



# Agenda

## Finance, Assets, Investment & Recovery Committee

Wednesday, 13 September 2023 at 7.00 pm  
Council Chamber, Brentwood Borough Council, Ingrave Road,  
Brentwood, Essex CM15 8AY

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### Membership (Quorum – 3 )

Cllrs Kendall (Chair), Lewis (Vice-Chair), Barber, Barrett, Bridge, Laplain, Parker, Poppy and Worsfold

### Substitute Members

Cllrs Aspinell, Dr Barrett, Mrs Murphy, Mynott and Russell

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### Agenda

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### Live broadcast

[Live broadcast to start at 7pm and available for repeat viewing.](#)

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|----|--|--|---------|
| 1. | Apologies for absence  |  |         |
| 2. | Minutes of the previous meeting  |  | 7 - 22  |
| 3. | Chairs Update  |  | 23 - 24 |
| 4. | OneTeam Transformation Programme - Strategic Partnership with Rochford District Council - Quarter 2 Update |  | 25 - 34 |

5.	<b>ULEZ (Ultra Low Emissions Zone)</b>	35 - 42
6.	<b>UK Shared Prosperity Fund (UKSPF) Update August 2023</b>	43 - 50
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8.	<b>Hutton Poplars Lodge and Hutton Poplars Bowling Club</b>	79 - 86
9.	<b>Leisure Contract - Brentwood Centre and Hartswood Pavilion in King George's Playing Fields</b>	87 - 92
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11.	<b>Response to National Grid Non-Statutory consultation on Norwich to Tilbury</b>	113 - 142
12.	<b>Brentwood Borough Council response to the Basildon Borough Council Local Plan Issue and Options Consultation 2027-2042 - Officers Response</b>	143 - 150
13.	<b>Local Plan Review update</b>	151 - 164
14.	<b>EXEMPT - Brentwood Town Football Club Lease – Less than Best Consideration</b> The public will be excluded from the meeting for this item of business on the grounds that the disclosure of exempt information as defined in Schedule 12A of the Local Government Act 1972 is involved.	
15.	<b>EXEMPT - Seven Arches Investments Limited Quarterly report</b> The public will be excluded from the meeting for this item of business on the grounds that the disclosure of exempt information as defined in Schedule 12A of the Local Government Act 1972 is involved.	
16.	<b>Urgent business</b>	

A handwritten signature in black ink, appearing to read 'Jonathan Stephenson', is written over a horizontal line.

Jonathan Stephenson  
Chief Executive

Town Hall  
Brentwood, Essex  
05.09.2023

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### Information for Members

#### Substitutes

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The names of substitutes shall be announced at the start of the meeting by the Chair and the substitution shall cease at the end of the meeting.

Where substitution is permitted, substitutes for quasi judicial/regulatory committees must be drawn from Members who have received training in quasi- judicial/regulatory decision making. If a casual vacancy occurs on a quasi judicial/regulatory committee it will not be filled until the nominated member has been trained.

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#### Rights to Attend and Speak

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Any Members may attend any Committee to which these procedure rules apply.

A Member who is not a member of the Committee may speak at the meeting. The Member may speak at the Chair's discretion, it being the expectation that a Member will be allowed to speak on a ward matter.

Members requiring further information, or with specific questions, are asked to raise these with the appropriate officer at least two working days before the meeting.

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#### Point of Order/ Personal explanation/ Point of Information

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##### Point of Order

A member may raise a point of order at any time. The Mayor will hear them immediately. A point of order may only relate to an alleged breach of these Procedure Rules or the law. The Member must indicate the rule or law and the way in which they consider it has been broken. The ruling of the Mayor on the point of order will be final.

##### Personal Explanation

A member may make a personal explanation at any time. A personal explanation must relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate, or outside of the meeting. The ruling of the Mayor on the admissibility of a personal explanation will be final.

##### Point of Information or clarification

A point of information or clarification must relate to the matter being debated. If a Member wishes to raise a point of information, he/she must first seek the permission of the Mayor. The Member must specify the nature of the information he/she wishes to provide and its importance to the current debate. If the Mayor gives his/her permission, the Member will give the additional information succinctly. Points of Information or clarification should be used in exceptional circumstances and should not be used to interrupt other speakers or to make a further speech when he/she has already spoken during the debate. The ruling of the Mayor on the admissibility of a point of information or clarification will be final.

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### Information for Members of the Public

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#### Access to Information and Meetings

You have the right to attend all meetings of the Council and Committees. You also have the right to see the agenda, which will be published no later than 5 working days before the meeting, and minutes once they are published.

Dates of the meetings are available at [www.brentwood.gov.uk](http://www.brentwood.gov.uk).

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#### Guidelines on filming, photography, recording and use of social media at council and committee meetings

The council welcomes the filming, photography, recording and use of social media at council and committee meetings as a means of reporting on its proceedings because it helps to make the council more transparent and accountable to its local communities.

Where members of the public use a laptop, tablet device, smart phone or similar devices to make recordings, these devices must be set to 'silent' mode to avoid interrupting proceedings of the council or committee.

If you wish to record the proceedings of a meeting and have any special requirements or are intending to bring in large equipment then please contact the Communications Team before the meeting.

The use of flash photography or additional lighting may be allowed provided it has been discussed prior to the meeting and agreement reached to ensure that it will not disrupt proceedings.

The Chair of the meeting may terminate or suspend filming, photography, recording and use of social media if any of

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these activities, in their opinion, are disrupting proceedings at the meeting.

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 **Private Session**

Occasionally meetings will need to discuss some of its business in private. This can only happen on a limited range of issues, which are set by law. When a Committee does so, you will be asked to leave the meeting.

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  **Access**

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 **Evacuation Procedures**

Evacuate the building using the nearest available exit and congregate at the assembly point in the Car Park.

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## Minutes

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### Finance, Assets, Investment & Recovery Committee Wednesday, 12th July, 2023

#### Attendance

Cllr Kendall (Chair)	Cllr Bridge
Cllr Lewis (Vice-Chair)	Cllr Laplain
Cllr Barber	Cllr Parker
Cllr Barrett	Cllr Poppy

#### Apologies

Cllr Worsfold

#### Substitute Present

Cllr Aspinell (substituting for Cllr Worsfold)

#### Also Present

Cllr Munden

#### Officers Present

Phoebe Barnes	- Director - Assets & Investments
Greg Campbell	- Director - Policy and Delivery
Phil Drane	- Director - Place
Zoey Foakes	- Governance & Member Support Officer
Claire Mayhew	- Acting Joint Director of People & Governance & Monitoring Officer
Jonathan Stephenson	- Chief Executive
Steve Summers	- Strategic Director
Tim Willis	- Interim Director - Resources
Richard Wilson	- Commercial Consultant
Sam Wood	- Corporate Manager - Finance

#### 81. Apologies for absence

Apologies were received from Cllr Worsfold with Cllr Aspinell substituting.

**82. Minutes of the previous Policy, Resources & Economic Development Committee - 8 March 2023**

The minutes of the Policy, Resources & Economic Development Committee which took place on 8th March 2023 were **AGREED** as a true record

**83. Appointments to the Constitution Working Group**

The Council has a statutory duty to maintain an up to date Constitution, Local Government Act 2000, the Constitution must cover standing orders, delegations and code of conduct for members, it can also have local conditions and rules that reflect its own area and how to make decisions. The Monitoring Officer (MO) has the responsibility to ensure that the Council's Constitution is up to date. To facilitate this the Council under Article 12 has convened a Constitution Working Group (CWG) which is a cross party working group that consults with the MO on changes necessary to ensure an effective and up to date Constitution is maintained by the Council.

Following discussion Cllr Kendall **MOVED** and Cllr Lewis **SECONDED** the recommendations in the report. Members voted and it was **RESOLVED** to:

**R1 Agree the nominations for the Constitutional Working Group set out in paragraph 9 for the next municipal year.**

**REASONS FOR RECOMMENDATIONS**

In line with the Council's constitution.

**84. OneTeam Transformation Programme – Strategic Partnership with Rochford District Council Quarter 1 Update**

The purpose of the report was to provide a quarterly update on progress of the One Team Transformation Programme.

Following discussion Cllr Kendall **MOVED** and Cllr Lewis **SECONDED** the recommendations in the report. Members voted **UNANIMOUSLY**:

**R1. That the Committee notes the progress of the OneTeam Transformation Programme.**

**REASONS FOR RECOMMENDATIONS**

To ensure that Members are informed of the progress of the OneTeam Transformation Programme.

**85. Ultra Low Emission Zone Expansion**

This was an information report that identified some of the actions being taken by local authorities neighbouring London but not within the new Ultra Low Emission Zone (ULEZ). The report outlined the measures the Leader and Administration would propose to the Mayor of London and Transport for London to mitigate the impact on Brentwood residents and small businesses



following the expansion of the Ultra-Low Emission Zone (ULEZ) from 29 August 2023 across all London boroughs. A letter was drafted to be sent to the Mayor of London and Transport for London. The report gave members understanding of other local authorities' actions and stance on the proposed introduction of the ULEZ Charge. Further that members were aware of the Leaders letter to the Mayor of London and Transport for London expressing our support for Brentwood residents and small businesses to receive the same support as those living in London.

A copy of the draft letter was circulated to members.

This item was for information only and no vote was required.

**86. Brentwood Connected Business Improvement District (BID) Partnership Agreement**

On 30 June 2023, the results of the 'Brentwood Connected' Business Improvement District (BID) ballot were announced. Businesses in Brentwood, Shenfield and Ingatestone had voted in favour of the BID. The total turnout by eligible ratepayer for the election was 35%. The votes cast in favour were 140 (80%) and the total value of the hereditaments for the votes cast in favour was £9,273,250 (87%). The BID will start on 1 October 2023 and operate for five years until 30 September 2028. The council will become the BID Body and the Brentwood Business Partnership (BBP) will become the BID Advisory Group.

To ensure maximum impact from 1 October, a BID Manager will need to be recruited this summer and planning will need to start on autumn events and initiatives.

Members and officers thanked Kaye Thurgood, Nish Patel of Brentwood Business Partnership and also the Economic Development Team, Laurie Edmonds and Nish Amin for all their hard work and efforts around the BID being successful.

Cllr Kendall **MOVED** an **AMENDMENT** to R1 and Cllr Lewis **SECONDED** the amendment and recommendations in the report:

R1. Delegate authority to the Strategic Directors, in consultation with the Chair of FAIR Committee *and the Lead Spokesman of the Opposition for FAIR Committee*, to sign a BID partnership agreement with the Brentwood Business Partnership.

Members voted **UNANIMOUSLY** and it was resolved to:

**R1. Delegate authority to the Strategic Directors, in consultation with the Chair of FAIR Committee *and the Lead Spokesman of the Opposition for FAIR Committee*, to sign a BID partnership agreement with the Brentwood Business Partnership.**

**R2. Delegate authority to the Section 151 Officer to release advance funding for the BID of up to £50,000, subject to the production of a costed workplan and cashflow acceptable to the S151 Officer detailing the funding requirements.**

### **REASONS FOR RECOMMENDATIONS**

The council needs to enter into an agreement with the Brentwood Business Partnership (BBP) to set out clearly the roles and responsibilities of each party.

The agreement will include a baseline statement that outlines the services the council will continue to provide within its own budget, such as street cleansing, CCTV, fly tipping and grounds maintenance.

The council is the billing authority for the purposes of the Local Government Act 2003 and is responsible for collecting the Business Improvement District (BID) Levy and administering the BID Revenue Account.

BID levy invoices will be issued one month before the 1 October launch date.

The BID will be unable to commence activity until levy payments start to be made. Therefore, it is recommended that the council consider making an advance payment of up to £50,000 to fund setup and project planning costs.

### **87. Town Hall Car Parking**

The demand on the staff parking is increasing. The North Car park at the Town Hall Ingrave Road, is predominantly allocated for staff however it currently is an allocated public car park in the borough. Staff, members, and visitors travelling to the Town Hall are unable to park as the public utilise the spaces. To manage the parking effectively at the Town Hall it is recommended that Zone A is returned to a staff car park Monday – Friday and that the car park be made for public parking at weekends only.

Cllr Kendall confirmed that the EV chargers located in this car park would still be available to the public 7 days a week.

Following discussion Cllr Kendall **MOVED** and Cllr Lewis **SECONDED** the recommendations in the report. Members voted **UNANIMOUSLY** and it was resolved:

**That the Council's off-street parking order is amended for the Town Hall (North Car Park) Zone A Car Park in Appendix A to the following:**

- **Staff Permit Parking Only Monday to Friday.**

**Public parking at weekend only. Car Parks Zone B (Visitors) and Zone C (South car park) to remain as they currently are.**

### **REASONS FOR RECOMMENDATIONS**

To ensure that the Council as an organisation, operating from the Town Hall has the appropriate car parking provision that can be managed effectively.

## **88. War Memorial**

The Council is responsible for the management and maintenance of the War Memorial located at the junction of the A1023 Shenfield Road and Middleton Hall Lane. A public consultation was undertaken seeking the views of the people of Brentwood regarding a proposal for the removal of the existing planting beds around the memorial and to extend the paving area thus increasing the available space for those attending the services and events at the memorial. The report updated members on the responses following the consultation and recommends the option based on the public responses.

Following discussion Cllr Kendall **MOVED** and Cllr Lewis **SECONDED** the recommendations in the report. Members voted **UNANIMOUSLY** and it was resolved to:

**R1. Note the public consultation responses.**

**R2. Approve that no further investment is required to the War Memorial and the Council will maintain the War Memorial, planting the existing area and ensuring the memorial is cleaned.**

### **REASONS FOR RECOMMENDATIONS**

Following a report to Community, Environment and Enforcement on 4th October 2022 it was resolved that a full public consultation be carried out seeking the views of the people of Brentwood in support of the proposal. Delegated authority be given to the S151 Officer in consultation with the Chair of Community, Environment and Enforcement Committee to determine the consultation process and decision to be made at Performance, Resource and Economic Development Committee

## **89. 2022/23 Financial Outturn**

The report gave a summary of the overall financial outturn position for the financial year 2022/23.

The key elements of the provisional outturn are:

General Fund

1) The outturn for the general fund is a balanced position for 2022/23 compared to a budgeted deficit set at £121k.

2) In March 2023 it was forecasted that the outturn position would be of a break[1]even position.

3) Working balances remain at £2.874 million which is still within the minimum level of reserves.

4) Overall, General Fund earmarked reserves have decreased by £3.354 million to £9,447 million. However, this is due to the planned use of covid reserves. Reserves at 31 March 2023 are:

a. Mitigation reserves balance - £6.182 million

- b. Service reserves balance - £1,932 million
- c. Specific reserves balance – £960k
- d. Covid reserves balance – £373k

#### Housing Revenue Account

- 1) The outturn reflects a net underspend of £390k against the working surplus budget of £147k.
- 2) The HRA working balance has increased significantly to £2.311 million as at the 31st March 2022.
- 3) The HRA earmarked reserves remain at £2.5 million.

#### Capital

- 1) The capital outturn was £14.443 million compared to a reported revised budget of £58.952 million.

The Draft Annual Financial Statements 2022/23 have been prepared and were reported to Audit & Scrutiny Committee on 11th July 2023 and to Finance, Assets, Investments and Recovery Committee on 12th July 2023. The draft accounts are still subject to an external audit process. Until the audit is finalised the figures included within this report are provisional and could be subject to change. Any changes to the outturn will be reported back to this committee once the Annual Financial Statements 2022/23 have been audited.

Following discussion Cllr Kendall **MOVED** and Cllr Lewis **SECONDED** the recommendations in the report. Members voted **UNANIMOUSLY** and it was resolved that:

**The recommendation is for the report to be noted.**

#### **REASONS FOR RECOMMENDATIONS**

The Council is obliged under Section 151 of the Local Government Act 1972 to make proper arrangements for the management of its financial affairs.

#### **90. Q1 2023.24 Budget Update Report**

The purpose of the report was to set out the forecast revenue and capital budget positions as at quarter 1 for 2023/24 and to give an overall financial update for the Council.

The commentary of the report does not attempt to cover all budgetary changes but draws attention to the key factors affecting net expenditure differences.

The General Fund is forecasting a deficit of £554k, this is where there is more expenditure than income. The utilisation of reserves results in the working balance reducing by £443k to £2,431k. There is the option to utilise more earmarked reserves to keep the working balance higher.

The Housing Revenue Account (HRA) is currently forecasting a deficit position of £113k. In year pressures associated with the cost-of-living crisis in respect of repairs and maintenance have resulted in a negative forecast.

The majority of projects are forecast to complete with an expected delay in some projects resulting in a budgetary impact of £18.643m below the budget. At this stage, this underspend will be considered as slippage into next year's programme.

The current financial backdrop poses further financial risks to the Council's budget. It should be noted that the Local Government Association has issued a warning that 'soaring inflation, energy prices and National Living Wage pressures are putting council services at risk'. For Brentwood, there is further financial risks to pay inflation forecasts as well as cost pressures from the current high rates of inflation that cannot be quantified at this stage. The high inflation rates, increasing bank rates and national living wage pressure will have further impact onto the ongoing budgets.

Whilst the Council is not anticipating the need to reduce any services, the financial position will have to be monitored over the year and will make the Medium Term Financial Strategy (MTFS) even more of a challenge to deliver.

Following discussion Cllr Kendall **MOVED** and Cllr Lewis **SECONDED** the recommendations in the report. Members voted **UNANIMOUSLY** and it was resolved:

**The recommendation is for the report to be noted.**

#### **REASONS FOR RECOMMENDATIONS**

Financial monitoring of the budget throughout the year complies with the duties under the Local Government Act 2003, the Housing Act 1985, the Local Government and Housing Act 1989 and the Local Government Finance Act 1992 and subsequent legislation.

#### **91. Historic accounting for Minimum Revenue Provision**

The report described an outstanding issue with the calculation of and accounting for Minimum Revenue Provision (MRP) for the period 2007/08 to 2011/12 and from 2017/18 onward. It also outlined the plan to resolve the matter with the involvement of the Council's external auditors, EY, and treasury advisors, Link Group.

Following discussion Cllr Kendall **MOVED** and Cllr Lewis **SECONDED** the recommendations in the report. Members voted **UNANIMOUSLY** and it was resolved:

**That the Committee notes this report.**

#### **REASONS FOR RECOMMENDATIONS**

The outcome of the resolution of this technical matter could lead to a retrospective charge to the accounts of £0.640m and an ongoing increase in the MRP of £0.085m. This will be reflected in the 2021/22 final accounts, once audited.

## **92. Delayed audit of 2021/22 accounts**

The report was a summary of the background and reasons for the delayed external audit of the 2021/22 accounts. The unaudited accounts were published in July 2022 but the audit is planned to complete in September 2023.

Following discussion Cllr Kendall **MOVED** and Cllr Lewis **SECONDED** the recommendations in the report. Members voted **UNANIMOUSLY** and it was resolved:

**That the Committee note this report.**

### **REASONS FOR RECOMMENDATIONS**

Local Government accounts have traditionally been completed in accordance with the law/statutory instruments. Timely finalisation enables transparency and ensures good governance. A variety of factors have disrupted the normal annual rhythm of this work. This report sets out some of those factors.

## **93. Vary the order of the agenda**

Cllr Kendall **MOVED** to vary the order of the agenda and was **SECONDED** by Cllr Lewis to take Urgent Business ahead of the exempt items on the agenda.

## **94. Urgent business**

The following report was brought together following the announcement of a consultation being undertaken by Greater Anglia Train operators along with other train operators on changes to the way tickets are sold in the future. This consultation includes the proposal to close the ticket offices at Shenfield and Ingatestone.

The consultation was announced on the 5<sup>th</sup> July 2023 and closes on the 26<sup>th</sup> July 2023.

Due to the timing of this announcement and the committee dates this item is before members as an urgent item and asks for consideration to make a response to the consultation on behalf of the Council.

Cllr Kendall asked for Mr Campbell to look into the timings of the station closures especially in Ingatestone with the station heavily used by the local High School.

Following discussion Cllr Kendall **MOVED** and Cllr Lewis **SECONDED** the recommendations in the report. Members voted **UNANIMOUSLY** and it was resolved:

R1. That the Committee note the information and agree to respond to the consultation raising the Council's concern and objections to the proposals to shut the ticket office at Shenfield and Ingatestone stations as set out below:

"Brentwood Borough Council recognises, and generally shares the concerns raised by local rail users, community, disability and access groups surrounding safety, customer service, support for disabled users, anti-social behaviour and security regarding the proposed closure of the Shenfield and Ingatestone Railway Station Ticket Offices.

Alongside these shared concerns, we would like to highlight our objection to the very short consultation period which does not permit detailed engagement with our residents and businesses or give such representatives the chance to effectively respond in their own right.

We would also highlight that the negative effect any measure that makes our travel hubs less desirable will be highly significant to the Borough of Brentwood's economic development, and therefore will directly impact on our wider plans for investment in our local economy, housing development and community building efforts"

#### **REASONS FOR RECOMMENDATIONS**

Brentwood Borough Council believe the proposals by Greater Anglia will have a detrimental impact on members of our community who travel by rail from Shenfield and Ingatestone Stations, particularly those people with protected characteristics who may need additional support.

*(Cllr Kendall declared a no pecuniary interest as the Chair of the Brentwood Bus and Rail Users Association.)*

At 9.00pm, a vote was taken on Standing Orders and it was **UNANIMOUSLY AGREED** to extend the meeting for a further 30 minutes.

#### **95. EXEMPT - Seven Arches Investments Limited Quarterly report**

The public were excluded from the meeting for the item of business on the grounds that the disclosure of exempt information as defined in Schedule 12A of the Local Government Act 1972 was involved.

A Motion was **MOVED** by Cllr Kendall and **SECONDED** by Cllr Lewis to agree the recommendation in the report.

A vote was taken by a show of hands and it was **RESOLVED UNANIMOUSLY**.

*(Cllr Bridge declared a non pecuniary interest due to working with a previous colleague who had a connection to a SAIL owned property.)*

**96. EXEMPT - Hutton Poplars Hall Lease Proposals**

At 9.30pm, a vote was taken on Standing Orders and it was **UNANIMOUSLY AGREED** to extend the meeting for a further 30 minutes.

The public were excluded from the meeting for the item of business on the grounds that the disclosure of exempt information as defined in Schedule 12A of the Local Government Act 1972 was involved.

A Motion was **MOVED** by Cllr Aspinell and **SECONDED** by Cllr Kendall to agree Option 2 for Recommendation 1 within the report.

A vote was taken by a show of hands and it was **RESOLVED**.

At 10.00pm, a vote was taken on Standing Orders and it was **UNANIMOUSLY AGREED** to extend the meeting for a further 30 minutes.

**97. EXEMPT - Strategic Outline Business Case – Depot Relocation**

The public were excluded from the meeting for the item of business on the grounds that the disclosure of exempt information as defined in Schedule 12A of the Local Government Act 1972 was involved.

A Motion was **MOVED** by Cllr Kendall and **SECONDED** by Cllr Lewis to agree the recommendation in the report.

A vote was taken by a show of hands and it was **RESOLVED UNANIMOUSLY**.





## FINANCE, ASSETS, INVESTMENTS AND RECOVERY COMMITTEE

12 JULY 2023

<b>REPORT TITLE:</b>	Greater Anglia's Public Consultation on Train Ticket Office Closures
<b>REPORT OF:</b>	Greg Campbell, Director of Policy and Delivery

### REPORT SUMMARY

The following report has been brought together following the announcement of a consultation being undertaken by Greater Anglia Train operators along with other train operators on changes to the way tickets are sold in the future. This consultation includes the proposal to close the ticket offices at Shenfield and Ingatestone.

The consultation was announced on the 5<sup>th</sup> July 2023 and closes on the 26<sup>th</sup> July 2023.

Due to the timing of this announcement and the committee dates this item is before members as an urgent item and asks for consideration to make a response to the consultation on behalf of the Council.

