

Local Development Framework Committee – 7th February 2011

Addendum Report to Item No. 5 – Adoption of the West Essex Local Investment Plan

The report to the Cabinet Committee on the proposed adoption of the West Essex Local Investment Plan refers to the Management Board's concerns about the effects and implications on the Council of any boundary change in the future.

The report to the Cabinet Committee, and the concerns raised, have been shared with officers at Harlow and Uttlesford District Councils.

The following response has been received from the Assistant Chief Executive (Growth & Regeneration) at Harlow District Council, which the Cabinet Committee is invited to consider:

"Many thanks for giving us the opportunity to comment on your Cabinet Committee report, prior to the meeting on Monday. I have discussed the issues with both Malcolm Morley (Harlow DC's Chief Executive) and Cllr Andrew Johnson (Harlow DC's Leader), and would like to feed back the following observations.

In our view the role of the LIP is to set out how we will, collectively, implement existing policies – it is not a document for creating new policy. We would therefore prefer to address the issue in an exchange of letters outside the main LIP. This would also help us in practical terms, as the LIP has already been through our internal processes. We would be happy to take the content of any letter separately through the system, so you had the comfort that it had the weight of council policy.

We don't think it is appropriate that the statement singles out Harlow (there could presumably also be future reviews of the Epping Forest / Uttlesford boundary); nor is it appropriate in our view for all three Councils to be involved in a bilateral boundary issue.

We understand the concerns that your members have about possible boundary changes, not least in light of the history around Church Langley. Partnership working clearly requires give and take from all parties, and so we're happy to give the reassurance that Harlow Council wouldn't *instigate* any boundary review. We can't, though, prejudge now the position that Council would take if such a review were instigated by a third party – simply because we have no idea what the circumstances will be at that point.

We can though be confident that if a boundary review affecting Harlow and Epping Forest were to be undertaken we would want to work closely with you to ensure that the outcome does not harm the interests of either Council. This is of course particularly important in respect of issues like New Homes Bonus, and nomination rights to affordable housing.

We would be comfortable, therefore if EFDC's Cabinet Committee were to recommend to Cabinet that the LIP be endorsed "*subject to the three District Councils giving a commitment that none of them will seek to instigate a boundary change other than through mutual agreement, together with the reasons; and that if a boundary change is instigated by a third party, the affected Councils will work together to ensure that any proposed changes are not to the detriment of either Council.*"

I hope this gives your Members the comfort that they need.

Cath Shaw
Assistant Chief Executive (Growth & Regeneration)
Harlow District Council