information

as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Information Paragraph Number
22	Liquidation of a Company providing services to the Council	1, 3, 5, 7

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

**22. LIQUIDATION OF A COMPANY PROVIDING SERVICES TO THE COUNCIL
(Pages 127 - 156)**

(Finance & Economic Development Portfolio Holder) To consider the attached restricted report (C-041-2010/11).

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Local Development Framework **Date:** 4 October 2010
Cabinet Committee

Place: Council Chamber, Civic Offices, **Time:** 7.00 - 8.35 pm
High Street, Epping

Members Present: Mrs D Collins (Chairman), Mrs M Sartin, Ms S Stavrou and Mrs L Wagland

Other Councillors: Mrs C Pond, Mrs P Smith, D Stallan and C Whitbread

Apologies: R Bassett and B Rolfe

Officers Present: A Wintle (Principal Planning Officer), K Hallé (Senior Planning & Consultation Officer) and G J Woodhall (Democratic Services Officer)

30. DECLARATIONS OF INTEREST

There were no declarations of interest pursuant to the Council's Code of Member Conduct.

31. MINUTES

The Democratic Services Officer reported that the minutes from the last meeting on 14 September 2010 had been drafted but not yet been agreed for publication. However, they would be available for agreement at the Cabinet Committee's next scheduled meeting on 11 November 2010.

32. TERMS OF REFERENCE

The Cabinet Committee noted its Terms of Reference, as agreed by the Council on 17 February 2009 (minute 113(a) refers).

33. LDF CORE STRATEGY - KEY PRINCIPLES

The Principal Planning Officer (Forward Planning) presented a report upon the key principles for the Local Development Framework Core Strategy.

The Principal Planning Officer reminded the Cabinet Committee that all local planning authorities were required to prepare a Local Development Framework and set the policies against which any new development would be assessed. However, the Local Development Framework was intended to take this further, and become a key delivery mechanism for the aspirations of the community and other public sector organisations. It was proposed that the plan period for the Core Strategy should be until 2031. The preparation of the Core Strategy had to test a range of housing and employment growth rates for the District, and subsequently a range of spatial distribution options, whilst ensuring full engagement with the local community and key stakeholders.

The Principal Planning Officer stated that it would be possible to publish the Issues & Options consultation in June 2011. This would require the draft document to be considered by the Cabinet Committee at its meeting on 28 March 2011, with formal ratification by the Cabinet on 6 June 2011. However, there were still some uncertainties about changes to the system that could be made by the new Government, therefore the timetable would be kept under review and any changes reported back to the Cabinet Committee.

The Principal Planning Officer added that it was intended to link the Core Strategy with the Sustainable Community Strategy being produced by the Local Strategic Partnership, whilst the results of the District Retail Study, prepared by Roger Tym and Partners, would also be used in the preparation of the Core Strategy. It had been historically difficult to prepare employment statistics, however it was intended to do some research in this area and examine all potential sources of information. Officers would also be examining migration data in conjunction with the Essex Planning Officer Association. The consultation on the Issues & Options document had to last for a minimum of six weeks, however the Council could agree upon a longer period – such as eight or ten weeks.

The Safer & Greener Portfolio Holder asked that, with a growing self-employed economy and a large number of very small companies within the District, did the Council have figures on the proportion of rural based businesses within the District. The Principal Planning Officer responded that studies of employment land only tended to consider specific sites, however it would be possible to sub-divide the business registrations within the District by post code.

RECOMMENDED:

- (1) That the end date of the Core Strategy be agreed as 2031;
- (2) That the legal requirement to test a range of growth options, both for housing and employment purposes, be noted;
- (3) That the legal requirement for all reasonable spatial options to be assessed as part of the preparation of the Core Strategy be noted; and
- (4) That the following timetable for the Core Strategy Issues & Options consultation period be agreed:
 - (a) draft consultation document to be considered by the LDF Cabinet Committee on 28 March 2011;
 - (b) ratification of the consultation document by the Cabinet on 6 June 2011; and
 - (c) publication of the Issues and Options Consultation document on 20 June 2011.