### RECOMMENDATIONS

- R1. That the Committee note the information and agree to respond to the consultation raising the Council's concern and objections to the proposals to shut the ticket office at Shenfield and Ingatestone stations as set out below:**

**"Brentwood Borough Council recognises, and generally shares the concerns raised by local rail users, community, disability and access groups surrounding safety, customer service, support for disabled users, anti-social behaviour and security regarding the proposed closure of the Shenfield and Ingatestone Railway Station Ticket Offices.**

**Alongside these shared concerns, we would like to highlight our objection to the very short consultation period which does not permit detailed engagement with our residents and businesses or give such representatives the chance to effectively respond in their own right.**

**We would also highlight that the negative effect any measure that makes our travel hubs less desirable will be highly significant to the Borough of Brentwood's economic development, and therefore will directly impact on our wider plans for investment in our local economy, housing development and community building efforts"**

## **SUPPORT ING INFORMATION**

### **1.0 REASONS FOR RECOMMENDATIONS**

Brentwood Borough Council believe the proposals by Greater Anglia will have a detrimental impact on members of our community who travel by rail from Shenfield and Ingatestone Stations, particularly those people with protected characteristics who may need additional support.

### **2.0 Background Information**

Greater Anglia, along with most other train operators, is proposing changes to the way tickets are sold and customer service is provided at stations. A public consultation on these proposals started on the 5<sup>th</sup> July 2023 and closes on the 26<sup>th</sup> July 2023.

Greater Anglia have set out the following key elements to their proposal as follows:

- The plans would provide a more modern and flexible service for customers
- There would still be someone to help with ticket queries and information at all the stations covered by the proposals (with specific hours varying by station) and the ability for customers to speak direct to the Greater Anglia Customer Contact Centre in Norwich via a ticket machine for guidance or advice
- Passenger Assist arrangements would still apply, with additional mobile assistance teams providing extra support
- No station would become unstaffed as a consequence of the proposals and other station facilities, such as waiting rooms and toilets, would be unaffected.

Further they have informed the public of the detail and consequences of their proposal for Ingatestone and Shenfield which are set out below:

#### **A, Ingatestone**

Greater Anglia's proposal is that all ticket office windows at this station would close, with staff moving to other station areas, where they would be better placed to help customers buy tickets and provide expert travel advice and information.

Customers would still be able to buy tickets from the ticket machine and online (via our website and app), and colleagues would still be available at the station to help customers at certain times (as outlined below). Ticketing assistance would also be available directly from staff in Greater Anglia's Customer Contact Centre in Norwich, contactable via the ticket machine (24 hours a day).

Customer Information Centres at Chelmsford, and London Liverpool Street stations would sell a full range of products, as well as providing help with more complex transactions. Greater Anglia further propose that there would be a change to the hours staff would be available, with their presence focused on the busiest times. The proposed changes to hours would be as follows:

Days	Current Ticket Office Hours	Proposed station staffing hours
Monday to Friday	06:00 – 19:40	05:50 – 12:50
Saturday	06:00 – 12:45	05:50 – 12:50
Sunday	07:30 – 15:30	07:15 – 14:15

Station opening times would not change and customers would still have access to the same station facilities they do today.

Greater Anglia have confirmed that they would continue to meet all their commitments on providing accessibility for passengers, including passengers with reduced mobility and people requiring in-person assistance. Greater Anglia would also create additional mobile assistance teams, offering greater flexibility and support in providing assistance.

## **B, Shenfield**

Greater Anglia propose that all ticket office windows at this station would close, with staff moving to other station areas, where they would be better placed to help customers buy tickets and provide expert travel advice and information.

Customers would still be able to buy tickets from the ticket machine and online (via our website and app), and colleagues would still be available at the station to help customers at certain times (as outlined below). Ticketing assistance would also be available directly from staff in Greater Anglia's Customer Contact Centre in Norwich, contactable via the ticket machine (24 hours a day).

Customer Information Centres at Chelmsford, and London Liverpool Street stations would sell a full range of products, as well as providing help with more complex transactions.

There would be no change to the hours that staff would be available, with a staff presence throughout the day. Those hours would therefore be as follows:

Days	Current Ticket Office Hours	Proposed station staffing hours
Monday to Friday	06:10 – 20:00	24 hours
Saturday	06:10 – 20:00	24 hours
Sunday	07:10 – 20:10	24 hours

Station opening times would not change and customers would also still have access to the same station facilities they do today.

Greater Anglia also state they would continue to meet all their commitments on providing accessibility for passengers, including passengers with reduced mobility and people requiring in-person assistance. Greater Anglia would also create additional mobile assistance teams, offering greater flexibility and support in providing assistance.

#### **4.0 FINANCIAL IMPLICATIONS**

**Name & Title: Tim Willis, Director – Resources & Section 151 Officer**  
**Tel & Email: 01277 312500 / tim.willis@brentwood.rochford.gov.uk**

There are no direct Financial implications from this report.

#### **5.0 LEGAL IMPLICATIONS**

**Name & Title: Claire Mayhew, Acting Joint Director – People & Governance & Monitoring Officer**  
**Tel & Email 01277 312500 / claire.mayhew@brentwood.rochford.gov.uk**

N There are no direct Legal implications from this report.

#### **6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS**

None at this point

#### **7.0 RELEVANT RISKS**

None at this point

#### **8.0 ENGAGEMENT/CONSULTATION**

None at this point

#### **9.0 EQUALITY & HEALTH IMPLICATIONS**

**Name & Title: Kim Anderson, Corporate Manager - Communities, Leisure and Health**  
**Tel & Email 01277 312500 kim.anderson@brentwood.gov.uk**

The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:

- a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
- b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
- c) Foster good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

Greater Anglia state that Passenger Assist arrangements would still apply, with additional mobile assistance teams providing extra support

## **10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS**

**Name & Title: Phil Drane, Director - Place**

**Tel & Email 01277 312500 / phil.drane@brentwood.rochford.gov.uk**

There are no direct implications at this point.

### **REPORT AUTHOR:**

**Name: Greg Campbell**

**Title: Director of Policy & Delivery**

**Phone:01277 312500**

**Email: greg.campbell@brentwood.rochford.gov.uk**

### **APPENDICES**

**None**

### **BACKGROUND PAPERS**

**None**

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**COMMITTEE TITLE: Finance, Assets, Investment and Recovery Committee**

**DATE: 13<sup>th</sup> September 2023**

<b>REPORT TITLE:</b>	Chairs Update
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## **REPORT SUMMARY**

This report provides an update to Members in relation to the areas covered under the Terms of Reference of the Finance, Assets, Investment and Recovery Committee.

### Minimum Revenue Provision Update

Following the report to FAIR on 12 July regarding the historic MRP issue, the Council's treasury advisers (Link) were commissioned to review the stance of our external auditor, EY. Link produced a report and there have been subsequent meetings with Council officers to question and review their report. Link do not entirely agree with EY's view, so officers are in the process of putting to EY the Link view. The process is not aided by the fact that both Link and EY do not allow their reports to be shared with the other, for commercial reasons.

Once a common position is agreed by Link and EY and the S151 Officer is satisfied with what to present in the 2021/22 accounts, a further report can be produced for members on the outcome. This will be for the FAIR meeting in November.

### Brentwood Connected Business Improvement District (BID) Update

On 29 June, businesses in Brentwood, Shenfield and Ingatestone voted in favour of forming a BID.

The total turnout by eligible ratepayer for the election was 35%. The votes cast in favour were 140 (80%) and the total value of the hereditaments for the votes cast in favour was £ 9,273,250 (87%).

The BID will launch on 1 October and will run for a five-year first term until September 2028.

Sarah Walmsley has been appointed as the BID Manager and will have responsibility for supporting BID activity. This new role sits within the Economic Development team.

The partnership agreement between the Council and the Brentwood Business Partnership is being finalised and will be signed by the Chair of FAIR and the Chair

of the Brentwood Business Partnership prior to the BID launch as per the delegated authority decision taken at the July FAIR meeting.

A brainstorming session was held with the Brentwood Business Partnership on 22 August to identify potential projects.

### Brentwood Jobs Fair

The second Brentwood Jobs Fair will be taking place on Wednesday, 11 October at The Brentwood Centre. The larger venue will allow space for more employers than the launch event held back in February. The Council's Economic Development team is supporting the efforts of the Brentwood Jobcentre, who have already sourced 30 Brentwood-based employers to take part in the event. The fair will be promoted through the Council's social media channels, business e-newsletter and town centre noticeboards.

### The South Essex Business Expo

After a six-year run, the Brentwood Business Showcase will be merged in with a new event. We are partnering with Networking Essex, along with our neighbouring South Essex councils, Essex County Council, FSB, Colbea and Essex Wildlife Trust, to create South Essex's largest networking event. The South Essex Business Expo will launch on 14 March 2024 at The Brentwood Centre.

This new business networking expo will feature 140 exhibitors and should attract over 1,000 visitors to Brentwood. This must-attend event is open to businesses of all sizes, sectors and locations, including startups and pre-starts. Visitor and exhibitor registration is now open.

### RAAC

Following the government's announcement with regards to RAAC (reinforced autoclaved aerated concrete) within Education establishments, officers have setup a small task and finish group to review the Council's assets and assess any risk to the Council.

Officers are presently not aware of any additional risks. The group is co-ordinating a list of assets that could have been built during the period RAAC's was used. Previous years surveys and plans are being reviewed to identify if the building material has been used. The Council may need to carry out some intrusive surveys to its asset portfolio to determine the building material. Following this review officers will present their findings to a future committee.





## FINANCE, ASSETS, INVESTMENTS AND RECOVERY COMMITTEE

13 SEPTEMBER 2023

<b>REPORT TITLE:</b>	OneTeam Transformation Programme – Strategic Partnership with Rochford District Council - Quarter 2 Update
<b>REPORT OF:</b>	Greg Campbell, Director of Policy and Delivery

### REPORT SUMMARY

The purpose of this report is to provide a quarterly update on progress of the One Team Transformation Programme.

### RECOMMENDATIONS

- R1. That the Committee notes the progress of the OneTeam Transformation Programme.**

### SUPPORTING INFORMATION

#### 1.0 REASONS FOR RECOMMENDATIONS

To ensure that Members are informed of the progress of the OneTeam Transformation Programme.

#### 2.0 OTHER OPTIONS CONSIDERED

For information only.

#### 3.0 BACKGROUND INFORMATION

On 26 January 2022, Extraordinary Council resolved to agree the Strategic Partnership between Brentwood Borough Council and Rochford District Council (RDC) appointed Jonathan Stephenson as the Joint Chief Executive for both councils. Work then commenced on developing this partnership.

This report sets out progress of the OneTeam programme development in the 2<sup>nd</sup> quarter of the second year of this roadmap, from May 2023 to July 2023.

## Progress to Date

The following chart identifies the progress of service reviews so far commenced:

<b><u>Service</u></b>	<b><u>Business Case Update</u></b>	<b><u>Implementation Update</u></b>
Human Resources	Business Case approved by Transformation Programme Board in April 2022	August 2022
Communications and Digital Engagement	Business Case approved by Transformation Programme Board in November 2022	June 2023
<b><u>Phase 1 – October 22-April 23</u></b>		
Risk Management and Insurance	Business Case approved by Transformation Programme Board in April 2023	Consultation in progress. Expected implementation and settled structure by November 2023
Emergency Planning and Business Continuity	Business Case approved by Transformation Programme Board in April 2023	Consultation in progress. Expected implementation and settled structure by November 2023
Procurement	Business Case approved by Transformation Programme Board in July 2023	Consultation in progress. Expected implementation and settled structure by November 2023
Customer Contact	Business Case approved by Transformation Programme Board in July 2023	Consultation to begin once Tier 4 consultation is complete. Expected implementation and settled structure by January 24
Economic Development and Inward Investment	Business Case scheduled to be reviewed by the Transformation Programme Board in September 2023	To be confirmed once Business Case is approved
Accountancy and Finance	Business Case scheduled to be reviewed by the Project Team in August 2023 with progress to Transformation Programme Board in September 2023	To be confirmed once Business Case is approved
ICT and Data Protection	Business Case in development. This includes work across both organisations to identify similar programmes and systems. Expected completion date – October 2023	To be confirmed once Business Case is approved
Open Spaces Admin	Business case in development. Expected Business Case completion date – September 2023	To be confirmed once Business Case is approved
Tree Management	Initial scoping being undertaken. Expected Business Case	To be confirmed once Business Case is approved

	completion date – December 2023	
Democratic Services and Secretarial Support	New acting director now in position to undertake review. Expected Business Case completion date – October 2023	To be confirmed once Business Case is approved
<b>Phase 2 – May 23-October 23</b>		
Parking	Service review began in April 2023. Initial scoping complete. Expected Business Case completion date – September 2023	To be confirmed once Business Case is approved
Asset Management	Service review began in July 2023. Expected Business Case completion date – November 2023	To be confirmed once Business Case is approved
Facilities Management	Service review began in July 2023. Expected Business Case completion date – November 2023	To be confirmed once Business Case is approved
Health & Safety	Service review began in August 2023. Expected Business Case completion date – November 2023	To be confirmed once Business Case is approved
Planning Policy and Strategy	Service review began in September 2023. Expected Business Case completion date – December 2023	To be confirmed once Business Case is approved
Planning Development Control and Enforcement	Service review began in April 2023. Data capture in progress. Expected Business Case completion date – September 2023	To be confirmed once Business Case is approved
Building Control	Service review began in September 2023. Expected Business Case completion date – December 2023	To be confirmed once Business Case is approved
Electoral Registration	Service review began in June 2023. Data capture in progress. Expected Business Case completion date – October 2023	To be confirmed once Business Case is approved
Homelessness	Service review began in May 2023. Data capture in progress. Expected Business Case completion date – September 2023	To be confirmed once Business Case is approved
Housing Options	Service review began in May 2023. Data capture in progress. Expected Business Case completion date – September 2023	To be confirmed once Business Case is approved
Community Safety and CCTV	Service scope to be confirmed. Expected Business Case	To be confirmed once Business Case is approved

	completion date – December 2023	
Communities, Partnerships and Public Health	Service review began in June 2023. Data capture in progress. Expected Business Case completion date – October 2023	To be confirmed once Business Case is approved
Leisure, Culture and Health	Service review began in June 2023. Data capture in progress. Expected Business Case completion date – October 2023	To be confirmed once Business Case is approved
Leisure Contract Management	Service review began in June 2023. Data capture in progress. Expected Business Case completion date – October 2023	To be confirmed once Business Case is approved
Licensing	Service review began in July 2023, supported by an external specialist. Expected Business Case completion date – December 2023	To be confirmed once Business Case is approved
Environmental Health	Service review began in July 2023, supported by an external specialist. Expected Business Case completion date – December 2023	To be confirmed once Business Case is approved

### **Update on Business Cases for Joint Working (Service Reviews)**

The Communication Service Review implementation has completed. All posts have now been appointed, as is the HR Team.

The Communication Review has secured an increase in permanent staff across both organisations to three. This will enable communications to be developed in a proactive manner and ensure we have capacity to meet future communication challenges of modern local government.

These staff will work across both organisations, develop a communications strategy, a forward plan and work with services to improve the communication and methods by which we communicate. This has been realised with a saving of approximately £62,400 across both organisations.

Previous to this we relied on a mixture of permanent staff, seconded staff and contract staff some of whom were only provided temporarily and as part of a part time arrangement.

Further I can report that the HR review has also secured a team of six staff across both organisations, where before there was two at Brentwood and three (including two part time staff) at Rochford and the use of contract staff and interims was used to fill gaps. The development of this joined up team will support the inner workings of the organisations at an effective cost, improve efficiency and assist to make future opportunities the most attractive in a very competitive market.

The Risk Management & Insurance and Emergency Planning & Business Continuity Service Reviews have progressed to consultation stage. Both services expect to have a settled structure by November 2023.

The Customer Services and Procurement Service Review business cases have received approval from the Programme Board and are now progressing to consultation stage, with an anticipated settled structure by November 23 for Procurement and January 24 for Customer Services, following the Tier 4 consultation.

The remaining service reviews in Phase 1 are expected to conclude in the following months, with the business cases completed by September / October 2023, ready for approval by the Programme Board.

Phase 2 of the service reviews began in May 2023, with the last of these reviews starting in September / October 2023. Business cases are expected to be completed by services in this phase by December 2023.

Regular Lessons Learnt sessions with Service Managers and Key Change Champions ensure continuous improvement of the process and documentation to aid swifter delivery.

### **Support for Staff**

Work continues to provide support for staff undertaking the reviews and the wider organisation. In addition to previously reported support for staff including feedback from staff surveys, service review lessons learnt sessions and informal feedback from staff and managers, the councils have also provided mental health professionals to talk about whatever is playing on staff's mind at work. Over nine months of support can help staff build self-care and wellbeing routines, tackle issues and learn new ways to manage mental health.

1:1 meetings with managers and CLT engaging with Tea & Talk providing face-to-face support continue. Separately, all staff have access to external professional support by way of the Employee Assistance Programme.

The councils are also engaging with other authorities undertaking similar transformation programmes to develop a best practice approach to supporting people through change.

### **Other Joint Working Initiatives & Benefits**

New values were launched to staff at the All-Staff Conference in June. Through a series of workshops, staff explored the new values: Belong, Innovate, Nurture, Trust. Work now begins to embed those values and supporting behaviours across the organisation.

The way in which the organisations capture performance, development and career conversations has been reviewed. Appraisals across both organisations will be captured as part of 'One You Conversations', a pilot scheme with the conversation and two-way communication being the priority.

The joint IT/Digital helpdesk has been expanded to include a joint HR helpdesk. A review a back-office functions joins the review of our FOI processes and shared online forms. A new Corporate Project Management section has been added to the joint intranet to support staff undertaking projects.

Staff across both organisations now have OneTeam ID badges, which not only bring the two teams together as one, but they also allow access for RDC and BBC officers to Brentwood offices and to Rochford offices once the new workspace is settled.

The OneTeam partnerships is creating other areas of cross collaboration, not least with the National Three Peaks Challenge. Dedicated teams from Brentwood and Rochford joined many others across the public sector and beyond, each rising to the occasion, forming new relationships and, across all groups, raising over £50,000 for cancer research.

## **Budget Update**

There was an underspend of £56,450 in Year 1. In Quarter 2 of Year 2, there has been a spend of £27,300 to date, leaving a remainder of £279,000 for the year. The funding will continue to be closely monitored to ensure the spending remains in line with the budget.

## **4.0 FINANCIAL IMPLICATIONS**

**Name & Title: Tim Willis, Director – Resources & Section 151 Officer**

**Tel & Email: 01277 312500 / tim.willis@brentwood.rochford.gov.uk**

The OneTeam Transformation Programme, whilst increasing the resilience of Council services, contributes to the Council's Medium Term Financial Strategy in the form of budget savings.

## **5.0 LEGAL IMPLICATIONS**

**Name & Title: Claire Mayhew, Acting Joint Director – People & Governance and Monitoring Officer**

**Tel & Email: 01277 312500 / claire.mayhew@brentwood.rochford.gov.uk**

There are no direct legal implications from this report.

## **6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS**

## **7.0 RELEVANT RISKS**

The OneTeam Programme Board receive risk management reports by way of exception reporting.

Those risks that have escalated or remain an issue form part of the escalated risk register and are included in Appendix 1. Please note at present there are no live Issues in the log to report.

## **8.0 ENGAGEMENT/CONSULTATION**

A method to engage with residents and stakeholders to understand the impact of OneTeam will be agreed with the Communications lead member and results will be reported back to Council later this year.

## **9.0 EQUALITY IMPLICATIONS**

**Name & Title: Kim Anderson, Corporate Manager - Communities, Leisure and Health**

**Tel & Email 01277 312500 kim.anderson@brentwood.gov.uk**

Equality Impact Assessments will be undertaken as part of any service review that will affect or change the service being provided.

## 10.0 ECONOMIC IMPLICATIONS

**Name & Title: Phil Drane, Director - Place**

**Tel & Email 01277 312500 / phil.drane@brentwood.rochford.gov.uk**

There are no economic implications from this report.

### REPORT AUTHOR:

**Name: Greg Campbell**

**Title: Director of Policy & Delivery**

**Phone:01277 312500**

**Email: greg.campbell@brentwood.rochford.gov.uk**

## APPENDICES

Appendix 1 – Exception Risk Log

## BACKGROUND PAPERS

None

## SUBJECT HISTORY (last 3 years)

<b>Council Meeting</b>	<b>Date</b>
Finance, Assets, Investments and Recovery Committee	12/7/23
Staff Appointments Committee	21/3/23
Ordinary Council	15/3/23
Policy, Resources & Economic Development Committee	8/3/23
Policy, Resources & Economic Development Committee	8/2/23
Ordinary Council	7/12/22
Policy, Resources & Economic Development Committee	23/11/22
Ordinary Council	2/11/22
Staff Appointments Sub Committee	27/9/22
Staff Appointments Sub Committee	26/9/22
Ordinary Council	27/7/22
Staff Appointments Committee	14/7/22
Policy, Resources & Economic Development Committee	13/7/22
Audit & Scrutiny Committee	5/7/22
Staff Appointments Committee	16/6/22
Extraordinary Council	26/1/22

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No.	Programme/ Workstream	Description of Risk	Potential Impact	Re-baselined 27.4.23			Mitigating Actions - 27.4.23	Risk Owner	Revised 27.4.23			Latest 19.7.23			Trend	Notes
				Impact	Likelihood	Initial Risk Score			Revised Impact	Revised Likelihood	Revised Risk Score	Latest Impact	Latest Likelihood	Latest Risk Score		
R5	Programme	Changes in Council leadership result in change to strategic direction	Project assumptions and plans become invalid and changing priorities prevent delivery of the programme	5	4	20	Leadership of both councils committed to the delivery of the programme to ensure they are best placed for the future and provide the best services to their respective communities  Clear communication and engagement with all stakeholders to be maintained throughout life of the project	PS	5	4	20	5	2	10		27.4.23 - Political leadership to change May 23 9.6.23 - Political leaderships have confirmed their continued support for the programme
R12	Service Delivery	Service reviews do not deliver agreed benefits	Agreed benefits not realised	5	4	20	The Service Delivery Workstream will use a service review and business case template to ensure that all projects are evaluated using the same criteria and deliver the required benefits  Check and Challenge process to ensure that the reviews are delivering the 6 design principles	SD WL	5	3	15	5	3	15		
R14	HR and Workforce Development	Staff are not supported through transformational change	Slippage and reduction in staff morale	5	4	20	HR and Workforce Development Workstream will specifically address this risk - programme budget has been allocated to required training  Ongoing support for staff going through change	HR & WD WL	5	3	15	5	3	15		
R15	HR and Workforce Development	Policy framework and terms and conditions are not resolved	Slippage and reduction in staff morale	5	4	20	HR and Workforce Development Workstream will specifically address this risk and considered within service reviews	HR & WD WL	3	2	6	3	2	6		1.2.23 - Terms and conditions agreed by both Council Dec 22
R24	Programme	Finance function under resourced	Phase 2 service reviews within the Programme will be delayed, milestones missed and benefits not delivered as expected	5	4	20	06.10.22 Recruitment to vacant posts underway. SD WL considering best way to create capacity and temporary resourcing within Phase 2 of the Programme	SRO	5	3	15	5	2	10		13.12.22 - Moved to Issue status 27.4.23 - Finance support agreed 9.6.23 - Finance support in post
R25	ICT	Failure to manage risks within ICT, including resources, contract and management workload	Phase 2 service reviews within Programme will be delayed, milestones missed and benefits not delivered as expected	5	4	20	Regular meetings held with ICT on their particular workstream involved in the OneTeam review process and therefore aware of particular workload	SRO	5	2	10	5	2	10		

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**COMMITTEE TITLE: Finance, Assets, Investment and Recovery Committee**

**DATE: 11<sup>th</sup> September 2023**

<b>REPORT TITLE:</b>	<b>ULEZ (Ultra Low Emissions Zone)</b>
<b>REPORT OF:</b>	<b>Henry Muss – Climate &amp; Sustainability Manager</b>

## **REPORT SUMMARY**

### **London's Ultra Low Emissions Zone (ULEZ)**

1.1 The world's first city wide ultra-low emissions zone was London. In 2015 ULEZ was launched following more than 16,000 consultation responses, of which 79 per cent were in favour of improving London's air quality<sup>i</sup>

1.2 The Mayor of London, Boris Johnson, said: "The world's first Ultra Low Emission Zone is an essential measure to help improve air quality in our city, protect the health of Londoners, and lengthen our lead as the greatest city on earth. Together we can ensure everyone who lives, works in, or visits our city has the cleanest possible air to breathe."

1.3 ULEZ was implemented on 8 April 2019, a report<sup>ii</sup> produced from The Mayor's office published in Feb 2023 (peer reviewed) into the impact of the ULEZ showed:

- The air in the zone is substantially cleaner. The ULEZ expansion has led to four million people breathing cleaner air, including 1,362 more schools. Harmful nitrogen dioxide (NO<sub>2</sub>) concentrations are estimated to be 21 per cent lower than they would have been in inner London without the ULEZ and 46 per cent lower than they would have been in central London
- Pollution emissions have reduced dramatically. Cumulatively since 2019, it is estimated the ULEZ led to nitrogen oxides (NO<sub>x</sub>) emissions from road traffic reducing by 13,500 tonnes across London over the four-year period compared with what they would have been without the ULEZ, a reduction of 23 per cent. Within the ULEZ area NO<sub>x</sub> emissions are estimated to have reduced by 5,000 tonnes, a reduction of 26 per cent, over the same period.
- Cumulatively, emissions of fine particulate matter (PM<sub>2.5</sub>) are estimated to have reduced by 180 tonnes across London since 2019, compared to without the ULEZ, a reduction of 7 per cent. Within the ULEZ area PM<sub>2.5</sub> emissions

are estimated to have reduced by 80 tonnes, a reduction of 19 per cent, over the same period.

- Carbon emissions from vehicles have also reduced. Cumulatively since 2019 it is estimated the ULEZ has led to a reduction of around 800,000 tonnes of CO2 emissions from vehicles across London over the four-year period compared to without the ULEZ, a saving of three per cent. Within the ULEZ area this is a saving of 290,000 tonnes, a reduction of 4 per cent over the same period.
- The ULEZ has reduced harmful pollution levels in central London by nearly half compared to what they would have been without the ULEZ. Each day, 74,000 fewer polluting vehicles are seen driving in the zone, a cut of 60 per cent since expansion in October 2021.

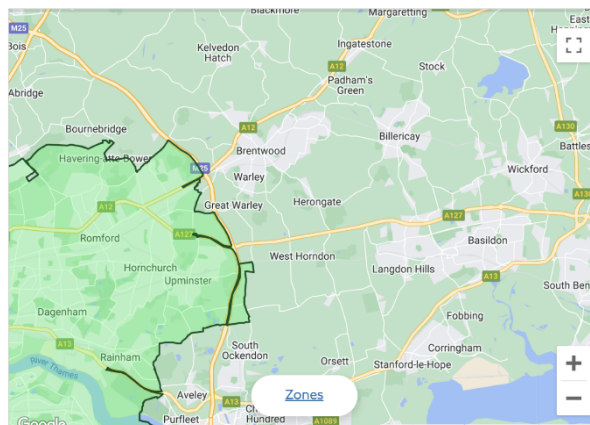
1.4 Dr Gary Fuller, air pollution scientist from Imperial College London’s Environmental Research Group, and UKRI Clean Air Champion said: “Scientists at Imperial College London worked alongside the mayor’s team on the evidence base for the ULEZ design and to assess how well it is working.”

1.5 “The 10th anniversary of the death of Ella Kissi Debrah<sup>iii</sup> (a landmark coroner’s report made Ella the first person in the world to have air pollution cited as a cause of death) is a powerful reminder of the impacts of air pollution on London’s children and young people; especially those living, travelling or at school close to major roads. The central London ULEZ, and its extension to inner London, has bought about measurable and sustained improvements to air pollution from traffic.

1.6 Air pollution in London is an urgent health crisis. It’s responsible for around 4,000 premature deaths in the capital each year and is leading children to grow up with stunted lungs and adults to develop a whole host of illnesses - from asthma to heart disease, cancer and dementia<sup>iv</sup>.

1.7 The Mayor of London, Sadiq Khan, said expanding the ULEZ London-wide was a difficult decision but that he remained committed to pushing ahead on 29 August 2023 in order to save lives, protect children’s lungs and tackle the climate emergency.

Click View zones to also check the Congestion Charge, ULEZ and DVS zones.



Map of ULEZ Expansion Zone in relation to Brentwood Borough

1.8 However, after listening to the concerns of Londoners over recent months and the impact of the growing cost-of-living crisis, the mayor announced that to make the transition to a greener city easier the scrappage scheme will be massively widened to every Londoner affected by ULEZ along with a host of other significant changes. This means from Monday, 21 August:

- Every Londoner with a non ULEZ-compliant car will be eligible for a £2,000 grant
- Small businesses and sole traders will be able to receive up to £21,000 in grants to scrap up to three vans
- Charities will be able to receive up to £27,000 in grants to scrap up to three minibuses

1.9 Also from the 4<sup>th</sup> of August:

- Small businesses and charities with a non-compliant van will receive increased payments of £7,000 (up from £5,000)
- Grants for Wheelchair Accessible Vehicles will increase from £5,000 to £10,000
- Grants for scrapping Minibuses will increase from £7,000 to £9,000
- Grants to Replace a non-compliant van with electric van increase from £7,500 to £9,500
- Grants to replace a non-compliant minibus with an electric minibus increase from £9,500 to £11,500
- Retrofit grants increase from £5k to £6k, typically enough to cover the whole cost of retrofitting

1.10 With respect to cars to avoid the ULEZ charge:

- Petrol cars that meet the ULEZ standards are **generally those first registered with the DVLA after 2005**, although cars that meet the standards have been available since 2001
- Diesel cars that meet the standards are **generally those first registered with the DVLA after September 2015 (Euro 6)**

1.11 The sixth and current incarnation of the Euro emissions standard was introduced on most new registrations in September 2015. For diesels, the permitted level of NOx has been slashed from 0.18g/km in Euro 5 to 0.08g/km. The ULEZ is a highly targeted scheme that aims to take the most polluting vehicles off London's roads. 90 percent of cars seen driving in outer London on an average day are already compliant.

1.12 A search of online vehicle retailers on 3<sup>rd</sup> August 2023 revealed that there are nearly 5,000 ULEZ compliant cars for sale for under £2,000 within 200 miles of central London on one major vehicle trading site alone - with more being added all the time

With respect to vans

- All new diesel vans sold from September 2016 should meet the Euro 6 standard
- All new petrol vans registered with the DVLA from January 2006 should meet the Euro 4 standard

1.13 The mayor has also listened to small businesses who said they needed more financial help to purchase ULEZ-compliant, less-polluting vans. The grant per van was raised from £5,000 to £7,000 and the number of vans or minibuses small businesses and sole traders can scrap will increase to three – meaning small businesses could get £21,000 for a greener fleet.

## 2.0 OTHER OPTIONS CONSIDERED

The ULEZ is a London wide air quality scheme and as such there are no other options within the remit of Brentwood Borough Council. However a letter from BBC Leader of the Council (Cllr Aspinell) was sent to Mayor Sadiq Khan ((28<sup>th</sup> July) outlining the issues related to the expansion with respect to residents and businesses proposing:

1. The existing scrappage scheme should be expanded to all the District and Borough authorities on the boundary of the newly developed ULEZ.
2. There should be an increase in the amount of financing available for the scrappage scheme to enable the expansion to take place accordingly. BBC acknowledge and accept that this should be substantially funded by central government, in a similar fashion to schemes across the country.
3. TFL and the Government should provide funding to improve the public transport and cycle routes connecting to London Boroughs from all the Districts and Borough authorities on the boundary with the ULEZ.

Unfortunately to date there has been no response and the full expansion of ULEZ came into force on 29<sup>th</sup> August.

## 3.0 RELEVANT RISKS

3.1 There is currently no scrappage scheme available to bordering boroughs to the ULEZ expansion zone. Thus, those residents that want to avoid the scheme charges will need to use public transport or purchase a compliant vehicle for social, business, or other journeys into the ULEZ zone. Residents of Brentwood will need to pay a £12.50 daily **charge** to drive within the zone. The fine for non-compliance is £180 or £90 if paid within 14 days. To find out if your car must pay one can check with TFL: <https://tfl.gov.uk/modes/driving/ultra-low-emission-zone/penalty-charges-for-ulez>

3.2 The research carried out by TFL on the impact to drivers concluded that 90% of vehicle's that travel in Greater London are already compliant<sup>v</sup>. Although DVLA data shows a total of 691,559 licensed cars in the whole of Greater London were either petrol cars first registered prior to January 2006 or diesel cars registered prior to September 2015 – the key dates for meeting ULEZ standards. This figure rises to 851,065 when counting all non-compliant vehicles, rather than solely cars. However, on a daily usage of cars TfL estimates that around 160,000 non-compliant cars a day currently drive in the area that will become part of the expanded zone<sup>vi</sup>

3.3 That figure is based on the whole of London, with respect to Brentwood residents who are driving into the expanded ULEZ (for work, social or hospital visits etc) this information is difficult to obtain. The UK Gov Vehicle Licensing Data<sup>vii</sup> for 2022 states that at the end of December 2022, the average age of a licensed car in the UK was 9.1 years. In 2013 around 34% of cars in the UK registered were diesel<sup>viii</sup>.

3.4 The change has led to opposition from some people who live in the areas surrounding London but must drive into the expanded ULEZ for work<sup>ix</sup>.

3.5 David Barnes, of the Basildon business group in the Federation of Small Businesses (FSB), said a recent survey of companies in and outside London found that 18% claim they will close when ULEZ is introduced because they will no longer be viable.

"Some businesses are telling us they are going to have to stop doing any work altogether. There are also businesses on the border with London that said they have considered closing their companies. That is sad."

3.6 Michael Pegler, of Pegler Removals of Leigh-on-Sea, Essex, said: "The impact of us of ULEZ is going to be pretty large. Retention of staff is a massive problem. He said if the scheme was phased in over two years "it wouldn't be a problem".

3.7 It is likely therefore that businesses will have to pass on extra costs due to the ULEZ onto customers or replace their diesel vehicles that over 8 years old and petrol 18yrs old.

3.7 A TfL spokesperson said: "The London-wide Ulez is vital in tackling the triple threats of air pollution, the climate emergency and congestion, and will ensure millions more people can breathe cleaner air. Those outside the London boundary will also benefit, with drivers outside of the capital shifting to cleaner vehicles that meet the standards<sup>x</sup>.

#### **4.0 ENGAGEMENT/CONSULTATION**

There has not been any direct BBC led consultation or engagement from BBC with residents or businesses potentially affected by the expansion of the ULEZ.

## **5.0 FINANCIAL IMPLICATIONS**

**Name & Title: Tim Willis, Director – Resources & Section 151 Officer**

**Tel & Email: 01277 312500 / [tim.willis@brentwood.rochford.gov.uk](mailto:tim.willis@brentwood.rochford.gov.uk)**

None to the council, potentially to residents or businesses whose vehicles are non-compliant or are unable to access public transport for social or other reasons to enter the ULEZ zone.

## **6.0 LEGAL/GOVERNANCE IMPLICATIONS**

**Name & Title: Claire Mayhew, Acting Joint Director – People & Governance & Monitoring Officer**

**Tel & Email 01277 312500 / [Claire.mayhew@brentwood.rochford.gov.uk](mailto:Claire.mayhew@brentwood.rochford.gov.uk)**

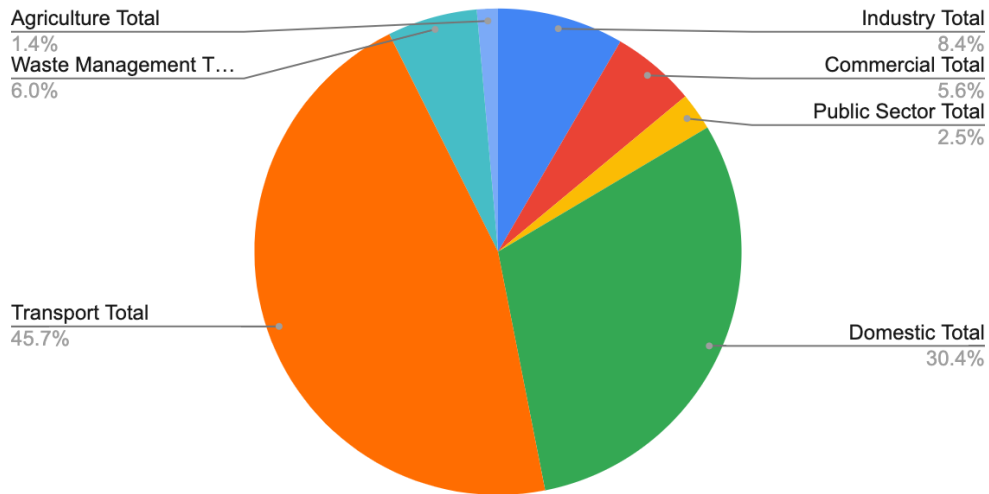
Legal action was launched in February 203 by the London boroughs of Bexley, Bromley, Harrow and Hillingdon, as well as Surrey County Council (bordering the boroughs) opposing the expansion of the ULEZ but was overruled in July as lawful<sup>5</sup>.

## **7.0 EQUALITY & HEALTH IMPLICATIONS**

Brentwood Borough Council has added its voice to the growing number of local authorities who have responded to the global climate crisis (also a population health crisis<sup>xi</sup>) by declaring a climate emergency at its meeting of Full Council on Wednesday 21 June<sup>i</sup> 2023 and bringing forward its 2040 net zero carbon target to 2030 for its own operations. Carbon emissions from transport in the borough are a major challenge. For the baseline year transport was responsible for around 46% or 198,500tonnes CO2 annually. There are likely to be improvements in carbon emissions associated from transport if Brentwood residents upgrade to compliant ULEZ vehicles



Brentwood Carbon Emissions under the influence of the Council by sector 2018: total emissions 433,900tCO2e



*Brentwood Borough carbon emissions under the influence of the council*

2.11 As a borough Brentwood is committed to supporting its residents to either travel more sustainably using public transport infrastructure or if they must use vehicles to move towards less polluting such as newer or hybrid or battery powered. It continues to work at a local level and with the Sustainable Transport Team at Essex County Council.

Improved air quality in adjacent Borough of Havering

**Name & Title: Kim Anderson, Corporate Manager - Communities, Leisure and Health**

**Tel & Email 01277 312500 kim.anderson@brentwood.gov.uk**

**8.0 ECONOMIC IMPLICATIONS**

None to the council, potentially to residents or businesses whose vehicles are non-compliant or are unable to access public transport for social or other reasons to enter the ULEZ zone.

**Name & Title: Phil Drane, Director - Place**

**Tel & Email 01277 312500 / phil.drane@brentwood.rochford.gov.uk**

**REPORT AUTHOR:**

**Name:**

**Title:**

**Phone:**

**Email:**

## APPENDICES

### BACKGROUND PAPERS

#### SUBJECT HISTORY (last 3 years)

Council Meeting	Date

<sup>i</sup> <https://www.london.gov.uk/press-releases/mayoral/ultra-low-emission-zone>

<sup>ii</sup> <https://www.london.gov.uk/programmes-strategies/environment-and-climate-change/environment-and-climate-change-publications/inner-london-ultra-low-emission-zone-expansion-one-year-report?auHash=ixeIM3L6iJh-CwYvb2wek2UKMCSJvpOqMgtpRAMt5B8>

<sup>iii</sup> <https://www.theguardian.com/environment/2023/feb/10/ellas-law-rosamund-kissi-debrah-air-pollution-death-london#:~:text=Ella's%20fame%20is%20tragic%3A%20she,as%20a%20cause%20of%20death.>

<sup>iv</sup> <https://www.london.gov.uk/media-centre/mayors-press-release/MAYOR-ANNOUNCES-SCRAPPAGE-EXPANSION>

<sup>v</sup> <https://tfl.gov.uk/info-for/media/press-releases/2023/march/over-90-per-cent-of-cars-driving-in-outer-london-now-meet-the-ulez-standards>

<sup>vi</sup> <https://www.ukroed.org.uk/londons-ulez-expansion-to-pose-significant-impact/>

<sup>vii</sup> <https://www.gov.uk/government/statistics/vehicle-licensing-statistics-2022/vehicle-licensing-statistics-2022#headline-figures>

<sup>viii</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/302409/vls-2013.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/302409/vls-2013.pdf)

<sup>ix</sup> <https://www.bbc.co.uk/news/uk-england-essex-65068754>

<sup>x</sup> <https://inews.co.uk/news/ulez-car-scrappage-scheme-clean-air-government-boost-funds-2248625#:~:text=Those%20outside%20the%20London%20boundary,when%20the%20scheme%20goes%20live.%E2%80%9D>

<sup>xi</sup> [https://www.thelancet.com/article/S0140-6736\(22\)01540-9/fulltext#:~:text=As%20these%20crises%20unfold%2C%20climate,populations%20to%20concurrent%20health%20threats.](https://www.thelancet.com/article/S0140-6736(22)01540-9/fulltext#:~:text=As%20these%20crises%20unfold%2C%20climate,populations%20to%20concurrent%20health%20threats.)



## FINANCE, ASSETS, INVESTMENT AND RECOVERY COMMITTEE

13 SEPTEMBER 2023

<b>REPORT TITLE:</b>	UK Shared Prosperity Fund (UKSPF) Update August 2023
<b>REPORT OF:</b>	Phil Drane, Director of Place

### REPORT SUMMARY

This report provides a summary of the projects and spend to date for the UK Shared Prosperity Fund (UKSPF).

### SUPPORTING INFORMATION

#### 1.0 BACKGROUND INFORMATION

- 1.1 The UK Shared Prosperity Fund (UKSPF) was launched in April 2022 and provides £2.6 billion in funding for local investment by 31 March 2025. It is the government's replacement for the European Structural and Investment Fund (ESIF).
- 1.2 The Fund supports the ambitions of the Levelling Up White Paper and aims to build pride in place and increase life chances across the country.
- 1.3 The council has been allocated exactly £1,000,000 through the UKSPF.
- 1.4 An annual funding profile providing a breakdown of the funding for the three financial years has been developed by the Department for Levelling Up, Housing and Communities (DLUHC) for Brentwood. The breakdown is as follows:

<b>Year</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>
<b>Allocation</b>	£51,262	£102,524	£846,214

- 1.5 After consultation with a wide range of community stakeholders as per the UKSPF guidance, the council prioritised the following interventions in its UKSPF Investment Plan:

- a. **E1:** Funding for improvements to town centres and high streets, including better accessibility for disabled people, including capital spend and running costs
- b. **E6:** Support for local arts, cultural, heritage and creative activities
- c. **E10:** Funding for local sports facilities, tournaments, teams and leagues; to bring people together
- d. **E23:** Strengthening local entrepreneurial ecosystems, and supporting businesses at all stages of their development to start, sustain, grow and innovate, including through local networks

1.6 The council has budgeted its £1m UKSPF funding between the interventions as follows:

	Capital 22/23	Revenue 22/23	Capital 23/24	Revenue 23/24	Capital 24/25	Revenue 24/25	Totals
E1	£1,640	£13,121	£4,265	£25,263	£54,157	£189,553	<b>£288,000</b>
E6	£1,641	£13,122	£4,265	£25,261	£54,158	£189,552	<b>£288,000</b>
E10	£1,642	£13,120	£4,265	£25,262	£54,158	£189,552	<b>£288,000</b>
E23	£0	£4,923	£0	£9,843	£0	£81,234	<b>£96,000</b>
Admin (4% of UKSPF)		£2,050		£4,100		£33,850	<b>£40,000</b>

1.7 On 8 February 2023, members of the Policy, Resources and Economic Development (PRED) committee delegated authority to delegate authority to the Strategic Directors, in consultation with the Chair of PRED Committee (now the Finance, Assets, Investment and Recovery Committee), to distribute UKSPF funding in line with the council's submitted Investment Plan.

1.8 UKSPF can be used flexibly to support interventions via:

- a. grant to public or private organisations
- b. commissioning third party organisations
- c. procurement of service provision
- d. in-house provision

1.9 **Completed UKSPF Year 1 projects** are shown below:

Intervention	Projects	Status	Method of Award
<b>E1</b> Improvements to town centres and high streets	Brentwood High Street accessibility audit	Completed	Commissioned
	Shenfield High Street accessibility audit	Completed	Commissioned
	Heritage column refurbishment	Completed	Commissioned
	Chapel ruins signage	Completed	Commissioned
	Customer perception report	Completed	Commissioned
<b>E6</b> Local arts, cultural, heritage & creative activities	Promise Banners Coronation Art Commission	Completed	Competitive tender
	Coronation Festival	Completed	Commissioned
	Brentwood Museum pop-up display at The Baytree Centre	Completed	Commissioned
<b>E10</b> Local sports facilities, tournaments, teams & leagues	Festival of Sports at the Coronation Festival	Completed	Grant
<b>E23</b> Strengthening local entrepreneurial ecosystems	Start-up business support scheme	Completed	Commissioned
	Make Your Market young entrepreneur event	Completed	Commissioned

1.10 **Current UKSPF Year 2 projects** are shown below:

Intervention	Projects	Status	Method of Award
<b>E1</b> Improvements to town centres and high streets	Ingatestone High Street accessibility report	Completed	Commissioned
	New seating for Crown Street	In progress	Commissioned
	Other projects to be confirmed	Not yet started	
<b>E6</b> Local arts, cultural, heritage & creative activities	<b>Big Smile Collective - Youth Art Factory:</b> Teaching creative and craft skills whilst supporting young people aged 11-17 to explore opportunities available to them in the local community	In progress	Grant
	<b>Creative Hub at King George's Playing Fields:</b> Local artist, Charlotte Robinson, will create a new	In progress	Grant

Intervention	Projects	Status	Method of Award
	hub at King George's Playing Fields to provide a unique opportunity for creative collaboration, including visual arts, music groups and young makers		
	<b>Hutton and Shenfield Choral Society Christmas Concert:</b> A Christmas concert at The Brentwood Centre featuring amateur and professional musicians and dancers	In progress	Grant
	<b>Brentwood Youth Centre Refurb:</b> Volunteer It Yourself will work with challenging young people aged 14-24, who are NEET (not in employment, education or training) or at risk of NEET, to develop new vocational trade skills by working alongside professional trades people to renovate the Brentwood Youth Centre (formerly known as The Hermit)	In progress	Grant
<b>E10</b> Local sports facilities, tournaments, teams & leagues	<b>Try a Tri:</b> Tri Sport Essex hosted a fun intro to Triathlon and Multi-sport events on 2 July, giving local residents the chance to "have a go" in a friendly and inclusive environment at The Brentwood Centre	Completed	Grant
	<b>Wheelchair Rugby League:</b> The Brentwood Eels will supply, field and maintain a Wheelchair Rugby League (WRL) team based at The Brentwood Centre. This will be the only WRL team to be active in Essex.	In progress	Grant
	<b>Improved toilet facilities for disabled bowlers and visitors:</b> Brentwood Bowling Club will upgrade its toilet facilities to provide dedicated disabled toilets and improve the standard of the current toilets	In progress	Grant
	<b>Weekly football sessions for newly-arrived Afghan and Ukrainian refugee girls in</b>	In progress	Grant

Intervention	Projects	Status	Method of Award
	<b>Brentwood:</b> Afghanistan and Central Asian Association will hold 32 weekly football sessions for up to 30 Afghan or Ukrainian girls (aged 11-16) at The Brentwood Centre and host 8 tournaments, held monthly		
<b>E23</b> Strengthening local entrepreneurial ecosystems	Start-up business support scheme to be delivered in partnership with Rochford District Council	In progress	Competitive tender

1.11 UKSPF spend for Year 1 and Year 2 (to date) is summarised below:

Year 1	Revenue Spend	Revenue Carry Forward	Capital Spend	Capital Carry Forward
E1	£13,121	£0	£1,281	£359
E6	£13,122	£0	£0	£1,641
E10	£13,000	£120	£0	£1,642
E23	£4,923	£0	N/A	N/A
Administration	£2,053	£0	N/A	N/A
Total	£46,219	£120	£1,281	£3,642
Year 2 (to date)	Revenue Spend	Revenue Underspend	Capital Spend	Capital Underspend
E1	£2,376	£22,887	£0	£4,624
E6	£25,261	£0	£0	£5,906
E10	£25,262	£0	£5,000	£907
E23	£9,000 (TBC)	£843 (TBC)	N/A	N/A

1.12 Total administration fees will be reported at the end of the 2023/24 financial year.

## 2.0 OTHER OPTIONS CONSIDERED

2.1 The emerging Creative and Cultural Vision report, which will be presented at the Housing, Health and Community Committee on 18 September, will help inform priorities for future E6 spend.