Reasons for Decision:

It was important to establish the period over which the Core Strategy was expected to operate. This would ensure that the evidence was sought over the appropriate time period, and that one of the key parameters of the document was clear to the community and stakeholders.

It was also important to be clear in the early stages that the preparation of the Core Strategy had to follow a very different process from that previously used to prepare Local Plans. The process had to be iterative, during which all reasonable options had to be considered and all appropriate evidence used to make decisions on the most appropriate options to deliver the vision and objectives of the community and stakeholders.

Other Options Considered and Rejected:

An alternative end date could be proposed, so that the Core Strategy was valid beyond 2031. However, significant work had already been undertaken on Evidence Base technical studies to ensure synergy with the emerging (but now revoked) East of England Plan Review. Several key pieces of evidence would need to be reviewed and potentially extended (at additional cost) in order to achieve an alternative end date.

It was a legal requirement to fully test the reasonable options which may exist in preparing the Core Strategy. If this was not included as part of the development of the Core Strategy then it was very unlikely that a sound document would be achieved.

34. LDF COMMUNICATION STRATEGY

The Senior Planning & Consultation Officer introduced a report outlining an approach to engaging with key stakeholders, interested parties and the community in the early stages of the process to generate the Local Development Framework (LDF). The Council was committed to providing the local community with opportunities to shape the place in which they lived and had developed an approach to engagement designed to make this achievable. The Strategy had initially been considered at a previous meeting of the Cabinet Committee on 13 July 2010.

The Senior Planning Officer informed the Cabinet Committee that the Strategy had taken into account previous feedback from Members and would be underpinned by seven principles of engagement. It contained a new section on 'Community Visioning' – designed to engage the local community from the outset of the Core Strategy process. This exercise aimed to understand local people's future aspirations for the Epping Forest District and what they considered to be the main issues for planning and development. The results of the engagement would then form a key element of the LDF Evidence Base used to develop the Core Strategy Issues and Options. The Communication Strategy would be expanded upon to form the Council's LDF Statement of Community Involvement (SCI) and to outline a new Strategy for engaging on the Issues and Options in Spring 2011.

The Senior Planning Officer added that the aim was to produce a Communication Strategy that was: focused using both tested and innovative methods; provided an adopted structure/format for Officers and the local community to work with; and was cost effective. A number of different techniques had been included within the Strategy, including: leaflets; Visioning Questionnaires; Community Workshops; dedicated Facebook sites and websites; Stakeholder meetings and workshops; an emailed newsletter; and a local media launch at the beginning of the exercise to raise awareness within the community. The Cabinet Committee was advised that the increased requirements to engage with local people would have an impact upon the resources available within the Forward Planning team.

The Cabinet Committee generally felt that the revised Strategy was much improved, with modern and forward thinking ideas. It was highlighted that a number of the Town

and Parish Councils had produced plans and that it might be worthwhile to liaise with the relevant clerks. The usefulness of distributing LDF postcards to commuters at stations within the District was queried by one Member, whilst another felt that vouchers would be a better incentive than a dinner for two prize. The Officers were requested to review the naming of the workshop areas suggested within the report, and whether it would be more sensible to split area 2 between areas 1 and 6. It was also suggested that the Briefing Note proposed for members of the Forward Planning team (paragraph 34(g) of the report) should also be distributed to all Members of the Council prior to the launch event.

The Senior Planning Officer advised the Cabinet Committee that the name being considered for the exercise was 'Core Planning Strategy', with 'Planning our future' as the tag-line. It was acknowledged that implementation of the Strategy would be challenging, however Officers wanted to have as many options as possible available to them during the consultation exercises. It was intended to include Town and Parish Councils and any lessons learnt from previous consultation exercises within their areas would be incorporated.

RESOLVED:

(1) That the principles and methods set out in the LDF Communication Strategy be approved as an approach for involving the local community in the forthcoming preparation of spatial development plans; and

(2) That all materials for publication as part of the LDF Communications Strategy be reviewed formally by the Council's Public Relations team and informally by members of the Cabinet Committee prior to publication.

Reasons for Decision:

To provide a formalised and adaptable strategy for engaging with key local stakeholders and the general public in the production of the LDF Core Strategy.