- 2.2 A workshop was held by the Brentwood Business Partnership on 22 August to bring forward ideas to improve the borough’s high streets. A number of potential E1 projects for 2023/24 have been identified, including new public realm, better wayfinding and accessibility adaptations.
- 2.3 DLUHC has stated in a UKSPF FAQ that priorities may change following investment plan sign-off. DLUHC will work with the lead local authority should any changes need to be made to the investment plan.
- 2.5 A report will be brought to the last FAIR Committee meeting of 2023/24 with an update on progress to date.

**3.0 RELEVANT RISKS**

- 3.1 Lead local authorities will be asked to return any underspends at the end of each financial year.
- 3.2 The UKSPF guidance sets out that 4% of the fund can be used for administration. To ensure that projects are delivered on time and that data is collected to report back to DLUHC every quarter, we have seconded a council officer to monitor and evaluate the UKSPF scheme.

**4.0 ENGAGEMENT/CONSULTATION**

- 4.1 Government has indicated that lead authorities must create a Local Partnership Group to provide advice on strategic fit and deliverability – taking care to avoid conflicts of interest. This will ensure that Fund investments complement other activities in the area and meets Fund and local objectives. This group is advisory and not a decision-making body.
- 4.2 The Local Partnership Group is convened every quarter by the lead local authority and in accordance with the UKSPF guidance, includes the following types of groups:

UKSPF recommended stakeholder partners	Local organisations
Representatives from the lead local authority (this may also include neighbouring authorities or constituent authorities where relevant and to maximise alignment)	<ul style="list-style-type: none"> <li>• Leader, Brentwood Council</li> <li>• A representative from each political group</li> <li>• Officers from Brentwood Borough Council directorates, including but not limited to the Directorate of Place and Directorate of Communities and Health</li> </ul>
Business support providers or representatives, including sectoral representatives relevant to the place	<ul style="list-style-type: none"> <li>• Brentwood Chamber of Commerce</li> <li>• Brentwood Business Partnership</li> <li>• FSB</li> </ul>
Voluntary, sector social enterprise and civil society organisations	<ul style="list-style-type: none"> <li>• Brentwood CVS</li> <li>• Brentwood Arts Council</li> <li>• Active Brentwood</li> </ul>



Education and skills providers - for example higher education institutions and further education colleges, adult learning providers	<ul style="list-style-type: none"> <li>• New City College</li> <li>• ACL</li> <li>• Brentwood Attendance Partnership</li> </ul>
Local businesses and investors	<ul style="list-style-type: none"> <li>• The Baytree Centre</li> <li>• Everyone Active</li> <li>• Blue Serif</li> <li>• PERI</li> </ul>
Local partnership boards and strategic bodies where relevant	<ul style="list-style-type: none"> <li>• SELEP</li> <li>• Brentwood Access Group</li> <li>• Health and Wellbeing Board</li> <li>• Active Essex</li> </ul>
Prominent local community & faith organisations	<ul style="list-style-type: none"> <li>• Doddinghurst Road Church</li> <li>• Doddinghurst Community Hub</li> <li>• St Peter's Church, Hutton</li> <li>• St Thomas' Church, Brentwood</li> <li>• Essex, Mind and Spirit</li> </ul>
Employment experts and providers - for example Jobcentre Plus representatives	<ul style="list-style-type: none"> <li>• Brentwood Jobcentre</li> </ul>
Parish Council Representative	<ul style="list-style-type: none"> <li>• Ingatestone &amp; Fryerning Parish Council</li> </ul>
Public health representatives	<ul style="list-style-type: none"> <li>• Basildon and Brentwood Alliance</li> </ul>
County Council Representatives	<ul style="list-style-type: none"> <li>• Essex County Council</li> </ul>
Member of Parliament	<ul style="list-style-type: none"> <li>• MP for Brentwood and Ongar</li> </ul>

## 5.0 FINANCIAL IMPLICATIONS

**Name & Title: Tim Willis, Director – Resources (Section 151 Officer)**  
**Tel & Email: 01277 312500 / tim.willis@brentwood.rochford.gov.uk**

- 5.1 The Fund has been allocated to cover the cost of projects that deliver local benefits. The Investment Plan has identified the council's strategic priorities for the Fund, along with expected outputs and outcomes.
- 5.2 In addition to the £1m UKSPF allocation, a further one-off allocation of £20k will be provided from DLUHC for consultancy support.
- 5.3 The Council will be able to use up to 4% of our UKSPF allocation to undertake necessary fund administration, such as project assessment, contracting, monitoring and evaluation and ongoing stakeholder engagement.

## 6.0 LEGAL/GOVERNANCE IMPLICATIONS

**Name & Title: Claire Mayhew, Acting Joint Director – People & Governance (Monitoring Officer)**  
**Tel & Email: 01277 312500 / claire.mayhew@brentwood.rochford.gov.uk**

- 6.1 All spend associated with the Fund must be compliant with the Public Contracts Regulations 2015 and follow the Council's procedures.

## 7.0 EQUALITY & HEALTH IMPLICATIONS

**Name & Title:** Kim Anderson, Corporate Manager - Communities, Leisure and Health

**Tel & Email:** 01277 312500 kim.anderson@brentwood.gov.uk

7.1 Equality implications will be considered as individual work streams are developed.

## 8.0 ECONOMIC IMPLICATIONS

**Name & Title:** Phil Drane, Director - Place

**Tel & Email** 01277 312500 / phil.drane@brentwood.rochford.gov.uk

8.1 The economic implications are included within this report. The Fund provides investment for projects that help to deliver economic growth.

### REPORT AUTHOR:

**Name:** Laurie Edmonds  
**Title:** Corporate Manager – Economic Development  
**Phone:** 01277 312500  
**Email:** laurie.edmonds@brentwood.gov.uk

## APPENDICES

None

## BACKGROUND PAPERS

UK Shared Prosperity Fund guidance:

<https://www.gov.uk/government/publications/uk-shared-prosperity-fund-prospectus/uk-shared-prosperity-fund-prospectus>

## SUBJECT HISTORY (last 3 years)

<b>Council Meeting</b>	<b>Date</b>
Policy, Resources and Economic Development Committee	8 February 2023
Community, Environment and Enforcement Committee	19 December 2022
Policy, Resources and Economic Development Committee	13 July 2022



**COMMITTEE TITLE: Finance, Assets, Investment and Recovery**

**DATE: 13<sup>th</sup> September 2023**

<b>REPORT TITLE:</b>	OneTeam Health and Safety Policy
<b>REPORT OF:</b>	Phoebe Barnes, Director Assets & Investments

## **REPORT SUMMARY**

The purpose of the Health, Safety and Wellbeing Policy (HSWP) is to fulfil the legal requirement to set out how the Council will manage its responsibilities in law and how this applies to all employees and Council partners. The HSWP sets out the approach the authority takes to the successful management of health and safety.

Through the Council's strategic partnership with Rochford District Council, officers have developed a joint policy for both organisations. This is developed as a leading statutory document that is pivotal to the Health & Safety and Wellbeing plan.

The HSWP is supported by a Health, Safety and Wellbeing Strategy that provides more details on the specific goals of the organisation, along with how these will be achieved. Due to the complexity of health and safety there is also a diverse range of topic specific Policies, Standards, Procedures and Risk Assessments that detail what is required to ensure management and compliance across the organisation.

## **RECOMMENDATIONS**

For members to endorse the draft OneTeam Health & Safety and Wellbeing Policy attached in Appendix A.

## **SUPPORTING INFORMATION**

### **1.0 REASONS FOR RECOMMENDATIONS**

By endorsing this statutory policy the Council is committed to ensuring there is always a positive and proactive culture towards Health, Safety, and the Wellbeing of its organisation.

By committing to Health, Safety, and Wellbeing, the Council will also be contributing to the National Health and Safety initiative; the Health and Safety Executive's (HSE's) new ten-year strategy: Protecting People and Places.

It recognises that the successful management of health and safety makes a positive contribution towards the achievement of the corporate strategy. It supports effective development of management systems, commitment to continuous improvement, and service delivery to the community and our residents, in addition to meeting our statutory responsibilities as an employer.

The Council is committed to ensuring the health, safety and welfare of all staff, or others affected by its activities, so far as is reasonably practical. Staff are our most valued resource, and their health, safety, welfare, and overall wellbeing is of paramount importance and essential to the planning and delivering of quality services to our residents, visitors, and others. We are committed to preventing ill health and injuries, including those related to psychosocial risk and promoting people's well-being at work

## **2.0 OTHER OPTIONS CONSIDERED**

The Council by statute must have a Health & Safety Policy. Both organisations (Brentwood and Rochford Council) currently have separate policies. This policy looks to combine the two policies into one otherwise the separate policies are to remain.

## **3.0 BACKGROUND INFORMATION**

Local Authorities are a key part of the health and safety system in Great Britain. They have a statutory duty under Section 18 (4) of The Health and Safety at Work Act 1974 (HSWA) to 'make adequate provision' for health and safety enforcement in their area, as set out in the 'National LA Enforcement Code' (the Code).

The Leader of the Council with all the Councillors, have the ultimate responsibility for health and safety. They are supported by the Chief Executive, Strategic Directors and Directors who make up the Corporate Leadership Team (CLT). CLT have the responsibility for the work of the entire paid staff of the Council, providing strategic direction and day to day leadership.

The revised Health Safety and Wellbeing Policy as attached in Appendix 1 sets out the organisational arrangements for implementing the policy.

## **4.0 FINANCIAL IMPLICATIONS**

**Name & Title: Tim Willis, Director – Resources & Section 151 Officer**  
**Tel & Email: 01277 312500 / [tim.willis@brentwood.rochford.gov.uk](mailto:tim.willis@brentwood.rochford.gov.uk)**

There are no direct financial implications arising from the revised policy. The Council's Medium Term Financial Strategy will capture any financial resource required to support the Council in its statutory duty.

## **5.0 LEGAL IMPLICATIONS**

**Name & Title: Claire Mayhew, Director – People & Governance & Monitoring Officer**

**Tel & Email 01277 312500 / [claire.mayhew@brentwood.rochford.gov.uk](mailto:claire.mayhew@brentwood.rochford.gov.uk)**

Health and Safety enforcement is a responsibility of both the council and Health and Safety Executive (HSE), depending on the main work activity. The council has a statutory duty to enforce the Health and Safety at Work Act 1974 (HSWA) and associated legislation

## **6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS**

There is commitment at all levels within the council to apply health and safety legislation to create a safe and healthy environment.

## **7.0 RELEVANT RISKS**

Relevant risk assessments are undertaken to support the Health & Safety and Wellbeing strategy and Action Plan to ensure the Council complies with its statutory duty.

## **8.0 ENGAGEMENT/CONSULTATION**

Staff internally have been engaged on the draft policy.

## **9.0 EQUALITY & HEALTH IMPLICATIONS**

**Name & Title: Kim Anderson, Corporate Manager - Communities, Leisure and Health**

**Tel & Email 01277 312500 [kim.anderson@brentwood.gov.uk](mailto:kim.anderson@brentwood.gov.uk)**

The Council is committed to ensuring we fulfil our obligations under all Health and Safety legislation, work to support not only the physical, but the mental health and wellbeing of individuals, and ensure Health and Safety becomes part of the culture of continuing performance.

## **10.0 ECONOMIC IMPLICATIONS**

**Name & Title: Phil Drane, Director - Place**

**Tel & Email 01277 312500 / [phil.drane@brentwood.rochford.gov.uk](mailto:phil.drane@brentwood.rochford.gov.uk)**

No direct economic implications.

### **REPORT AUTHOR:**

**Name: Phoebe Barnes**

**Title: Director Assets and Investments**

**Phone: 01277 312 981**

**Email: [phoebe.barnes@brentwood.rochford.gov.uk](mailto:phoebe.barnes@brentwood.rochford.gov.uk)**

**APPENDICES**

**Appendix A: Draft Health & Safety and Wellbeing Policy**

**BACKGROUND PAPERS**

**None**

**SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
N/A	

One  
Partnership



**BRENTWOOD**  
BOROUGH COUNCIL

One

Team



Two  
Sovereign  
Councils

# **Health, Safety and Wellbeing Policy**

## **One Team Strategic Partnership**

### **July 2023**



<b>Key Information</b>	
Author:	Robert French & David Wellings Corporate H&S Advisors, Assets, and Investments
Accountable Director:	Jonathan Stephenson
Responsible Committee:	Health and Safety and Wellbeing Committee
Date of Committee Approval:	Signed off by Chief Executive as the Head of Paid Service
<b>Consultee(s)</b>	
Groups and/or individuals consulted during the development of this Policy:	H&S&W Committee, CLT, Community Wellbeing Service, Unions
Corporate Leadership Team approval	Yes <input checked="" type="checkbox"/> 26/04/2023
Health and Safety and Wellbeing Committee approval	Yes <input checked="" type="checkbox"/> 25/07/2023
Has the Policy been approved at a Scrutiny Committee Meeting?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Choose an item. Click or tap to enter a date.
<b>Governance</b>	
The Policy applies to:	All Members, All Council employees, Contractors, and 3 <sup>rd</sup> Parties working on behalf of BBC and RDC.
The Policy is available in the following locations:	Intranet <input checked="" type="checkbox"/> Council website / Service webpage <input checked="" type="checkbox"/>
This Policy has related documents:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Health and Safety Strategy, The Health, and Safety Management System available through the Council's Intranet.
The Policy was disseminated to:	All Members, All Council employees, Contractors, and 3 <sup>rd</sup> Parties working on behalf of BBC.
This Policy is due its next review:	30/04/2024

<b>Document Control</b>				
<b>Date</b>	<b>Officer Name, title</b>	<b>Version</b>	<b>Action</b>	<b>Amendment(s)</b>
March 2023	D.Wellings, R.French Corporate H&S	1	Development of Policy	
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## **Introduction**

The purpose of the Health, Safety and Wellbeing Policy (HSWP) is to fulfil the legal requirement to set out how the Council will manage its responsibilities in law and how this applies to all employees and Council partners. The HSWP sets out the approach the authority takes to the successful management of health and safety.

The Council's HSWP is a leading statutory document that is pivotal to the H&S&W plan. The HSWP is supported by a Health, Safety and Wellbeing Strategy that provides more details on the specific goals of the organisation, along with how these will be achieved.

Due to the complexity of health and safety there is also a diverse range of topic specific Policies, Standards, Procedures and Risk Assessments that detail what is required to ensure management and compliance across the organisation.

## Policy Statement

The Council is committed to ensuring there is always a positive and proactive culture towards Health, Safety, and the Wellbeing of our employees. There is commitment at all levels within the council to apply health and safety legislation to create a safe and healthy environment. Importantly we must always remember it is a joint effort by all of us to ensure that we and our colleagues remain safe in the workplace.



This policy sets out how we will plan, implement, and monitor health and safety within the Council together as a team.

Thank you for your ongoing support.

Signed:..... Date: / /

**Jonathan Stephenson – Chief Executive Officer**

‘We are pleased to jointly endorse the revisions to the Council’s Health, Safety and Wellbeing Policy. The health, safety, and wellbeing of all those associated with our service delivery is of vital importance to us and, we take the view that health and safety must be an intrinsic part of everyone’s day job.

The Council is committed to ensuring we fulfil our obligations under all Health and Safety legislation, work to support not only the physical, but the mental health and wellbeing of individuals, and ensure Health and Safety becomes part of the culture of continuing performance.

All staff have a part to play in making sure that this Policy is successfully implemented. Members will support all future developments of Health and Safety Management to enable us to continue to deliver effectively for our *residents’ and our staff’*.

Signed:..... Date / /

**Cllr John Mason - Leader of Rochford District Council**

Signed:..... Date / /

**Cllr Barry Aspinell - Leader of Brentwood Borough Council**

By committing to Health, Safety, and Wellbeing, the Council will also be contributing to the National Health and Safety initiative; the Health and Safety Executive's (HSE's) new ten-year strategy: [Protecting People and Places](#).

It recognises that the successful management of health and safety makes a positive contribution towards the achievement of the corporate strategy. It supports effective development of management systems, commitment to continuous improvement, and service delivery to the community and our residents, in addition to meeting our statutory responsibilities as an employer.

The Council is committed to ensuring the health, safety and welfare of all staff, or others affected by its activities, so far as is reasonably practical.

Staff are our most valued resource, and their health, safety, welfare, and overall wellbeing is of paramount importance and essential to the planning and delivering of quality services to our residents, visitors, and others. We are committed to preventing ill health and injuries, including those related to psychosocial risk and promoting people's well-being at work.

The Council's policy is:

- to control workplace hazards by appropriately assessing risks and establishing suitable and sufficient control measures arising from work activities.
- to consult with employees on matters affecting their physical and mental health, safety, and wellbeing, and recognise the importance of their contribution to successfully implementing this policy.
- to provide and maintain safe plant and equipment.
- to ensure safe handling and use of substances.
- to provide information, instruction and supervision for employees and ensure the competence of all staff in relation to their working activities.
- to maintain effective systems of communication on health and safety matters.

- to prevent accidents and cases of work-related ill health, including those related to psychosocial risks.
- to promote and enhance a working environment consistent with the principles of dignity, mutual respect, confidentiality, cooperation, and trust in the OH&S management system.
- to maintain safe and healthy working conditions.
- to access any necessary expert advice on matters where the Council does not have such resources available to them.
- to pursue continual improvements with regards to health, safety, and wellbeing performance.
- to develop the Council's health and safety management systems.
- to support this policy by providing satisfactory financial and physical resource.
- to strive to exceed legal requirements as a minimum level of achievement and adopt best practice wherever possible.
- to publish details of health and safety performance within the Council's Annual Report.
- to review and revise this policy as necessary at regular intervals.

The organisational arrangements for putting the above policy into practice are set out in this document. Successful implementation of the Council's Policy requires total commitment from all concerned. The Council's Corporate Leadership Team are all personally committed to the effective management of health, safety, and welfare, and acknowledge its level of importance in relation to other business objectives.

Health, safety, and employee wellbeing will receive significant focus, be managed as an integrated part of the Council's core business activities and will be prioritised ahead of other nonessential management functions. The Council recognises that this policy and associated arrangements can significantly contribute to business performance by

reducing injuries and work-related ill health, protecting the environment, and reducing unnecessary losses and liabilities.

The Council recognises that accidents, ill health, and incidents can often result due to failings in management controls and are not necessarily the fault of individual employees.

This policy will be made available to all stakeholders, it will be published on the Council's website, and we would welcome any observations that would assist us in enhancing our current Health and Safety Management System and enable us to further safeguard the community we serve.

## **Organisational Responsibilities**

### **Elected Members**

Members of the Council and other elected members have a duty to:

1. Comply with the requirements of this policy.
2. Receive Health and Safety briefings and training as applicable.
3. Ensure that suitable resources and strategic direction are available to discharge the Council's health and safety responsibilities.
4. Monitor the overall performance of the Council's health and safety management system, receive reports, and ensure that any decision made is in line with the Council's own policies and procedures as they relate to health and safety.

### **Directors**

The **Chief Executive Officer (Jonathan Stephenson)** has overall responsibility for health and safety. The **Strategic Director (Emily Yule)** will deputise in this role and assume responsibility should the Chief Executive Officer be absent from the business.

## Director – Assets and Investments

The Director of Assets and Investments is responsible for the production and approval of the Health, Safety and Wellbeing Policy inclusive of:

1. Devising the Health and Safety Policy.
2. Approving the general policy statement which forms part of the Organisation's Health, Safety and Wellbeing policy document.
3. Establishing strategies to implement the Policy and integrating these into the general activities of the Organisation.
4. Assigning responsibilities for planning, measuring, reviewing, and auditing Health, Safety and Wellbeing Policy and Procedures.
5. Specifying a structure for implementing the Policy and supporting plans.
6. Agreeing plans or improvement and reviewing progress to develop the organisation and its Policy.
7. Authorising new or revised procedures.
8. Ensuring Health and Safety performance is regularly reviewed.

The Director of Assets and Investments is appointed as the member of the Corporate Leadership team with specific responsibility for the coordination and management of occupational Health, Safety, and Wellbeing.



**Phoebe Barnes Director – Assets and Investments**



### **Duty Holders**

Statutory Duty Holders will be formally appointed in writing for specific risk areas. The appointments should ideally only ever be Director level or above, or only assigned to competent technical staff. Training will also be made available should it be required. Specific appointments will be made for Duty Holders / Responsible Persons in relation to risks from Fire, Asbestos, Legionella, Gas, Electrical, Lifts and CDM.

### **Directors, Corporate Managers and Service Area Managers**

Operational responsibility for individual service areas is delegated to 'Directors' as shown on the Corporate 'Health and Safety Management Structure' (Appendix A).

Responsibility for the undertaking of operational activities may be delegated to Service Area Managers, Team Leaders or Supervisors, however primary accountability still rests with each Director.

Directors and Managers will, as a minimum requirement, complete the IOSH 'Leading Safely' or 'Managing Safely' course or other similar course to ensure a suitable level of competence throughout the Authority.

(New Managers joining the Organisation will be required to complete the training within 6 Months of commencing their employment).

Directors and Managers will:

1. Be exemplars of the highest standards of Health, Safety, and Wellbeing by ensuring that all related Policies and Guidance are implemented, communicated, and complied within their area of control.
2. Approve budgets which include sufficient resources to enable Health, Safety, and Wellbeing risks to be adequately controlled.

Ensure all new members of staff promptly receive 1<sup>st</sup> Day Induction training enabled by their Line Manager, followed by a Corporate Induction.

3. Conduct regular Health and Safety tours of the workplace (inclusive of site-based inspections and workplace vehicles) to ensure compliance with safe systems of work.

4. Ensure that Health, Safety, and Wellbeing objectives are an integral part of the Organisation's Business Plan and Directorate and Departmental Service Plans and ensure the participation of employees within the planning process.
5. Ensure that the following is reported by the appropriate employee, using the Council's H&S Incident/Accident Report Form.
  - any accidents, incidents or near misses
  - any verbal or physical abuse
  - threatening or intimidating behaviour
  - accidental equipment damage
  - suspected work-related ill-health
  - associated risks for new and expectant mothers
6. Investigate all serious accidents/incidents and near miss occurrences, accordingly, including instances of unacceptable behaviour, ensuring the prompt review of relevant risk assessments, work processes and the implementation of any identified control measures.
7. Report any serious accidents or incidents to the Health and Safety Advisor immediately to ensure compliance with RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013) requirements.
8. Keep up to date with changes in Health and Safety legislation, standards, and good practice relevant to the Council.
9. Obtain and co-ordinate specialist advice necessary for the effective planning and implementation of policies and safe working procedures for any work activities carried out by their Service area.
10. Ensure statutory obligations are strictly monitored, controlled, and managed.
11. Ensure that, Risk Assessments and other assessments including Work Method Statements where required, are prepared / obtained, and reviewed prior to any work commencing within their Service Area. This is applicable to the Council's Service Delivery and to contractors undertaking works.
12. Line Managers conduct Risk Assessments and Method Statements in relation to their employees' work activities in accordance with agreed standards. Template Risk Assessments are located on Health and Safety intranet pages, under the relevant subjects, e.g., Lone Working, Display Screen Equipment (DSE). All Risk Assessments

are to be completed in consultation with employees and reviewed periodically as defined in the assessment and following an incident/accident, or significant change to the activity. Once completed, a copy must be held electronically for review and inclusion on the Corporate Risk Assessment Database. The Risk Assessment authors are the owners and are the responsible persons to ensure the assessment is up to date.

13. Establish adequate arrangements to ensure sufficient training and support for staff undertaking their duties and the Council's partners to enable them to work safely and fulfil their responsibilities identified in this policy.
14. Allow relevant members of staff e.g., Health and Safety Coordinators, First Aiders, Mental Health First Aiders or Fire Marshals to attend training sessions and meetings and have suitable time to comprehensively fulfil their roles.
15. Promptly evaluate, manage, and respond to any complaints or problems regarding Health and Safety issues.
16. Ensure Health, Safety, and Wellbeing is the first standard Agenda item at all Team meetings.
17. Improve safety standards in their own services by enhancing employee competence through training.
18. Co-operate with Safety Representatives in carrying out their functions and positively participate in the Safety Committee or Working Parties.
19. Ensure the participation and involvement of all employees to co-operate and assist Asset and Facilities Management to put in place adequate arrangements for Fire prevention and Health and Safety at all premises under their control.
20. Provide suitable Personal Protective Equipment where required, as highlighted by the completion of Risk Assessment(s) in liaison with their team.
21. Line Managers will identify employees that require Health Surveillance due to the nature of their work activities. Line Managers will enable employees following an initial survey, to be referred to the Council's Occupational Health Service provider supported by the People OD department.

22. Bring to the attention of Corporate Health and Safety or Corporate Leadership Team any Health, Safety, Wellbeing or Welfare issue that cannot be resolved by the Line Manager or Service Area Team, or that may have implications for others not directly under their control.
23. Attend at the Health and Safety Committee as required.
24. Take appropriate disciplinary action where breaches in Health and Safety legislation, Safe Working Practices, or Risk Assessments are identified.
25. Suspend or stop indefinitely, if necessary, without notice, any operation which contravenes agreed H&S procedures, standards or processes they consider likely to cause injury to persons, or damage to property or the environment.

## **Employees**

All Staff have a vital role to play in the effective implementation and operation of this Policy. Legislation requires employees to take reasonable care of themselves and others at work and to co-operate with their employer in fulfilling this requirement.

All staff must:

1. As new members of staff undertake a Corporate Health and Safety induction as part of joining the Council.
2. New members of staff must be separately provided with a Health and Safety 1st day Induction into the Organisation, on their first day at work, by their immediate Line Manager. The completed form must be sent to Human Resources to be held on the employee's personnel file.
3. Take reasonable care of themselves and others (including members of the public) that may foreseeably be affected by their acts or omissions at work.
4. Co-operate with their employer, or any other person, to enable them to perform and comply with all statutory duties or requirements imposed on them.
5. Take care not to intentionally, or recklessly, interfere with or misuse anything that has been provided for the purpose of health, safety, and welfare in the pursuance of a statutory requirement.

6. Use all machinery, equipment, substances, transport equipment, tools, safety equipment and devices or other means of service delivery, in compliance with training, instruction, and the risk assessment, provided by the employer.
7. All members of staff will have Risk Assessments of their work carried out. This should be conducted by Managers in consultation with the employee. Employees are required to actively participate in the Risk Assessment consultation process to ensure suitable and sufficient safe systems of work are implemented. The Risk Assessment will be reviewed as stated, or when significant changes occur.
8. Ensure that they attend training and are trained in the safe use of equipment and machinery before it is used and, if in doubt, report to their Line Manager or Supervisor any lack of training.
9. Ensure that any equipment is checked for safety before use, is handled and stored in a safe condition and that any defects are reported immediately to their Line Manager. Staff must never use unsafe equipment.
10. Inform their Line Manager or Service Manager immediately of any situation, which might present a serious breach of the Council's Health and Safety procedures or create a serious or imminent danger to themselves or others.
11. Notify their Line Manager of any shortcomings in protective measures.
12. Use any Personal Protective Equipment (PPE) provided, ensuring its appropriate storage and maintenance.
13. Follow any Code of Safe Working Practice relevant to the work activity and any verbal or written instructions/guidance issued on Health and Safety matters.
14. Not consume any alcohol, drugs, or other substances which could impede their ability to work safely.
15. Report the following using the Council's Incident, Accident Reporting Procedures to their Line Manager / Supervisor and ensure a written record is made of:
  - any accidents, incidents or near miss occurrences
  - any verbal or physical abuse
  - accidental equipment damage
  - suspected work-related ill-health

- associated risks for new and expectant mothers
16. Employees prescribed medication or suffering from a temporary or on-going medical condition should contact their GP or their line manager if their duties place them or others in a dangerous situation. Examples of such duties may include driving, working at height or using machinery.
17. All employees regardless of their position within the Organisation will be required to attend relevant Health and Safety training and complete online e-learning modules, continued non-completion of critical Health and Safety training will be treated as an act of misconduct.

### **Health and Safety Advisor**

(Advice and Guidance)

The Council has appointed a 'Health and Safety Advisor' to act as the 'Competent Person' for the purposes of the Management of Health and Safety at Work Regulations 1999 and other relevant health and safety legislation.

The Health and Safety Advisor will:

1. Formulate and develop Health, Safety, and wellbeing policies for existing activities and new acquisitions or processes.
2. Promote a positive Health and Safety culture and secure the effective implementation of the Health, Safety, and Wellbeing Policy.
3. Plan realistic short and long-term objectives, deciding priorities and establishing adequate systems and performance standards.
4. Ensure the day-to-day implementation and monitoring of the Health, Safety, and Wellbeing Policy, subsidiary policies and plans including accident and incident investigation, reporting and analysis.
5. Review performance and audit Health and Safety Management Systems.
6. Undertake appropriate training to ensure a suitable level of competence and the provision of guidance and advice to the Council on Health, Safety, and Wellbeing issues.

7. Maintain adequate information systems on topics inclusive of civil and criminal law, Health and Safety management and technical advances.
8. Interpret the law in the context of the Council.
9. Be involved in the establishment of Organisational arrangements, systems and risk control standards relating to hardware and human performance, by advising management on matters such as legal and technical standards.
10. Establish and maintain procedures for reporting, investigating, recording, and analysing accidents and incidents.
11. Establish and maintain procedures, including monitoring and other means such as review and auditing, to ensure Senior Management are accurately aware of levels of management and performance in Health and Safety.
12. Provide guidance independently and effectively and support the provision of authoritative and independent advice.
13. Ensure a close working relationship with Union Safety Representatives.
14. Investigate where applicable serious accidents/incidents and advise on remedial measures.
15. Evaluate the training needs of the Council in relation to Health, Safety, and Wellbeing.
16. Review and update Policies where necessary, to ensure the Council's compliance with changing legislation.
17. Liaise with the HSE, Environment Agency, Local Authorities, and other relevant Regulators or bodies as required.
18. Suspend or stop indefinitely, if necessary, without notice, any operation which contravenes agreed standards or processes.

## **Health and Safety Representatives**

Union Representatives, First Aiders, Mental Health First Aiders, Fire Marshals, Health and Safety Coordinators, must carry out their specific roles competently, professionally and in line with all relevant training and procedures.

## **Procurement of Contractors and Partners to the Council**

Contractors or partners working on behalf of the Council will commit to this Policy or demonstrate an equal or greater commitment to Health, Safety, and Wellbeing in their own policies and arrangements.

The Council will require that any business seeking to quote, tender or provide services will operate and comply with relevant health and safety legislation and requirements as defined in law. Failure to provide sufficient assurance that the business actively promotes and manages health, safety and wellbeing may rule out the business from being selected or discontinue their services.



## Organisational Arrangements



### Health and Safety Management System

The Council's Health and Safety Management System is based on the HSE model from HSG 65 of Plan, Do, Check, Act. It is the Council's expectation that this model will be proactively used when identifying an activity or new project as part of Service Delivery, to ensure the health and safety of the activity and those persons involved with it.

This Corporate Health, Safety and Wellbeing Policy is supported with a set of Health and Safety topic specific policies, standards, guidance, and procedures which detail specific arrangements for managing health and safety at the Council. These arrangements detail how the Council will comply with its legal obligations as set down by the Health and Safety at Work etc. Act 1974 and the subordinate health and safety regulations.

These arrangements will be reviewed on a regular programme and are available on the

Council's Intranet within the Health and Safety site.

## Consultation and Support of Employees

To ensure health, safety and wellbeing standards are maintained and improved, Directors will be assisted by the '**Health and Safety Co-ordinators**' (HSCs) supported by the Health and Safety Advisor (see Appendix A).

HSCs' will be trained for such purpose and will undertake the role of 'Representatives of Employee Safety', (as required by the Health and Safety (Consultation with Employees) Regulations 1996), subject to the approval of the staff they represent.

In addition, the Council recognises UNISON as a Trades Union which has appointed a '**Safety Representative**' under The Safety Representatives and Safety Committees Regulations 1977. This is a legal requirement to support union involvement and employee consultation. (see Appendix A).

Consultation with employees will be undertaken either via the emailed 'Staff Newsletter' and, employee surveys, or through the **Health and Safety Committee** of which HSCs and the UNISON Safety Representative are members of the committee.

Particular attention will be paid to consulting with, engaging, and promoting a positive dialogue with all stakeholders in relation to work-related stress, mental health, and wellbeing.

We promise to provide opportunities for feedback by workers to help the organisation determine the effectiveness of the management of health, safety, and wellbeing inclusive of psychosocial risks and will encourage participation and engagement.

### Employee Assistance Programme:

As part of our Employee Assistance Programme (EAP), a 24/7 telephone support service is available for any member of staff needing mental health support. The service is run by appropriately qualified professionals, is confidential and free for you to access. Simply call 0808 168 2143 free from any standard UK landline or mobile phone

To find the full range of services available to you and to visit the Employee Assistance Programme click [here](#).

If any member of staff has a concern about any health, safety, or welfare issue they should contact their line manager initially, and then their HSC or the Health and Safety Advisor to have the matter reviewed if suitable resolution has not been found.

## Performance Management

The Health and Safety Committee is an essential component of the Organisation's strategic Health and Safety Implementation and Performance plan.

The group will normally meet every quarter (but ad-hoc emergency meetings can be convened) and consist of the following members:

1. The Committee Chair will be the Chief Executive Officer or a delegated Director.
2. Directors will attend as required.
3. Trade Union safety representatives and other representatives such as Health and Safety Coordinators, First Aiders or Fire Marshals are also welcome to attend.
4. The Organisation's Health and Safety Officer will attend.
5. Any other Officer or Specialist, at the discretion of the Committee Chair.
6. The Committee will be key to the planning and implementation of Action Plans and objectives and will form a collaborative forum between Management and Employee representatives to develop, promote and initiate measures and disseminate information to ensure the Health, Safety, and Wellbeing of employees and any others who may be affected by our activities.
7. The Committee will develop strategies for translating the Health, Safety, and Wellbeing Policy into sound practice and procedures at operational level and monitor any agreed Practice or Performance.

For more detailed information on the Health and Safety Committee refer to the Council's Intranet Health and Safety Site.

## Accompanying Strategy

The Health, Safety and Wellbeing Policy is supported by a five-year Health and Safety Strategy that provides more details on the specific goals of the organisation, along with how these will be achieved.

The Strategy will follow the format of the Health and Safety Executive's guidance INDG 417

'Leading Health and Safety at work' <http://www.hse.gov.uk/pubns/indg417.pdf> and HSG 65 'Management framework for effective health and safety management system' <http://www.hse.gov.uk/pubns/books/hsg65.htm>

The correct behaviours, attitudes and values will be an essential part of our work. The strategy will focus on providing high quality training and will provide the systems and procedures required to support employees in developing a strong, positive culture in respect of health, safety, and wellbeing.

The strategy supports the Health and Safety Executive's main occupational health priorities of tackling:

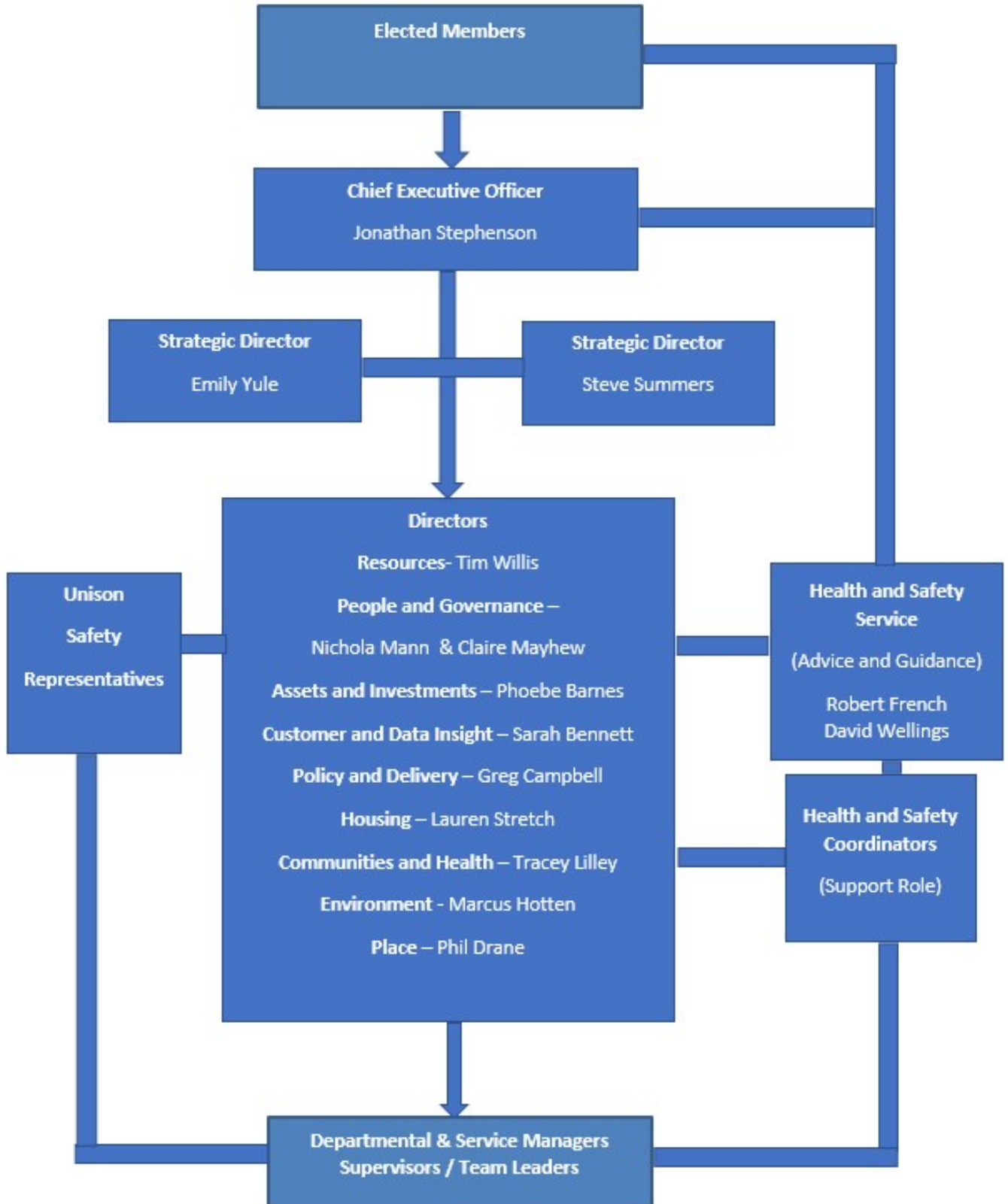
- Musculoskeletal disorders
- Work-related stress
- Occupational lung disease

In addition, we will concentrate on providing effective health and safety inductions along with comprehensive policies and procedures to protect all our stakeholders from the work we undertake on behalf of the community. We will also carry out independent external validation of our health and safety management system at key milestones throughout the strategy.

Key corporate documents that are linked to this Policy:

- Corporate Plan
- Health and Safety Strategy
- Advice for Health and Safety – available on the Council's Intranet, H&S site.

## Appendix A – Corporate Health and Safety Management



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**COMMITTEE TITLE: Finance, Assets, Investment and Recovery Committee**

**DATE: 13 September 2023**

<b>REPORT TITLE:</b>	Hutton Poplars Lodge and Hutton Poplars Bowling Club
<b>REPORT OF:</b>	Phoebe Barnes, Director of Assets and Investments

## **REPORT SUMMARY**

A report went to the Community Environment and Enforcement Committee on 19 September 2022 which set out a number of recommendations in regard to utilisation of Hutton Poplars Lodge by Hutton Poplars Bowling Club, opportunities to share facilities at King George's Playing Fields and for any decisions on the Lodge building element would need to be referred to the relevant Committee. One of the options was to continue to accommodate Hutton Poplars Bowling Club in the Lodge for 2023 season and giving the club the opportunity to raise external funding to support the club. A letter was submitted to the bowls club on 22 March 2023 detailing the amount of funds required to build a pavilion and officers are still waiting for a response that the Bowling Club have been able to secure these funds by September 2023.

## **RECOMMENDATION**

**R1: The Council does not renew the lease on Hutton Poplars Lodge with the Bowls Club.**

**R2. The Council gives the Hutton Poplars Bowls Club three months to explore and secure the funding for Option 2 as set out within the report.**

**R2: The Council looks to market Hutton Poplars Lodge for commercial vendors**

## **SUPPORT ING INFORMATION**

### **1.0 REASON FOR RECOMMENDATION**

1.1 The Council needs to ensure that the facilities that it manages are delivering value for money and meet the needs of the residents.

### **2.0 BACKGROUND INFORMATION**

2.1 Due to the Brentwood Leisure Trust going into liquidation the five community halls reverted back to Brentwood Borough Council to directly manage. One of those halls is Hutton Poplars Lodge.

- 2.2 The Lodge was not left in good condition following its previous contract with Brentwood Leisure Trust (BLT) and the Council has spent £50,324 since April 2019 on the fabric of the building including external repairs to the roofs and windows, decorating externally and full compliance works for gas and electricity.
- 2.3 The building will require further investment especially if it is to compete with other facilities in the area. A schedule of works identifies that to bring the Lodge up to a decent standard it will cost in the region of £50,000 considering price increases recently experienced in the building sector.
- 2.4 In December 2022 there was serious water damage to the building from a burst water pipe which meant that the building from a health and safety perspective could not be opened for the club while repairs were carried out.
- 2.5 As a result Hutton Poplars Bowling Club had to move out while the repairs to the building were undertaken.
- 2.6 The Council continues to review its asset portfolio to understand what the best use of them is. The Council has had interest from other parties and groups who could make commercial use of the building such as office use or as a nursery. Based on the information presently available the Council believes that the facility could be better utilised and reduce the burden on the Council's finances whilst providing a commercial and/or community benefit to the area.
- 2.7 The decision of the future of the Lodge will be determined at Committee tonight as an asset decision. As already identified part of the lodge was being utilised by Hutton Poplars Bowling Club and has done so for a number of years. Therefore, these users need to be considered before the future use of the building is considered.
- 2.8 Hutton Poplars Bowling Club was using the facility in the bowling season from April to September including the small kitchen, toilets and a meeting room. They also use the facility out of the bowling season for ad-hoc meetings and social events. The income that Brentwood Leisure Trust received from the Hutton Poplars Bowling Club was £300pa.
- 2.10 The membership of the bowling club has been declining and presently their membership total is approximately 40.
- 2.11 The income that the Council receives from the Bowling Club for season tickets in 2022 was £3,908 (35 season tickets).
- 2.12 The Bowling Club use the bowling rink adjacent to the Lodge to play its games. The costs for the Council to maintain the bowling green is £9,553.41pa.
- 2.13 There are two further public bowling rinks at King Georges which have a bar, toilets and meeting facilities which serve two clubs and 96 members and whom have capacity for more members or a club.
- 2.14 As part of the Council Leisure Strategy under the built facility workstream, the Council is looking at investment in key strategic sites that can provide the maximum benefit to its residents. The Council has delivered a similar approach with the Play Area Strategy across the borough.
- 2.15 It is considered that the present situation both with the provision of the lodge and maintaining the public bowling green for 40 playing members is not financially efficient and therefore alternative options are being explored. The Club had hoped



that the new care home on Rayleigh Road would create a significant increase in membership and make the club more sustainable. However, this has so far not materialised.

- 2.16 Initial discussions have been held with the club on the position of the Council and that the present model is no longer sustainable moving forward.
- 2.17 The Council are working with Hutton Poplars Bowling Club to identify alternative options in order that the club can still continue at an alternative bowling facility.

### **3.0 OTHER OPTIONS CONSIDERED**

- 3.1 The Council needs to decide on the future of the Lodge, mindful that:
  - The present model is not sustainable and outgoings to maintain the lodge will outstrip any revenue presently created from the bowls club and the green.
  - The reuse of Hutton Poplars Lodge will affect Hutton Poplars Bowling Club
- 3.2 The following options set out below have been identified for Hutton Poplars Bowling Club:
- 3.3 **Option One:** The Council has two other bowling greens at King George's Playing Fields. This facility can accommodate Hutton Poplars Bowling Club subject to discussions with Brentwood Bowling Club (incorporating South Essex Bowling Club) who presently use the site, to create a Bowls Hub in Brentwood.
- 3.4 The consolidation of bowling provision to King George's Playing Fields would create a bowling hub and assist the authority to spend its budget on bowling more effectively and improve the provision at King George's Playing Fields rather than spread the budget across different sites which reduces impact and creates lesser quality facilities overall. It will also deliver better value for money for residents.
- 3.6 This option has been discussed with Hutton Bowls Club and an initial meeting with the involved bowls clubs has taken place. However, Hutton Poplars Bowling Club have aired their concern with travel to the site at King George's Playing Fields as their members reside in Hutton.
- 3.7 Hutton Poplars Bowling Club are also concerned with the loss of identity of the club if they were to relocate to King Georges Park and other issues that an amalgamation with King Georges (Brentwood Bowling Club) may cause including the loss of bowling facilities in Hutton.
- 3.8 Officers have held discussions with all clubs concerned and will continue to work with both clubs to see if the issues raised by Hutton Poplars Bowls Club can be overcome.
- 3.9 **Option Two:** To cease using the Lodge and purchase a modular type building with additional facilities alongside the wooden pavilion adjacent to the Bowling Green including a small kitchen and a toilet. This would require connections to utilities such as electricity, water, and sewerage. It is estimated that these facilities would cost in the region of at least £60,000 - £110,000. However, this does not provide the club with a meeting room when other clubs visit. The Club could consider using Hutton

Community Centre as its location to meet after games with other clubs, this would need to be agreed with the Community Centre management but is not considered as a major stumbling issue.

- 3.10 Investment to create and maintain new facilities would need to be funded by the club. Further the club would need to manage and maintain the green themselves moving forward.
- 3.11 Officers and Members of the Council met with the club to understand their financial position given that they have had time to look at external funding if this is the option that the Council agrees to.
- 3.11 **Option three:** continue to accommodate Hutton Poplars Bowling Club in Hutton Poplars Lodge, but the expenditure that the Council will need to invest in the facility and income that will be generated will not cover future outgoings on maintenance and therefore this option is not considered to be sustainable.
- 3.12 Hutton Poplars Bowling Club has limited ability to contribute to any funding due to their membership of approximately 40 members. The Council has looked at alternative funding provision such as Bowls England who can provide a loan of up to £20,000, but the club would need to repay this loan within 8 years.
- 3.13 The Council has met with the bowls club who are interested in exploring Option 2. As the current bowls season has come to an end, the Council is able to offer the club 3 months to determine whether they can secure funding to purchasing a building to sit alongside the wooden pavilion adjacent to the bowling Green. A further report would then have to be presented to members at a future committee on a new lease arrangement with the club once the club can demonstrate secured funding,
- 3.14 The Council has at present not considered Hutton Poplars Hall as a facility for meetings for this club due to the potential options for this facility.

#### **Future options for Hutton Poplars Lodge**

- 3.14 The Council has previously received interest from a national nursery operator to take a commercial lease of Hutton Poplars Lodge. However, to sensor check any offer received it would be the Council's intention to place the Lodge on the open market as a commercial opportunity. It would recommend that the asset was placed on the market.
- 3.15 This type of arrangement could enable the improvement of the facility via a lease which would create a regular income stream that could be reinvested in other facilities. It would also ensure the continued maintenance of the building.
- 3.16 The lease of the building to a nursery also complies with the community use set aside for the building and therefore complies with Planning Requirements.
- 3.17 There continues to be an appetite to create and provide nurseries within the borough and according to the officers at Essex County Council (Early Years and Childcare) the CM13 area there are 11 providers but only one day nursery. Across all these providers there are 258 place capacity but only 37 places available across them all showing as low as 14% vacancy rate.
- 3.18 Mass & Co provided a market rental report to officers 1 January 2022 where they state that a freehold value would be in the region of £520,000 with an estimated market rental level (ERV) of £28,500 p.a. Given the date of this report and the UK

current economic climate, it would be prudent to place a ERV of £20,000 p.a. on the asset looking to achieve higher.

#### **4.0 RELEVANT RISKS**

4.1 If the club are unable to secure the required funding, then there is the potential loss of the club and the bowls facility itself.

#### **5.0 ENGAGEMENT/CONSULTATION**

Officers have had meeting with Brentwood Bowling Club and Hutton Poplars Bowling Club to look at options. Officers have also spoken to Bowls England to get an indication of what NGB funding would be available. They are able to offer a loan of up to £20,000 to the club which would be repayable within 8 years.