Other Options Considered and Rejected:

To not approve a Local Development Framework Communication Strategy. However, stakeholder and public engagement was a statutory requirement in the production of the LDF, and the Core Strategy might be found unsound if there was no robust evidence of this.

35. STRATEGIC HOUSING MARKET ASSESSMENT - VIABILITY ASSESSMENT FINAL REPORT

The Principal Planning Officer (Forward Planning) presented the Viability Assessment Final Report for the Strategic Housing Market Assessment.

The Cabinet Committee was reminded that although the Strategic Housing Market Assessment (SHMA) was completed in January 2010, a further viability assessment was required to consider the deliverability of affordable housing throughout the District. The viability assessment had considered the likely trends in the housing market, and used a residual land value model to make assessments of the viability of affordable housing delivery on a range of site types across the District. In combination, this information would be used to inform the preparation of new Local Development Framework (LDF) policies for affordable housing. This was the first part of a two stage process to fully assess the viability of delivery of affordable housing, and intended to be strategic in approach and establish the principles of delivery.

Site-by-site analysis would be required at a later date as potential development sites emerged via the LDF.

The Principal Planning Officer informed the Cabinet Committee that the Viability Assessment had tested a number of notional development sites of different sizes and with different densities. The original Strategic Housing Market Assessment had concluded that 70% of all new housing should be affordable, however it was felt that such a high figure would not be either reasonable or achievable. The Viability Assessment took the target from the revoked East of England plan of 35% as a starting point. A range of affordable housing tenure mixes between social rented and intermediate was also tested for the notional sites.

The Principal Planning Officer reported that the Assessment had concluded four of the District's seven value areas could achieve an overall contribution of 35% affordable housing with an allowance of £30,000 per unit for Section 106 or infrastructure agreements. In a further two areas, a contribution of 35% affordable housing could be achieved if a lower allowance of £20,000 per unit was made for Section 106 agreements. Whilst, in the final value area, it was considered that only 15% affordable housing could be delivered, again with a contribution of £20,000 per unit from Section 106 agreements. Overall, the Assessment had recommended that the general threshold for the provision of affordable housing should remain at 15 units, with the lowest threshold being five units. For general development sites, the current policy requirement of 40% affordable housing should remain, although a more flexible approach would have to be adopted on smaller sites.

The Cabinet Committee felt that this report would provide useful information for the Evidence Base, although there was concern expressed about a possible shortage of external funding for affordable housing in the future. The Portfolio Holder for Legal & Estates felt that further investigation was required into the blend of affordable housing provided at sites. The tenure mixture was a very important issue for developers, who would prefer a greater proportion of intermediate housing to socially rented, and was vital for the success of any affordable housing provision. The Principal Planning Officer advised the Cabinet Committee that the study had looked at affordable housing and the impact of its provision across broad areas and not specific sites. There would be further factors for consideration when decisions were being made in the future.

RESOLVED:

- (1) That the findings of the completed Viability Assessment Final Report for the Strategic Housing Market Assessment be noted; and
- (2) That the Viability Assessment report be added to the Evidence Base to support the preparation of the Local Development Framework, although it had been based upon and influenced by policies and targets which might not be applicable in the future and might necessitate a review of the report in due course.

Reasons for Decision:

The SHMA was an important part of the Evidence Base to underpin the preparation of the Core Strategy. This new evidence would help to achieve corporate objectives of increasing the provision of affordable housing in the District, and guide strategies in relation to other types of housing provision. A key requirement of the LDF was to ensure that the adopted policies were deliverable, and this piece of evidence would help demonstrate that the levels of affordable housing sought across the District were viable throughout the plan period.

Other Options Considered and Rejected:

This study had been undertaken to inform the preparation of the Local Development Framework, and was based on publically available technical and statistical information and engagement with the house building industry. Without such a study, any housing policies in the Local Development Framework would be found unsound at the Examination stage, and therefore there were no reasonable options for action.

36. ANY OTHER URGENT BUSINESS

There was no other urgent business for the Cabinet Committee to consider.

CHAIRMAN

By virtue of paragraph(s) 1, 3, 5, 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

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