A follow up meeting was had Officer and Members was held in August to understand if the club had managed to raise any external funding to support the development of their facilities.

#### **6.0 FINANCIAL IMPLICATIONS**

**Name & Title: Tim Willis, Director – Resources & Section 151 Officer**

**Tel & Email: 01277 312500 / tim.willis@brentwood.rochford.gov.uk**

The income that the Council receives from the Bowling Club for season tickets in 2022 was £3908 (35 season tickets). Brentwood Leisure Trust when it managed Hutton Poplars Lodge received £300pa.

The Bowling Club use the bowling rink adjacent to the Lodge to play its games. The costs for the Council to maintain the bowling green is £9,553.41pa.

The current income and expenditure do not make the lodge or the bowling currently viable. The Lodge could be marketed commercially for a lease for the building.

Mass & Co provided a market rental report to officers on 1 January 2022 where they state that a freehold value would be in the region of £520,000 with an estimated market rental value (ERV) of £28,500 p.a. Given the date of this report and the UK current economic climate, it would be prudent to place an ERV of £20,000 p.a. on the asset, with the aim of achieving a higher figure.

#### **7.0 LEGAL/GOVERNANCE IMPLICATIONS**

**Name & Title: Claire Mayhew, Acting Joint Director – People & Governance & Monitoring Officer**

**Tel & Email 01277 312500 / Claire.mayhew@brentwood.rochford.gov.uk**

Any lease arrangements and title matters will be dealt with by legal officers to ensure that all legalities regarding the lettings have been drafted and reported to on clients.

#### **8.0 EQUALITY & HEALTH IMPLICATIONS**

**Name & Title: Kim Anderson, Corporate Manager - Communities, Leisure and Health**

**Tel & Email 01277 312500 kim.anderson@brentwood.gov.uk**

The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:

- a. Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
- b. Advance equality of opportunity between people who share a protected characteristic and those who do not.
- c. Foster good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

Although the Bowling Club offers a sporting facility for older people, there are other facilities that can be used in the Borough by club members.

## **9.0 ECONOMIC IMPLICATIONS**

**Name & Title: Phil Drane, Director - Place**

**Tel & Email 01277 312500 / phil.drane@brentwood.rochford.gov.uk**

The Council should ensure that Hutton Poplars Lodge is utilised to its maximum potential in order to ensure economic viability.

### **REPORT AUTHOR:**

**Name: Kim Anderson**

**Title: Corporate Manager, Community, Leisure and Health**

**Phone: 01277 312500**

**Email: kim.anderson@brentwood.gov.uk**

## **APPENDICES**

## **BACKGROUND PAPERS**

### **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
<b>Community, Environment and Enforcement</b>	<b>19 September 2022</b>



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**COMMITTEE TITLE: Finance, Assets, Investments and Recovery Committee**

**DATE: 13 September 2023**

<b>REPORT TITLE:</b>	Leisure Contract – Brentwood Centre and Hartwood Pavilion in King George’s Playing Fields.
<b>REPORT OF:</b>	Phoebe Barnes, Director of Assets and Inward Investment

## **REPORT SUMMARY**

The Brentwood Leisure Centre and Hartwood Pavilion in King George’s Playing Fields is currently managed by Everyone Active (SLM) and their contract is due to expire on 1 October 2023. The Council is looking to extend the contract until 31 March 2025 and during that period draw up the tender documents to go out in 2024 for a longer-term leisure contract. This short extension aligns with expiration of the Leisure Contract for Rochford District Council’s leisure facilities. It is proposed to do a joint tender for the leisure facilities across Brentwood and Rochford from 1 April 2025. In order to inform the specification for the tender document both authorities Council needs to undertake a condition survey and feasibility study to understand the investment that the Council’s and the operator will need to make over the term of the contract. A separate report is going to the Executive Group at Rochford District Council

## **RECOMMENDATION**

**R1: Agree to extend the existing Leisure Contract with Everyone Active until 31 March 2025.**

**R2: To appoint Sports, Leisure and Culture (SPL) consultants to undertake feasibility study and provide support with the procurement of a new combined leisure contract for the management and operation of the following facilities across Brentwood and Rochford:**

- Brentwood Leisure Centre
- Hartwood Pavilion (including Splash pad and Adventure play) in King George’s Playing Fields
- Clements Hall Leisure Centre
- Rayleigh Leisure Centre

**R3: Refer the report to the Housing, Health and Community Committee for information**

## **SUPPORT ING INFORMATION**

## **1.0 REASON FOR RECOMMENDATION**

1.1 Brentwood Borough Council needs to develop a robust and evidenced based a feasibility study on potential investment options at the Brentwood Centre. This will be informed by the following information:

- Engagement with internal and external stakeholders and partners to understand local needs and aspirations for the facility.
- Assessment of supply and demand for different facilities and, taking into account the size and demographics profile of the identified catchment population
- Assessment of potential options, including energy saving opportunities and a clear rationale and evidence base for the preferred option.
- Drawings and accommodation schedules
- Budget cost estimates and project delivery programmes which set out the timeframes for procurement, detailed design, planning and construction.
- Revenue business plans based on robust assumptions and market insight.
- Collation of all outputs into a report outlining key findings, conclusions and recommendations which will be presented to the relevant committee.

1.2 Both Brentwood Borough Council and Rochford District Council are looking to appoint Sport, Leisure and Culture (SLC) consultants to undertake the feasibility on the leisure facilities across both authority areas. This includes:

- Brentwood Centre (Brentwood)
- Hartswood Pavilion – including splash pad and outdoor adventure play (Brentwood)
- Rayleigh Leisure Centre (Rochford)
- Clements Hall Leisure Centre (Rochford)

SLC are on an ESPO (Public Sector Procurement) Framework Agreement (reference 664\_21) so contracts can be directly awarded through the framework and any appointments are based on cost and quality as part of the Value for Money assessment. SLC are authors of Sport England's Leisure Services Delivery Guidance and a leading strategic advisor to local authorities commissioning future management arrangements.

1.3 The next stage is for SLC to support the Council through the procurement process, developing a procurement strategy which will identify the Council's strategic priorities, investment plans, length of contract, procurement route, risk profile and evaluation framework.

1.4 SLC will support in the outcomes-based service specification, delivering the Council's strategic priorities for the services over the next decade. The contract will have a strong partnership ethos measured through key performance indicators.

1.5 The new contract will be based on the Sport England template which reflects the Council's appetite for risk and is acceptable to the operator market. This market was affected during Covid 19 and also more recently by the Cost-of-Living crisis.



- 1.6 The new contract arrangements will be informed by stakeholder and wider public engagement.
- 1.7 All tender documents will comply with the Public Procurement Regulations and be overseen by the Council's procurement officer and together with SLC, support the Council through all stages of the formal process including:
- Support in responding to bidder clarifications at each stage.
  - Evaluation of the Standard Selection Questionnaire (SSQ), and initial and revised tender submissions.
  - Facilitating dialogue with bidders at the appropriate stage.
  - Tender outcome report and supporting the contract award process.
  - Briefing to Project Board / Members at the key stages as required.
  - Provide support during the mobilisation phase.
- 1.8 It is important that the Council's looks at how its leisure facilities can further support the wider health and wellbeing outcomes for its residents as part of a whole system approach and how we target inactive and less active populations.
- 1.9 A joint contract will have a greater appeal to the operator market, providing a more significant portfolio under a single contract that either council could offer by themselves.
- 1.10 Establishing a risk share for the contract and a suitable timeframe for the tender process will also help to optimise the outcome for the Council.
- 1.11 Increases in construction costs may mean that investment options may be less affordable to the Council than in previous years. The financial business case will be balanced alongside the potential increase in social value and stronger health and wellbeing outcomes. This will be tested through the procurement process.
- 1.12 The two Councils could have differing priorities so it is important that on the future design of facilities and services there will be early engagement with elected members to ensure consensus and understand the overall affordability of the future service, balancing financial and social return. A few investment options will be developed to understand the likely affordability of each. This will enable the Council to establish a minimum financial threshold for compliance and the development of a service specification and contract that is financially sustainable for the Council.
- 1.13 There are also non-financial advantages to having joined-up service across the local area which will enhance the service offer for customers by enabling access to more facilities as part of their membership offer and harmonised pricing, for example.

## **2.0 BACKGROUND INFORMATION**

- 2.1 The Brentwood Leisure Centre had been managed by Brentwood Leisure Trust until it went into liquidation in November 2020. At that point Brentwood Borough Council took over the direct management of the leisure centre with consultative support from Everyone Active.
- 2.2 In October 2021 Everyone Active took over the direct management of the leisure centre and in April 2022 also took over the management of the newly opened Hartswood Pavilion, Splash Pd and Outdoor Adventure Play in King George's Playing Fields.
- 2.3 The initial contract was up until 30 September 2023.
- 2.4 In order to align the leisure contracts at Brentwood Borough Council and Rochford District Council as part of the strategic partnership it is proposed to extend the existing contract with Everyone Active until March 2025, to mirror the expiration of the leisure contract at Rochford. It is proposed that Brentwood Borough Council and Rochford District Council undertake a joint procurement for new leisure operator to manage the following four sites:
- Brentwood Centre
  - Hartswood Pavilion (including splash pad and outdoor adventure play)
  - Clements Hall Leisure Centre
  - Rayleigh Leisure Centre

It is also proposed that the Football Hub once built will also form part of the leisure contract.

## **3.0 OTHER OPTIONS CONSIDERED**

- 3.1 If Brentwood Borough Council were to undertake the feasibility and procurement process on its own then the costs for the Council would increase whereas undertaking it jointly with Rochford District Council reduces the costs to both authorities.
- 3.2 The Council looked at other consultants that are on the same framework to look at maximising the value for money. By utilising an existing framework, a direct appointment can be made, and in turn speeds up the procurement process.
- 3.3 Officers have also contacted other Essex authorities to see if any are interested in joining Brentwood and Rochford Council's in this process. There was limited interest, but both Councils need to be aware that there are time pressures to get a new leisure contract in place by 1 April 2025.

## **4.0 RELEVANT RISKS**

- 4.1 SLC manages between 60-70 major consultancy projects per annum and have gained a reputation around their expertise, quality assurance and appointment of a team to deliver within the desired timescales.

- 4.2 Establishing an acceptable risk share for the contract and a suitable timeframe for the tender process will also help to optimise the outcome for the Councils.
- 4.2 The investment options might involve remodelling/refurbishment rather than any wholesale redevelopment of facilities. There will be a strong focus on the commercial return on the options to strengthen the business case for investment.

## 5.0 ENGAGEMENT/CONSULTATION

## 6.0 FINANCIAL IMPLICATIONS

**Name & Title: Tim Willis, Director – Resources & Section 151 Officer**

**Tel & Email: 01277 312500 / [tim.willis@brentwood.rochford.gov.uk](mailto:tim.willis@brentwood.rochford.gov.uk)**

By procuring a joint contract, the Councils are able to realise savings of c. £17,500 each on this consultancy support.

<b>Project stages – feasibility</b>	<b>Project fees</b>
Stage 1 – Project inception, needs assessment and facility mix development	£9,525.00
Stage 2 – Options development	£3,301.75
Stage 3 – Design Development	£2,672.00
Stage 4 – Reporting	£4,377.75
<b>Total sub total</b>	<b>£19,876.50</b>
<b>Project stages - Procurement</b>	
Stage 1 – Project inception	£1,218.75
Stage 2 – Procurement strategy	£7,475.00
Stage 3 – Procurement documents	£5,525.00
Stage 4 – Tender process and evaluation	£11,325.00
Stage 5 – Contract award and mobilisation	£2,112.50
<b>Project management</b>	£4,875.00
<b>Total sub total</b>	<b>£32,531.25</b>
<b>Total costs to Brentwood Borough Council</b>	<b>£52,407.75</b>

The costs for these works will be met out of existing reserves.

## 7.0 LEGAL/GOVERNANCE IMPLICATIONS

**Name & Title: Claire Mayhew, Acting Joint Director – People & Governance & Monitoring Officer**

**Tel & Email 01277 312500 / [claire.mayhew@brentwood.rochford.gov.uk](mailto:claire.mayhew@brentwood.rochford.gov.uk)**

If the Councils procure external legal advisors to support the development and award of the new contract, this will also yield significant additional savings compared with procuring legal support for the development of two separate management contracts.

## 8.0 EQUALITY & HEALTH IMPLICATIONS

**Name & Title: Kim Anderson, Corporate Manager - Communities, Leisure and Health**

**Tel & Email 01277 312500 kim.anderson@brentwood.gov.uk**

The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:

- a. Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful.
- b. Advance equality of opportunity between people who share a protected characteristic and those who do not.
- c. Foster good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

The proposals in this report will not have a disproportionate adverse impact on anybody with a protected characteristic.

The Council's leisure facilities support the wider Health and Wellbeing agenda that supports our residents to maintain healthy and active lifestyles.

## **9.0 ECONOMIC IMPLICATIONS**

**Name & Title: Phil Drane, Director - Place**

**Tel & Email 01277 312500 / phil.drane@brentwood.rochford.gov.uk**

Maintaining and developing the wide range of facilities is important to ensure that Brentwood remains a great place to live, work and visit.

**REPORT AUTHOR: Name: Kim Anderson**

**Title: Corporate Manager, Community, Leisure and Health**

**Phone: 01277 312500**

**Email: kim.anderson@brentwood.gov.uk**

### **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
<b>Brentwood Centre procurement - Community Environment and Enforcement Committee</b>	<b>9 March 2021</b>



**COMMITTEE TITLE: Finance, Assets, Investment and Recovery Committee**

**DATE: 13 September 2023**

<b>REPORT TITLE:</b>	Wedding Options out of the Town Hall
<b>REPORT OF:</b>	Phoebe Barnes, Director of Assets and Investments

## **REPORT SUMMARY**

Currently Brentwood Borough Council has a wedding offer at the Town Hall on Thursday and Fridays and utilises Committee Room and 2 and on occasions the Council Chamber to undertake weddings. It is proposed that officers look at Merrymeade House as an alternative venue for weddings out of the Town Hall.

## **RECOMMENDATION**

**R1: Delegate authority for the Director of Assets and Investment to negotiate an agreement with Brentwood Council for Voluntary Services to manage weddings/civil ceremonies at Merrymeade House.**

**R2: Ensure that the change to the Wedding /Civil Ceremonies is clearly communicated to the public via the Council's website.**

## **SUPPORT ING INFORMATION**

### **1.0 REASON FOR RECOMMENDATION**

- 1.1 Currently the Weddings at the Town Hall utilise the two Committee Rooms and the Council Chamber on Thursdays and Fridays and can accommodate up to 3 weddings a day. There is a staff resource to manage these bookings, meet and greet the registrar and the couples undertaking the wedding/civil service as well as caretaker support to reconfiguring the committee room furniture. The income that is generated is split between Essex County Council and Brentwood Borough Council.
- 1.2 The ceremonies have been reduced to just two days a week due to the ongoing staff resource requirements, so by moving them out of the Town Hall a much better offer could be provided. Merrymeade House can accommodate a similar number of guests plus the wedding party. It is a Grade II listed building so is an attractive addition for the photographs and has a tearoom which could offer a wedding breakfast option as well.
- 1.3 It also offers Brentwood Council for Voluntary Services (CVS) an opportunity for an additional income stream which could reduce the core funding requirements from the Council going forward.

## 2.0 BACKGROUND INFORMATION

- 2.1 Brentwood Borough Council Chamber at the Town Hall allows for up to 30 guests plus the brides, grooms and officials.
- 2.2 The wedding party are allocated a time and vacate the building directly after the wedding ceremony has been completed. Parties are asked not to congregate around the green door entrance doors either before or after a ceremony.
- 2.3 The current process is to call the Council during office hours to check availability. Once the provisional availability has been confirmed with the Council, then individuals need to call Essex registration Service to book a registrar to attend and perform the ceremony.
- 2.4 A non-refundable deposit is taken at the time of booking the registrar. The remaining balance must be made at least 12 weeks before the date of ceremony. If a booking is made less than 8 weeks before the ceremony, full payment is required at the time of booking. Essex Registration Service will take receipt of all fees for ceremonies held at The Community Venue, Town Hall, Brentwood.
- 2.5 Persons must give notice of your marriage or civil partnership at least 28 days before the ceremony and this is through Essex County Council to book an appointment. The fee for giving notice is £35 each.
- 2.6 The current fees are set out in the following table.

Day	1 April 23- 31 March 2024	1 April 2024- 31 March 2025
Thursday	£235	£245
Friday	£320	£330

These fees do not include the certificate which is £11.

- 2.7 Cancellation of a booking before giving notice of marriage or civil partnership, will mean that the £50 deposit will not be refunded.
- 2.8 Ceremonies cancelled 56 days or more before the date of ceremony will incur a cancellation fee equivalent to 50% of the ceremony fee. If a person cancels fewer than 56 days before the ceremony date or fail to cancel in writing to the Essex Registration Service, no refund will be paid.
- 2.9 Currently 2 parking spaces are set aside in the Town Hall Car Park if there is space available.
- 2.10 Officers also manage the invoicing for the ceremonies. The Council has also invested in silk flowers, chair covers and screens and troughs to hide wires etc. in the chamber. A sound system to play music via Bluetooth is also required.
- 2.11 Photographs of the rooms on the Council's website are also available for couples to see.
- 2.12 It is proposed to look at alternative venues to hold the wedding and civil partnership ceremonies out of the Town Hall.

### 3.0 OTHER OPTIONS CONSIDERED

- 3.1 **Option 1: No change, weddings remain at the Town Hall.** The resource requirements include staff to take the bookings and liaise with the registrar at Essex Registration Office prior to the ceremony. On the day of the ceremony a staff member is required to meet and greet the registrar and the individuals concerned. It is a decision of the couple whether they are interviewed together or separately. If the couple want to remain separated, there needs to be somewhere for one half of the couple, usually the bride, to be hidden. There is a requirement for a separate room for the interviews to take place. A staff member also needs to make sure that the appropriate music is in place. Two parking spaces are reserved in the North Car Park which can impact on staff parking arrangements.
- 3.2 Following the ceremony, the staff member needs to ensure the wedding party exit the building promptly especially if another wedding is taking place thereafter. The Council normally allows at least an hour between ceremonies. Water and tissues are required both in the interview and ceremony rooms. A notice announcing the weddings should also be displayed.
- 3.3 Since April Brentwood Borough Council has withdrawn bookings on a Saturday and now offer Thursday and Friday bookings only between 1000 and 1600 and due to available resources, only allow a maximum of 3 ceremonies on each day.
- 3.4 Based on figures from 2022-2023 the income received by the Council for weddings was £24,230 per year, based on an offer on Thursday, Friday and Saturday. Resource was met by staff from the Democratic Services team and/or caretakers for the Saturdays or through additional casual staff costs of around £6,000 per year.
- With the reduction of the offer in 2023/24 to just Thursdays and Fridays the current income is £12,485, plus casual staff costs of c.£1300.
- 3.5 The cost of the 3year licence of £2040 is met by Brentwood Borough Council.
- 3.6 **Option 2: Do not provide a wedding offer in Brentwood.** The Council could decide not to provide a community wedding offer in the Borough. Brentwood Borough Council would not receive any income, the Chamber and Committee Rooms could be utilised as meeting rooms without the requirement for furniture to be moved around on a regular basis by the caretakers. However, it also means that any residents would need to go outside the Borough for their ceremonies.
- 3.7 **Option 3: Relocate to an alternative venue.** There are limited alternative options of venues within the Council's ownership that could be utilised at a potential wedding venue. It is proposed that weddings could be relocated to Merrymeade House. While this would free up the two Committee Rooms and the Council Chamber, the resource required to take the bookings and meet and greet the couple could be delivered by the Council's CVS service as they are currently located at Merrymeade House. The CVS already have two rooms allocated on the ground floor that could be utilised for

any bookings. There is also a Tea Room on the site that could provide a separate wedding breakfast package. The house itself is Grade II listed building so would be ideal for wedding photos within the house and the gardens at the rear of the house. This option could not only generate some additional income for the CVS to build their capacity and it might also reduce the core funding requirements from the Council as a result.

#### **4.0 RELEVANT RISKS**

4.1 Any proposed venue will need to comply with the requirements of the Essex Registration Office as part of the relevant licence. If members agree to moving the weddings out of the Town Hall, then a transition plan will need to be put in place so that couples are made aware of the changes to the location and that the proposed venue meets all the required requirements.

4.2 Loss of wedding/civil ceremony income to the Council.

#### **5.0 ENGAGEMENT/CONSULTATION**

5.1 Initial talks have been had with both the CVS and also with the tearoom to understand their appetite to host weddings at Merrymeade House and the response has been very positive.

#### **6.0 FINANCIAL IMPLICATIONS**

**Name & Title: Tim Willis, Director – Resources & Section 151 Officer**  
**Tel & Email: 01277 312500 / tim.willis@brentwood.rochford.gov.uk**

The cost for the first licence is £2040.00 which will last for 3 years. Since April 2023, and due to resource, the income has significantly reduced from weddings and civil ceremonies. The maximum number on each day is three and the fee is split with ECC. The booking of the ceremonies and day to day admin is covered by the Democratic Services team as part of their day-to-day tasks. However, additional help is bought in from casual staff to manage the ceremonies on a Friday. Further financial detail is set out in 3.4 of the report.

If the ceremonies are to be relocated out of the Tow Hall to Merrymeade House then the costs for the licence, staff resource and income derived from them will need to be determined as part of the agreement with CVS.

#### **7.0 LEGAL/GOVERNANCE IMPLICATIONS**

**Name & Title: Claire Mayhew, Acting Joint Director – People & Governance & Monitoring Officer**  
**Tel & Email 01277 312500 /claire.mayhew@brentwood.rochford.gov.uk**

If the weddings are to be relocated out of the Town Hall, then an application for Premises to be approved for marriages in pursuance of section 26(1) (bb) of the Marriage Act 1949, or for Civil Partnerships in Pursuance of Section 6 (3A) (a) of the Civil Partnership Act 2004 will need to go to the Registration Service at Essex County Council for approval. premises will need to be inspected for suitability before any approval is granted and if successful may be subject to subsequent public inspection. A period of 21 days must be allowed for any objections.



Approval, if granted will be for a period of three years, subject to revocation and the premises must satisfy the local authority on the fire precautions and health and safety provisions.

The Planning Authority (Brentwood Borough Borough) must be consulted, and evidence of their consent is required as part of the application for licence.

Subject to approval the venue must be regularly available for public use as a marriage or civil partnership venue and comply with any standard and local conditions to the grant of approval.

The application is made by the proprietor of the premises and if successful the applicant will be the holder of the approval.

The current licence for the Town Hall weddings and civil ceremonies will expire 1 October 2025.

## **8.0 EQUALITY & HEALTH IMPLICATIONS**

**Name & Title: Kim Anderson, Corporate Manager - Communities, Leisure and Health**

**Tel & Email 01277 312500 kim.anderson@brentwood.gov.uk**

The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:

- a. Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful.
- b. Advance equality of opportunity between people who share a protected characteristic and those who do not.
- c. Foster good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

The proposals in this report will not have a disproportionate adverse impact on anybody with a protected characteristic.

## **9.0 ECONOMIC IMPLICATIONS**

**Name & Title: Phil Drane, Director - Place**

**Tel & Email 01277 312500 / phil.drane@brentwood.rochford.gov.uk**

**TBC**

**REPORT AUTHOR:**

**Name: Kim Anderson**

**Title: Corporate Manager, Community Leisure and Health**

**Phone: 01277 312500**

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**APPENDICES**

**Appendix A – Requirements for Wedding venue**

**BACKGROUND PAPERS**

**SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>

## NOTES ON THE REQUIREMENTS BEFORE AN APPROVAL CAN BE GRANTED

The non-returnable fee for this application is £1975.00 (Please be aware that from 1<sup>st</sup> April 2022 this fee is increasing to £2040.00). This must be submitted with the application to the **Proper Officer for Registration Matters Essex Registration Service, Essex County Council, Seax House, Victoria Road South, Chelmsford, CM1 1QH.**

The application must be made by the proprietor or trustee of the premises. When made on behalf of a limited company there should be a separate statement of the names and addresses of all the directors.

The premises must fulfil the following standard requirements set out in Schedule 2 of the Regulations:

1. Having regard to their primary use, situation, construction and state of repair, the premises must, in the opinion of the authority, be a seemly and dignified venue for the solemnization of marriages or the formation of civil partnerships. The primary use of a building would render it unsuitable if that use could demean proceedings or bring them into disrepute.
2. The premises will be approved for the solemnisation of marriages and the registration of civil partnerships and must be regularly available to the public for use for one or the other. Under the terms of the Equality Act (Sexual Orientation) Regulations 2007 (which came into effect on 30<sup>th</sup> April 2007) it is unlawful for a person concerned with the provision to the public of goods, facilities or services to discriminate against a person who seeks to use those goods, facilities or services on the grounds of the sexual orientation of that person. The holder of an approval who does not allow premises to be used for both marriage and civil partnership, or who provides accommodation, services or facilities for one and not the other, is liable to legal action as a result. In common with other equality legislation, this action would need to be taken by the parties concerned against the holder of the approval. The local authority granting the approval has no powers to act or intervene, unless of course it is the holder of the approval.

The requirement that the premises must be regularly available for use by the public will preclude a private house from being approved.

3. The premises must have the benefit of such fire precautions as may reasonably be required by the authority, having consulted with the fire authority, and such other reasonable provision for the health and safety of persons employed in or visiting the premises as the authority considers appropriate.
4. The premises must not be religious premises as defined by section 6(2) of the Civil Partnership Act 2004. These are premises which are used solely or mainly for religious purposes or which have been used solely or mainly for religious purposes and have not been subsequently used for other purposes. A building

that is certified for public worship would fall into this category as would a chapel in a stately home or hospice. However, premises in which a religious group meets occasionally might be suitable if the other criteria are met.

5. For approval to be granted, the room or rooms in which marriage ceremonies or civil partnership formations will take place must be identifiable by description as a distinct part of the premises.
6. In addition to being satisfied that the requirements relating to the type of premises are met, the authority will want to be satisfied that the fire assessment in place at the premises is suitable for the intended purpose. The Authority will normally seek the view of the Essex County Fire and Rescue Service as to the fire safety self assessments submitted by premises with their application.
7. The Authority needs to be content that no planning permission is necessary for the use of the venue for marriages or civil partnerships. For the majority of venues (e.g. hotels, conference centres etc) separate planning permission is not likely to be necessary because the activity is ancillary to the main use of the building. Should the applicant be in any doubt that planning permission may be required, they are advised to consult the local planning authority prior to application.

The Regulations refer to "proceedings", defining these as the solemnization of marriages or the formation of civil partnerships and this guidance uses this term, where appropriate.

In addition to the standard requirements as set out above the Essex County Council has specified the following requirements which will have to be met by premises in order to gain approval for use as a venue for the solemnization of civil marriages under Section 26(1)(bb) of the Marriage Act 1949 or the formation of civil partnerships under Section 6 (3A)(a) of the Civil Partnership Act 2004:-

- (1) In addition to the room or rooms approved for the solemnization of the marriages or formation of civil partnerships, a separate room must be available to allow for the confidential interviewing of the couple by the Registrar prior to proceedings.
- (2) The size of the room where proceedings are to take place should be sufficient to accommodate all attendees, divided between standing and sitting as appropriate.
- (3) Access must be available for disabled persons.
- (4) Lighting levels must be satisfactory dependent upon the size and location of the room where proceedings are to take place.
- (5) Toilet facilities should be available and easily accessible. These should include toilet facilities for disabled persons.

- (6) Where parking is available two free car parking spaces shall be provided for the use of the Registration staff. These should be as near to the main entrance of the premises as possible and allow free access at all times.
- (7) Registration staff must at all times have access to a telephone.
- (8) The applicant must satisfy the Council that adequate insurance cover is held in respect of third party risks.

In considering the suitability of premises as a venue the local authority will have regard to following Guidance from the Registrar General:

1. The laws are intended to allow civil marriages or civil partnership formations to take place regularly in hotels, stately homes, civic halls and similar premises without compromising the fundamental principles of English law and Parliament's intention to maintain the solemnity of the occasion. The term "premises" is defined in Regulation 2(1) as a permanently immovable structure, comprising at least a room, or any boat or other vessel, which is permanently moored. Any premises outside this definition, such as the open air, a tent, marquee or any other temporary structure and most forms of transport, would not be eligible for approval. In addition, there are requirements in Schedule 1 that must be met before an approval can be granted.
2. The premise must be a seemly and dignified venue for the proceedings, which must take place in an identifiable and distinct part of those premises. This will preclude proceedings from taking place in the open air, in a tent, marquee or any other temporary structure and in most forms of transport.
3. Proceedings must take place in premises with open doors, which the Registrar General interprets to mean that the public must have unfettered access to witness the marriage or civil partnership formation and make objections prior to or during proceedings.
4. A register office cannot be approved as a venue under these regulations. If a register office is located in a building which is otherwise an approved venue (eg a Town Hall), that is acceptable provided that the two occupy mutually exclusive parts of the building: the register office marriage/ ceremony room cannot be part of the approved premise, and the approved premises plan will not include the area covered by the register office. A marriage / ceremony room cannot, in other words, be used partly for "register office" ceremonies / proceedings and partly for "approved venue" ones., on different days of the week or at different rates of fee. They must be mutually exclusive in their use.
5. The requirement that the premises must be regularly available for use by the public will preclude a private house from being approved.
6. The primary use of a building would also render it unsuitable if that use could demean the proceedings or bring them into disrepute.

7. The secular nature of proceedings means that certain premises cannot be approved: Schedule 1 specifies that religious premises cannot become approved premises whilst still being used for their religious purpose. A chapel in a stately home would fall into this category. However, it is acceptable for a building to be approved where its religious use has ceased, provided that the building has subsequently been solely or mainly used for another purpose. A disused religious building, which has not had any subsequent use, would not be capable of being approved.
8. Proceedings on approved premises may be followed by a celebration, commemoration or blessing of the couple's choice, providing that it is not a religious marriage ceremony and is separate from the civil ceremony.

## THE CONDITIONS TO BE ATTACHED TO GRANTS OF APPROVAL

The authority must attach the following standard conditions from Schedule 2 of the Regulations to any approval. Proceedings means the solemnisation of a marriage or the registration of a civil partnership and does not refer to any other activities on the premises:

1. The holder of the approval must ensure that there is at all times an individual with responsibility for ensuring compliance with these conditions (“the responsible person”) and that the responsible person’s occupation, seniority, position of responsibility in relation to the premises, or other factors (his “qualification”), indicate that he is in a position to ensure compliance with these conditions.
2. The responsible person or, in his absence, an appropriate qualified deputy appointed by him, shall be available on the premises for a minimum of one hour prior to and throughout each of the proceedings
3. The holder must notify the authority -
  - (a) of his name and address immediately upon him becoming the holder of an approval under regulation 7(2), and
  - (b) of the name, address and qualification of the responsible person immediately upon the appointment of a new responsible person.
4. The holder must also notify the authority immediately of any change to any of the following -
  - (a) the layout of the premises, as shown in the plan submitted with the approved application, or in the use of the premises;
  - (b) the name or full postal address of the approved premises;
  - (c) the description of the room or rooms in which proceedings are to take place;
  - (d) the name or address of the holder of the approval; and
  - (e) the name, address or qualification of the responsible person.
5. The approved premises must be available at all reasonable times for inspection by the authority.
6. A suitable notice stating that the premises have been approved for proceedings and identifying and giving directions to the room in which proceedings are to take

- place must be displayed at each public entrance to the premises for one hour prior to and throughout the proceedings.
7. No food or drink may be sold or consumed in the room in which proceedings take place for one hour prior to and during those proceedings.
  8. All proceedings must take place in a room which was identified as one to be used for that purpose on the plan submitted with the approved premise application.
  9. The room in which the proceedings take place must be separate from any other activity on the premises at the time of the proceedings.
  10. The arrangements for and content of the proceedings must meet with the prior approval of the superintendent registrar of the district, or the registration authority of the area, as the case may be, in which the approved premises are situated.
  11. Any proceedings conducted on approved premises shall not be religious in nature.

In particular, the proceedings shall not:

- (a) include extracts from an authorised religious marriage service or from sacred religious texts;
- (b) be led by a minister of religion or other religious leader;
- (c) involve a religious ritual or series of rituals;
- (d) include hymns or other religious chants; or
- (e) include any form of worship.

Proceedings may include readings, songs or music that contain an incidental reference to a god or deity in an essentially non-religious context.

For this purpose, any material used by way of introduction to, in any interval between parts of, or by way of conclusion to the proceedings shall be treated as forming part of the proceedings.

12. Public access to the proceedings in approved premises must be permitted without charge.
13. Any reference to the approval of premises on any sign or notice, or on any stationery or publication, or within any advertisement may state that the premises have been approved by the authority as a venue for marriage in pursuance of section 26(1)(bb) of the Marriage Act 1949 and the formation of civil partnerships under Section 6 (3A)(a) of the Civil Partnership Act 2004, but shall not state or imply any recommendation of the premises or its facilities by the authority, the Registrar General or any of the officers or employees of either of them.



14. If a change of name to the approved premises occurs after the issue of the certificate for marriage or the civil partnership document, but before the proceedings, the former name of the approved premises as recorded in the certificate for marriage or the civil partnership document shall remain valid for its duration for the purpose of the proceedings.

The County Council will also attach the following conditions to all approvals, together with such further conditions as appear appropriate following inspection of the premises.

- (1) The holder of the approval will be responsible for ensuring that all those attending the proceedings are aware of evacuation procedures and of the action to be taken in an emergency situation.
- (2) Registration staff must have access to the room where proceedings will take place and Interview Room at least 30 minutes before proceedings are due to take place. In any accommodation where an admission charge is made to members of the public, this must be waived and arrangements made for the easy access of Registration staff.
- (3) A suitable table and four chairs should be provided in the room where proceedings are to take place as directed by the Registration staff. Chairs for guests should be provided, in number and position to be dictated by the size of the room and subject to the approval of the Registration staff in order to allow free access and movement during proceedings.
- (4) At the discretion and requirement of the Registration staff, additional portable lighting may be required in that part of the room where the entry is to be made in the Marriage Register and the Register signed or for the signing of the civil partnership schedule.
- (5) A box of tissues, carafe of water and four glasses should be provided.
- (6) No smoking will be permitted in the room where proceedings are to take place for one hour before and during proceedings.
- (7) Depending upon the number of persons attending proceedings, the approval holder may need to provide an Usher or Ushers to control or assist the guests. The Usher(s) will be under the supervision of the Registration staff.
- (8) Proceedings must not be disturbed by noise or otherwise by other activities taking place in or in the proximity of the approved premises.
- (9) All reasonable efforts should be made by the holder of the approval to ensure that no noise, litter or any other nuisance or disturbance is caused to local residents, neighbours or others.
- (10) The responsible person shall give advance notification to the Superintendent Registrar of the District in which the approved premises are situated of any

occasion when he will be absent and of the name and qualification of the deputy appointed by him on that occasion.

- (11) The holder of the approval will ensure that the room where proceedings are to take place is in a clean and tidy condition and free of litter immediately prior to proceedings commencing.
  
- (12) The approval holder will indemnify the Essex County Council against any claim loss or damage whatsoever in respect of any loss or damage to any person using the approved premises (including injury resulting in death) save insofar as such may be caused by the act default or omission of the Essex County Council its servants or agents and will be required to complete and return the attached insurance certificate as evidence of these arrangements

## ADDITIONAL INFORMATION

### RENEWAL

1. The holder may apply for the renewal of an approval when the current approval has between six and twelve months to run. An application for renewal made in this period will extend the current approval until the application has been finally dealt with. A renewal will run from the expiry date of the current approval.

### REVOCAATION

2. The authority may revoke an approval if it is satisfied, after considering any representations from the holder, that the use or structure of the premises has changed so that any of the standard or local requirements cannot be met or the holder has failed to comply with one or more of the standard or local conditions attached to the approval.
3. The Registrar General may direct the authority to revoke an approval if, in his opinion and after considering any representations from the holder, there have been breaches of the law relating to marriage or civil partnerships on the approved premises.
4. When an approval has been revoked the regulations require the former holder to notify any couples who had arranged to marry or register a civil partnership on the premises.

### REVIEWS

5. An applicant may seek a review by the local authority of its decision to refuse to grant an approval, to attach local conditions, to refuse to renew an approval or to revoke an approval.
6. The review must be carried out by a different officer, committee or sub-committee than that which made the decision which is being appealed against. The review panel may confirm the decision, rescind it or vary it with the imposition of fresh or further conditions.
7. The authority may charge an additional fee for a review of its decision to refuse to grant an approval, to attach local conditions or to refuse to renew an approval.
8. A direction by the Registrar General to revoke an approval is not subject to review by the authority.

### REGISTRATION

8. Details of approved premises will be held for public inspection by the authority. These details will be copied locally and sent to the Registrar General who will publicise them.

GUIDANCE FOR THOSE WHO WISH TO MARRY ON APPROVED PREMISES  
(TO BE ISSUED TO APPROVAL HOLDERS)

1. As soon as a couple have made provisional arrangements for their marriage on approved premises they should be advised to contact the superintendent registrar for the district in which the premises are situated.
2. Without the presence of this superintendent registrar and a registrar there can be no marriage and any arrangements for the use of the premises depend entirely on their availability. Although the County Council has appointed some additional staff, it can give no guarantee that a superintendent registrar and/or registrar of marriages will be available on any particular occasion and it accepts no responsibility for any matter arising as a result of such non-availability.
3. The couple will also have to give a notice of marriage to the superintendent registrar(s) of the district(s) in which they live. This notice must be given in person by each of them and is valid for twelve months. Both parties should, therefore, attend the register office where they live as soon as possible after notice can be given. If the couple live in different districts, then each of them will have to give notice in their own district. A separate fee is payable for each notice.
4. If either of the couple are subject to immigration control there will be further procedures to take before marriage notice can be given. The local superintendent registrar can advise further on these procedures.
5. The couple should be warned that any arrangements made for a marriage to take place on the approved premises are dependent on:
  - a) the attendance of the superintendent registrar and a registrar for the district in which the premises are situated: and,
  - b) the issue of the authority or authorities for marriage by the superintendent registrar(s) to whom notice of marriage was given.
6. When notice is given in a different registration district from the one where the Marriage is taking place, the couple will have to collect each authority before the ceremony and ensure that it is delivered to the registrar who is to attend the ceremony.
7. The couple should be advised that any ceremony conducted on approved premises shall not be religious in nature. In particular, the ceremony shall not:
  - (a) include extracts from an authorised religious marriage service or from sacred religious texts;
  - (b) be led by a minister of religion or other religious leader;
  - (c) involve a religious ritual or series of rituals;
  - (d) include hymns or other religious chants; or
  - (e) include any form of worship.

The marriage ceremony may include readings, songs or music that contain an incidental reference to a god or deity in an essentially non-religious context. For this purpose, any material used by way of introduction to, in any interval between parts of, or by way of conclusion to the proceedings shall be treated as forming part of the ceremony.

The content of the ceremony must be agreed in advance with the superintendent registrar who will be attending the ceremony. The superintendent registrar and registrar of marriages are unable to attend any rehearsal of the marriage ceremony at the approved premises.

8. Any rights of copyright for music, readings etc permitted at the ceremony are a matter for the couple and the holder of the approval.

GUIDANCE FOR THOSE WHO WISH TO REGISTER A CIVIL PARTNERSHIP ON  
APPROVED PREMISES  
(TO BE ISSUED TO APPROVAL HOLDERS)

1. As soon as a couple have made provisional arrangements for their civil partnership on approved premises they should be advised to contact the civil partnership registrar for the registration authority in which the premises are situated.
2. Without the presence of a civil partnership registrar there can be no civil partnership registration and any arrangements for the use of the premises depend entirely on their availability. Although the County Council has appointed some additional staff, it can give no guarantee that a civil partnership registrar will be available on any particular occasion and it accepts no responsibility for any matter arising as a result of such non-availability.
3. The couple will also have to give a notice of civil partnership to an authorised person of the registration authority in which they live. This notice must be given in person by each of the couple and is valid for twelve months. The couple should, therefore, attend a register office in the area where they live as soon as possible after notice can be given. If the couple live in different registration authority areas, then each of them will have to give notice in their own area. A separate fee is payable for each notice.
4. If either of the couple are subject to immigration control there will be further procedures to take before a notice of civil partnership can be given. The local registration authority can advise further on these procedures.
5. The couple should be warned that any arrangements made for a civil partnership to take place on the approved premises are dependent on:
  - a) the attendance of a civil partnership registrar for the area in which the premises are situated: and,
  - b) the issue of the authority or authorities for civil partnership by the registration authorities to whom notice of civil partnership was given.
6. When notice is given in a different registration authority from the one where the civil partnership is taking place, the couple will have to collect each authority before the ceremony and ensure that it is delivered to the civil partnership registrar who is to attend the registration.
7. The couple should be advised that any civil partnership registration and associated ceremony conducted on approved premises shall not be religious in nature. In particular, the ceremony shall not:
  - (a) include extracts from an authorised religious marriage service or from sacred religious texts;

- (b) be led by a minister of religion or other religious leader;
- (c) involve a religious ritual or series of rituals;
- (d) include hymns or other religious chants; or
- (e) include any form of worship.

A civil partnership registration with an associated ceremony may include readings, songs or music that contain an incidental reference to a god or deity in an essentially non-religious context.

For this purpose, any material used by way of introduction to, in any interval between parts of, or by way of conclusion to the proceedings shall be treated as forming part of any ceremony.

The content of the ceremony must be agreed in advance with the civil partnership registrar who will be attending the ceremony. The civil partnership registrar is unable to attend any rehearsal of the civil partnership registration/ceremony at the approved premises.

8. Any rights of copyright for music, readings etc permitted at the registration/ceremony are a matter for the couple and the holder of the approval.

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**FINANCE, ASSETS, INVESTMENT & RECOVERY COMMITTEE  
13 SEPTEMBER 2023**

<b>REPORT TITLE:</b>	<b>Response to the National Grid Non-Statutory Consultation on Norwich to Tilbury Scheme</b>
<b>REPORT OF:</b>	<b>Phil Drane, Director – Place</b>

## **REPORT SUMMARY**

The following report considers the non-statutory consultation in respect of National Grid's Transmission's 400kv grid reinforcement between Norwich and Tilbury. This project was previously referred to as East Anglia Green. This project is a Nationally Significant Infrastructure Project (NSIP).

This report provides an overview of the project and its potential impacts on Brentwood borough. A draft response has been submitted to comply with the consultation deadline and is subject to committee approval in line with the recommendation (Appendix A). The response objects to the proposed Norwich to Tilbury scheme on the basis that alternative options including re-routing and undergrounding need to be given more serious consideration, direct impacts on the delivery of Dunton Hills Garden Village (DHGV), and impacts on effected communities, Green Belt, heritage, landscape and ecology. This is consistent with other responses from affected local authorities, including Essex County Council (Appendix B).

This non-statutory consultation remains the starting point for the project. There will be further statutory consultation in 2024. The Council requests further ongoing engagement with National Grid on the scheme to help resolve its objections.

## **RECOMMENDATION**

- R1. Approve the response to the Norwich to Tilbury non-statutory consultation, as set out in Appendix A.**

## SUPPORTING INFORMATION

### **1.0 REASON FOR RECOMMENDATION**

- 1.1 Officers consider that Brentwood should submit an in-principle objection to the scheme, as the alternative options have not been fully explored and considered versus the impact that the on land overhead pylons and cabling option may have on a variety of factors, as set out in Appendix A.
- 1.2 Despite the accepted need for the project and movement to a low carbon future, it is our position that the installation of numerous new pylons across the borough is not the right option in terms of environmental impacts and impact on residents/businesses, and that alternative options should be given more serious consideration.
- 1.3 The Council have previously stated a preference for a coordinated, offshore approach to the delivery of transmission reinforcement, to minimise onshore infrastructure and the associated impact on communities and environment, this position still applies. However, it is acknowledged that all possible options will give rise to impacts on the local environment, whether that be marine or land, and will have wider costs and benefits that need to be carefully considered. In the event that the preferred offshore approach cannot be delivered, and re-routing to avoid this section altogether is ruled out, National Grid need to seriously consider the case for further undergrounding of the infrastructure across this section of the route to a greater extent than the published consultation documents show.
- 1.4 The Council's response highlights the significant adverse heritage, landscape and visual effects the overhead transmission line is likely to have on the corridor running to the east of Ingatestone. In addition, it highlights the harmful severing effect the overhead line will likely have on Haverings Grove, around which the proposed routing of the transmission line would in effect surround the village in all but its eastern outlook, visually severing the settlement from Hutton and the wider borough of Brentwood. The Council's response calls for serious consideration of re-routing or undergrounding in these areas of sensitivity.
- 1.5 The case for undergrounding is strong on and around land allocated for DHGV. The Council has worked closely with local authority partners at Basildon Borough Council and Essex County Council in producing a joint local authority response to specifically set out the need for the consideration of alternatives, including the undergrounding of the route at this location (Appendix C).

- 1.6 National Grid's preferred route of the transmission line has the potential to seriously undermine the delivery of DHGV and its legacy as a garden community. It's not simply the potential reduction of the available development area that is of concern, although this is one aspect, it is the potential for the routing of the proposed overhead transmission line to impede upon the ability of DHGV to align with the garden community principles upon which it was allocated. The same principles that shape and inform Local Plan Policy R01 and the DHGV SPD, which set out how the allocation must come forward.
- 1.7 Officers wish to highlight within the Council's response the need for transparency regarding what consideration of undergrounding on the section of the route effecting the borough has been undertaken to date, what, if any, specific financial modelling has National Grid done on the cost of undergrounding? What does National Grid estimate will be the total costs of settling claims for damages - including legal expenses? And, apart from meeting obligations to the taxpayer, what are the specific planning reasons for National Grid ruling out undergrounding?
- 1.8 Whilst recommending this position it is also necessary to consider the detail of the scheme we have before us. With its partners 'Place Services', Essex County Council has led on the coordination and submission of a technical response to the consultation on behalf of affected authorities in Essex, Suffolk and Norfolk (Appendix B). This sets out a strong objection to the Norwich to Tilbury proposals as currently proposed. In addition to this joint high-level response the BBC response emphasizes the need for further consideration of the following key issues of local significance (as set out in Appendix A):
- a) Green Belt
  - b) Heritage Assets
  - c) Landscape
  - d) Environmental Health
  - e) Pylon Design
  - f) Compound Sites
  - g) Mitigation Measures
  - h) Community Benefits
- 1.9 The Council requests further ongoing engagement with National Grid on the scheme to help resolve its objections.

## **2.0 BACKGROUND INFORMATION**

- 2.1 The Norwich to Tilbury project in its entirety proposes the following:

- a) A new 400kv electricity transmission line over a distance of roughly 180km from Norwich to Tilbury and a new 400kv connection substation in Tendring district.
  - b) The route comprises mostly of overhead line (including pylons and conductors – the “line” part) and underground cabling through and near to the Dedham Vale Area of Outstanding Natural Beauty (AONB).
  - c) Cable sealing end compounds. A compound which enables electricity to transition from above ground to below ground).
- 2.2 The preferred route for the 400kv powerline would enter Brentwood borough to the northeast of Ingatestone (from the Chelmsford area) and broadly run close to the borough’s eastern boundary with Basildon borough.
- 2.3 As a Nationally Significant Infrastructure Project, the planning process will be overseen by the government through a specialist unit of the Planning Inspectorate. National Grid will be seeking a ‘Development Consent Order’ (DCO) from the government, as opposed to planning permission from the local planning authority. Brentwood Borough Council, like the other affected councils, are classified as ‘Host Authorities’ for the purposes of the Planning Act 2008 and The Infrastructure Planning (EIA) Regulations 2017. As a Host Authority, the Council plays an important role in helping to shape and assess the impacts of the proposals. However, the Planning Inspectorate are the determining authority for the development.
- 2.4 Members may recall that this is the second non-statutory consultation for the scheme, which was considered in July last year by the Policy, Resources & Economic Development Committee.
- 2.5 The first non-statutory consultation gave an indication of the pylon corridor, whereas this second non-statutory consultation shows the positioning of the pylons giving a more detailed route. Additionally, a number of changes have been made to National Grid’s preferred draft alignment, two of which have direct implications for the borough and are set out below:
- a) Changes outside the 2022 preferred draft corridor ‘Further East of Ingatestone’: The alignment now passes further east of Ingatestone, diverting from the crossing of the A12 east of Stock Lane, continuing south passing to the east of the treatment works and re-joining the preferred corridor north of the crossing of Rayleigh Road. This has been made to reduce impacts on Ingatestone Hall and St Giles Church.
  - b) Changes inside of the 2022 preferred draft corridor: Between West Horndon and Basildon the alignment runs along the eastern edge of the

preferred 2022 corridor with the intention to reduce interaction with the Dunton Hills Garden Village.

### **Consideration given by National Grid to an offshore approach**

- 2.6 Since the previous consultation further information/justification has been provided on Strategic Options such as an undersea route. National Grid's supporting consultation document, 'Strategic Options Backcheck and Review (June 2023)' states that the offshore route is considerably more expensive than the alternative onshore routes and does not provide sufficient capacity for energy generation at Sizewell and the Essex Coast Generation Groups. Other issues for an offshore route include limited opportunity to avoid the Broads National Park and Suffolk Coast and Heaths AONB but some mitigation could occur, and the offshore route would not provide the flexibility of onshore connection options which facilitate flows both to the West and East of the transmission system for different system faults. A detailed analysis is available in this document for each of the options.

### **Next Steps**

- 2.7 The project is currently at a non-statutory consultation stage. It is expected that National Grid will undertake extensive community engagement and liaison with the host authorities between now and the submission of the Development Consent Order. BBC (and the other Host Authorities) are nearing completion of negotiations with National Grid to cover the costs of the project via a Planning Performance Agreement (PPA).
- 2.8 The currently anticipated timescales for the Development Consent Order process are as follows:
- a) Statutory Consultation during 2024
  - b) Environmental Impact Assessment 2024
  - c) Submission of Development Consent Order application to the Planning Inspectorate during 2025
  - d) Examination, recommendation by the Planning Inspectorate and decision by the Secretary of State from 2025 to 2026
  - e) Build by National Grid commences during 2027
  - f) Fully operational by 2031
- 2.9 As expected at this stage of the development of the Norwich to Tilbury proposals an enormous amount of background information remains to be presented at the Statutory Consultation stage within the Preliminary Environmental Impact Report. BBC are engaging with National Grid in their development of this essential report. It is expected that further adjustments to

the proposals are likely to be required as greater knowledge is gained of the environment.

### **3.0 OTHER OPTIONS CONSIDERED**

3.1 At this stage the consultation is non-statutory and therefore could be subject to changes as the scheme develops and moves towards the statutory stages. The Council could decide not to engage at this point, however, due to the nature and scale of the proposals it is considered imperative to respond to the consultation. This then informs National Grid of our position and strengthens our ability to positively influence the proposals as they head towards Development Consent Order Examination.

### **4.0 RELEVANT RISKS**

4.1 As a Host Authority, the Council plays an important role in helping to shape and assess the impacts of the proposals. Should the Council fail to engage with the consultation we would miss an important opportunity to outline our main concerns with the proposed scheme and reduce our ability to positively influence its outcome through the Development Consent Order process.

### **5.0 ENGAGEMENT/CONSULTATION**

5.1 In 2022 National Grid held their first non-statutory consultation to introduce the project (previously known as East Anglia Green), to present their preferred draft route corridor and the process that they had been through to identify it.

5.2 National Grid have undertaken a second non-statutory consultation for an eight week period, between 27 June and 21 August 2023. This second consultation shows the positioning of the pylons giving a more detailed route. A number of changes have made following the 2022 non-statutory consultation to National Grid's preferred draft alignment of overhead powerline. The changes impacting Brentwood Borough are outlined in this report.

5.3 National Grid publicised the consultation via a range of measures, including sending out newsletters to residents, parish councils, local authorities and businesses within a 1km radius from the edge of the preferred draft alignment. The non-statutory consultation included webinars, face to face consultation events and information points open to the public. This included a public consultation event held at The Brentwood Centre on 6 July 2023, where National Grid staff were in attendance to discuss the project and answer questions (115 people attended this event).

5.4 This non-statutory consultation remains the starting point for the project. There will be further statutory consultation in 2024.

## **6.0 FINANCIAL IMPLICATIONS**

**Name & Title: Tim Willis, Director – Resources (Section 151 Officer)**

**Tel & Email: 01277 312500 / tim.willis@brentwood.rochford.gov.uk**

6.1 The Council are nearing completion of negotiations to agree a Planning Performance Agreement (PPA) with National Grid to agree project inputs and outputs, timeframes and reimbursement of relevant council costs.

## **7.0 LEGAL/GOVERNANCE IMPLICATIONS**

**Name & Title: Claire Mayhew, Acting Joint Director – People & Governance (Monitoring Officer)**

**Tel & Email: 01277 312500 / claire.mayhew@brentwood.rochford.gov.uk**

7.1 The Planning Act 2008 sets out provisions for the Nationally Significant Infrastructure Project pre-application process, including a duty for the proposer to consult parties including local authorities and communities affected.

7.2 The comments submitted by the council respond to this non-statutory consultation and the council will need to continue to engage in the project as it progresses with further statutory consultation.

## **8.0 EQUALITY & HEALTH IMPLICATIONS**

**Name & Title: Kim Anderson, Corporate Manager - Communities, Leisure and Health**

**Tel & Email: 01277 312500 kim.anderson@brentwood.gov.uk**

8.1 It will be the responsibility of National Grid to undertake necessary assessments on the project including an Equality Impact Assessment.

## **9.0 ECONOMIC IMPLICATIONS**

**Name & Title: Phil Drane, Director - Place**

**Tel & Email 01277 312500 / phil.drane@brentwood.rochford.gov.uk**

9.1 The proposed route puts the delivery of Dunton Hills Garden Village at risk in that it reduces the development and therefore viability, among other things. That would have negative implications for housing delivery in the borough and across the South Essex, which by extension impacts specific employment land to be delivered as part of the garden village as well as the wider economic benefits that would be reduced or lost entirely. Therefore, it is

important that the council identifies these issues and engages with National Grid to help identify alternatives.

**REPORT AUTHOR:**           **Name:** Camilla Carruthers  
   **Title:** Senior Policy Planner  
   **Phone:** 01277 312652  
   **Email:** camilla.carruthers@brentwood.gov.uk

## APPENDICES

- Appendix A: Brentwood Borough Council response to the Norwich to Tilbury project, second non-statutory consultation (August 2023)
- Appendix B: Essex County Council response to the Norwich to Tilbury project, second non-statutory consultation (August 2023)
- Appendix C: Joint Local Authority response from Basildon Borough Council, Brentwood Borough Council and Essex County Council to the Norwich to Tilbury project, second non-statutory consultation (August 2023) - with a focus on the need to underground the Norwich to Tilbury route on and around the land allocated for Dunton Hills Garden Village.

## BACKGROUND PAPERS

- Supporting information for the Norwich to Tilbury project is provided on the National Grid website at: <https://www.nationalgrid.com/electricity-transmission/network-and-infrastructure/infrastructure-projects/norwich-to-tilbury>

## SUBJECT HISTORY (last 3 years)

<b>Council Meeting</b>	<b>Date</b>
Policy, Resources & Economic Development Committee: Item 81, National Grid East Anglia Green Proposal	13 July 2022





## **Brentwood Borough Council response to non-statutory consultation on the Norwich to Tilbury Nationally Significant Infrastructure Project (NSIP), August 2023**

Thank you for consulting Brentwood Borough Council as a Host Authority on the Norwich to Tilbury non-statutory consultation.

Please note, this response forms only part of the Council's representation to the consultation. In addition to this response:

- A joint consultation response, coordinated by Essex Place Services on behalf of the affected Local Authorities, has been produced with a focus on the wider archaeology, heritage, landscape, conservation, and ecology implications.
- A second joint local authority response has been produced by Essex County Council (ECC) working in collaboration with Basildon Council and Brentwood Borough Council (BBC) with a focus on the need to underground the Norwich to Tilbury route on and around the land allocated for Dunton Hills Garden Village.

### **Understanding the need for the project**

1. The UK Government has made it clear that its net zero carbon emissions by 2050 target is an important milestone in creating a cleaner, greener future. It's recognised that the growth in energy generated from offshore wind is a key part of achieving net zero and the Government's Energy White Paper sets an ambitious target to deliver 50 GW of offshore wind connected to the network by 2030. With around 60 per cent of all offshore wind developments looking to bring their energy onshore along the East Coast, additional infrastructure is required to enable offshore wind generated to be delivered to where it would be used. The new power lines will help in reinforcing and modernising the network to ensure future energy transmission demand is met.
2. Brentwood Borough Council has recently declared a climate emergency (June 2023), adding its voice to the growing number of local authorities who have responded to the global climate crisis and to confirm the Council's commitment to achieving net-zero carbon status by 2030 for its own estate. The Council understands and is accepting of the need to upgrade the existing grid and transport cleaner low-carbon energy from where it is generated to where it's needed by homes and businesses. However, this does not mean that all proposals which assist in reducing carbon emissions are approved at any cost. Each application must be assessed in detail, and the public benefits weighed against any identified harms. If the harms are deemed to outweigh the benefits, then the Council would consider it appropriate to object to proposals.

## **Principle of the 2023 Preferred Draft Alignment**

3. Despite the accepted need for the project and movement to a low carbon future, the Council continues to have serious concerns about the proposal. It is understood that the preferred route and overhead line has been chosen, in principle, due to it being the cheapest solution for National Grid and the taxpayer. However, as such, the preferred alignment does not reflect the full range of planning considerations (as outlined in our below response).
4. The Council continues to believe that the installation of numerous new pylons across the borough is not the right option in terms of environmental impacts and impact on residents, and that alternative options should be given more serious consideration. The Council have previously stated a preference for a coordinated, offshore approach to the delivery of transmission reinforcement, to minimise onshore infrastructure and the associated impact on communities and environment, this position still applies.
5. The Council acknowledges that all possible options will give rise to impacts on the local environment, whether that be marine or land, and will have wider costs and benefits that need to be carefully considered. In the event that the preferred offshore approach cannot be delivered, amendments (as discussed in the below response) must be made to this project to reflect the full range of planning considerations and in so doing, to reduce the adverse impact on the boroughs communities and the environment and realise the potential additional benefits that could accrue from this project.
6. The Council accepts that overgrounding is the starting point for reasons of cost efficiencies, however BBC are of the view National Grid should have considered the case for further undergrounding of the infrastructure to a greater extent than the published consultation documents show. The Council notes that National Grid's Design Development Report (June 2023) fails to assess the potential to underground the section of the route between Chelmsford, Brentwood and Basildon; this is considered unacceptable given the severity of the impact across this sensitive location. NPS EN-5 makes it clear that the Government expects overhead lines to be appropriate in most - but not all - instances, while it recognises that there may be a case for undergrounding at particularly sensitive locations including Areas of Outstanding Natural Beauty (AONBs).
7. Until such concerns are adequately addressed, the Council cannot support the specific proposals put forward by National Grid in respect of Norwich to Tilbury, our position is an in-principal objection to the current proposals.

## **Appraisal of changes to the route affecting Brentwood Borough**

8. It's noted changes have been made following the 2022 non-statutory consultation to National Grid's preferred draft alignment of the Norwich to Tilbury overhead powerline. These changes consist of:

- An alternative corridor further east of Ingatestone diverting from the crossing of the A12 to the east of Stock Lane, continuing south passing to the east of the treatment works, re-joining the preferred corridor north of the crossing of Rayleigh Road; and
- a proposal to restrict the alignment to the eastern edge of the preferred corridor (along the boroughs southeastern border with Basildon Council) with the intention of reducing interaction with the Dunton Hills Garden Village.

The Council's response to these changes is set out below:

### **Further East of Ingatestone**

12. The Council endorses comments made by Place Serves, in that "the alternative corridor further east of Ingatestone is to be welcomed as it conserves the setting of Ingatestone Hall, but the adverse impacts are displaced to the countryside to the east rather than removed."
13. There remains concern that despite this change in the route alignment there is a continued risk of significant adverse heritage, landscape and visual effects. The Council supports the comments made by Place Services, in highlighting the need for serious consideration of re-routing or undergrounding (from TB182-TB198) in this area of particular sensitivity.

### **Havering's Grove**

14. Notable by its absence of any meaningful commentary within National Grid's supporting Design Development Report (June 2023) and referred to (within this document) as a 'pinch point' between Hutton and Billericay; BBC wish to make clear its concern for the potential impact the proposal would have on the residents and setting of this community.
15. Moving the preferred route alignment further to the east of Ingatestone has created a scenario whereby the settlement of Havering's Grove is adversely affected by the proposed routing of the overhead line to its northern, western and southern boundary. The transmission line would in effect surround the village in all but its eastern outlook, visually severing the settlement from Hutton and the wider borough of Brentwood. Given this harmful severing effect, coupled with the proximity of the transmission line to residential properties at this self-confessed 'pinch point', we again wish to highlight the need for serious consideration of re-routing or undergrounding of the route around Havering's Grove.

### **Dunton Hills Garden Village (DHGV)**

16. Please refer to Appendix 1, within this response, for a detailed analysis of the impact of Norwich to Tilbury on the delivery and qualitative standards for Dunton Hills Garden Village. Note, in addition to forming part of the BBC's response the content of Appendix 1 informs the Councils joint response with ECC and Basildon Council, in a shared position on the need to underground the Norwich to Tilbury route on and around land allocated for DHGV.

## Planning Considerations

17. As referred to previously a joint response, coordinated by Essex Place Services, on behalf of the affected local authorities is focused on the wider archaeology, heritage, landscape, conservation, and ecology implications of the proposal. In addition to this joint high-level response the Council wishes to emphasise the need for further consideration of the following key issues of local significance (please note, this list is not exhaustive and does not prejudice the consideration of any other issue). Given minimal changes have been made to National Grid's preferred pylon route, comments provided to the previous non-statutory consultation still apply.
18. **Green Belt:** It is noted the proposed route passes through Green Belt land within the borough. Clearly the scheme will pose significant impacts on the openness of the Green Belt and the Council wishes to raise concern in this regard. The council acknowledges the starting point is for 'overgrounding' of cabling and infrastructure on schemes of this nature, other than in extremely sensitive areas. However, undergrounding appears to have been ruled out on grounds of cost, but there is little evidence showing that a robust cost benefit analysis and options appraisal has been undertaken.
19. **Heritage Assets:** It's noted the route passes within close proximity to the grounds of Ingatestone Hall (Grade I listed) and Heron Hall (Grade II listed). These areas contain both above ground built heritage of high designation status but also contain Scheduling's for which Historic England act as statutory consultees. The scheme as proposed will pose a significant impact on the setting of these listed buildings and potentially direct impact for significant Ancient Monuments and as such the council wishes to stress the importance of a full assessment of the impact of the proposal on the historic, architectural, and associative value of these heritage assets (above and below ground) and all other effected heritage assets across the route. It is expected National Grid are seeking detailed advice with the regional team at Historic England Cambridge, the Council formally request to be updated on the development of these discussions.
20. **Landscape:** The Council wishes to highlight the potential landscape and visual effects on Thorndon Country Park, the views from which should be carefully considered and assessed. This site is on the Historic England Register of Parks and Gardens of Special Historic Interest (Grade II\*) as well as a regionally important country park. It is also noted the proposed route passes close to Writtle Forest Ancient Landscapes, this natural heritage asset in the northeast corner of the borough, includes designated ancient woodland and protected lanes. The Council wishes to highlight it as an area of particular sensitivity.
21. **Environmental Health:** The Council seeks confirmation that full consideration has been given to health implications associated with the proposed route and wider project.

22. **Pylon Design:** It is noted that further assessments are due to be carried out on pylon design and no decision has been made on their design. In due course the Council will require detailed landscape visual impacts for all proposed pylon locations to be produced and consulted upon.
23. **Compound Sites:** The consultation material does not provide information on when the associated impacts, such as location for materials compounds, haul routes and staff facilities will factor into the preferred route alignment. Whilst the construction activities would be temporary, they have potential to generate significant impacts in some locations which could be avoided by reviewing the routing at an early stage. It is the Councils view that it would not be acceptable to fix the positions of pylons without reviewing all the implications of their routing.
24. **Mitigation Measures:** Given the nature of the scheme it will be unavoidable for the development to result in residual impacts on the community and locality, including on amenity, loss/reduced quality of recreational opportunity for the community, culture and heritage, and health and wellbeing. BBC expects appropriate and robust mitigation and/or compensatory offsetting for such residual impacts. The Council seeks reassurance that appropriate compensation will be provided where harmful effects cannot be fully mitigated, together with clarification as to what these compensation measures will be. It is requested this information be made clear to all residents and businesses affected.
25. **Community Benefits:** It remains unclear what the benefits of the route are for local communities, given the risk of visual blight the overhead pylons and cabling will have. Whilst it is accepted that the route will help to deliver energy security, boosting the proportion of energy from renewable sources into the UK's energy mix. However, questions remain at the local level as to how many full-time jobs will the project create? How many apprenticeships? How much cheaper will it make household bills? The Council request National Grid clearly sets out to effected residents and businesses what the local level benefits of the scheme are.

### **Future Engagement and Resolution of Objections**

26. The Council requests continued further ongoing engagement with National Grid on the scheme to help resolve its objections.
27. Moving forward the Council would also expect National Grid to have a detailed consultation and engagement strategy with Parish Councils and local residents and businesses in effected areas and ensure that all those who wish to participate have access to the right information, through a variety of consultation processes.
28. We thank National Grid for involving the council in this second non-statutory consultation and note the effort that has gone into preparing consultation material and holding public information events. The council looks forward to continued dialogue on the concerns identified in this response.

## **Appendix 1**

### **The impact of Norwich to Tilbury on the delivery and qualitative standards for Dunton Hills Garden Village**

**August 2023**

#### **Background**

1. In order to understand the impact of the proposed routing of the Norwich to Tilbury overhead transmission line will have on Dunton Hills Garden Village (DHGV), its first essential to understand the origins and principles underpinning this strategic allocation.
2. In January 2017, DHGV was designated by Government as one of 17 new garden communities. The announcement followed Brentwood Borough Council's expression of interest in response to the Locally-Led Garden Villages, Towns and Cities opportunity, led by Homes England. A total of 51 bids were submitted to Government from across the country, with Dunton Hills being one of only 14 garden village schemes selected, with an additional three garden towns. Through this, Brentwood Borough Council has been granted just over one million pounds over four rounds of capacity funding from the Homes England garden communities programme. And on top of that, in the past two years Essex County Council has been granted several hundreds of thousands of pounds to support garden community projects in Essex, including Dunton Hills. These grants have been vital to help the Council fund a dedicated project team and key pieces of work that have informed collaborative efforts to deliver the garden village.
3. DHGV has been progressing consistently through planning stages (compared to several other proposed garden communities across the country that have been delayed or abandoned) and it is currently one of four large garden communities in Essex. Current progress is a live planning application for the majority of the garden village, that will be heard by Brentwood Borough Council's Planning Committee by the end of this year.
4. Following years of extensive consultation, the Brentwood Local Plan was adopted on 23 March 2022. The Local Plan contains strategic allocation R01: Dunton Hills Garden Village. DHGV is the largest single development site in Brentwood Borough. The allocation site is forecast to deliver 1,650 homes within the plan period up to 2033, and around a total of 4,000 homes over the life of the site. The development will deliver a new self-contained community with accompanying employment, local services & facilities, community infrastructure and will be characterised by connected green spaces. It plays a pivotal role in allowing Brentwood Borough and the wider South Essex housing market area, an area of acute housing need, to meet a significant part of its key housing and infrastructure needs over the next 10 years and beyond.

5. The Local Plan requires that DHGV adheres to the principles of garden communities and that these principles should be an indivisible and interlocking framework for delivery. It refers to two key publications which highlight the principles and qualities of garden communities:
  - the TCPA Garden Villages Guidance (TCPA) (2017); and
  - the Government's Garden Communities Prospectus (MHCLG) (2018).
6. While the principles listed in these two publications differ slightly, their intention is the same. Garden Communities are 'holistically planned new settlements that enhance the natural environment and offer high quality affordable housing and locally accessible work in beautiful, healthy and sociable communities' (TCPA, 2017). The MHCLG Prospectus further states that there are clear expectations to ensure these new developments achieve and maintain the necessary quality so that they become 'vibrant, mixed-use, communities where people can live, work and play for generations to come – communities which view themselves as the conservation areas of the future'.
7. As set out within the Brentwood Local Plan, the vision for Dunton Hills is summarised as three overarching strategic aims, each supported by a number of sub-objectives. These form the fundamental development principles of garden communities, to help shape and inform the sites development.
8. The DHGV SPD was adopted by the Council in February 2023, this SPD builds further upon the Local Plan policies, setting out detailed design principles which are bespoke to the proposed garden village. The SPD reflects input gathered from a rigorous co-design process, informed by contributions from numerous stakeholders. It provides detailed guidance that ensures local needs are met and garden community principles and qualities are delivered.

## **Impact**

9. It's noted a change has been made to National Grid's preferred draft alignment of the Norwich to Tilbury overhead power line in the area impacting DHGV. As stated within National Grid's Design Development Report (June 2023), the 2023 consultation proposals "route the draft alignment to the eastern edge of the preferred corridor to reduce interaction with the Dunton Hills Garden Village proposal". This report goes on to conclude that "On balance it is considered that a carefully routed alignment to the eastern edge of the consultation corridor is preferred. The majority of the Dunton Hills Garden Village proposals (based on an indicative layout provided in feedback) are set back by around 80m from an existing high pressure gas pipeline, which itself is some distance from the eastern edge of the consultation corridor. It is considered that there is sufficient space to allow for an alignment that is consistent with the Holford Rules and the relevant policy framework without reducing the available development area."

10. Such a simplified analysis fails to demonstrate National Grid's understanding of the sensitivities, complexities and principles underpinning this strategically important garden village allocation.
11. National Grid's preferred route of the transmission line has the potential to seriously undermine the delivery of the allocation and its legacy as a garden community. It's not simply the potential reduction of the available development area that is of concern, although this is one aspect (that cannot be fully quantified at this stage), it is the potential for the routing of the proposed overhead transmission line to impede upon the ability of DHGV to align with the garden community principles upon which it was allocated. The same principles that shape and inform Local Plan Policy R01 and the DHGV SPD, which set out how the allocation must come forward. Put simply, avoiding the available development area would not meet the full policy requirement. "available development area" seems to suggest building footprints because the powerline would encroach into the DHGV allocation site and its adjacent setting area, which are all subject of policy.
12. Set out below is an overview of how National Grid's preferred routing has the potential to undermine fundamental and established strategic objectives at DHGV. The below strategic objectives are taken directly from the Brentwood Local Plan, with additional commentary outlining the perceived impacts:

**DH01b: Landscape-led** - *Development that takes a natural landscape-led approach to urban design, to deliver a healthy, walkable and climatically adapted public realm and multi-functional green and blue infrastructure, amongst the backdrop views of the Essex countryside.*

This strategic objective responds to the garden community principles that promote 'generous, accessible green space', 'development that enhances the natural environment', 'comprehensive green infrastructure network' and 'deliver environmental gains and enhancements to natural capital'.

This landscape led approach to the design of the garden village seeks to ensure environmental impacts will be avoided and mitigated to allow the development to blend naturally into its surroundings. The design of the garden village will be adversely affected by virtue of the overhead transmission line proposals, with a detrimental effect on outlook from any properties and open space towards what will be large pylons.

The existing landscape setting of Dunton Hills provides a unique backdrop to ensure green infrastructure (as well as the harmonious horizon views afforded by the topography of the site) is the starting point for the design response. Any degradation to the setting of the garden village risks undermining the design and build with nature approach sought within local policy, jeopardizing the quality and legacy of this future community.



It's not simply the physical impact of the overhead power line, but its potential to limit usable open space within its easement strip, which is of concern. Central to the garden village is its network of multifunctional open space, providing opportunities for sport, physical activity and numerous wider benefits. The overhead line will place a limit on the versatility of this space, further eroding this strategic objective.

**DH01c: Embedding Heritage Assets - *Development that takes every opportunity to embed the natural and built heritage assets of the site.***

This strategic objective responds to the need for garden communities to place an emphasis on ensuring these 'communities... view themselves as the conservation areas of the future'. The Garden Village Prospectus also emphasises that development 'should include consideration for how the natural and historic environment of the local area is reflected and respected' to build a 'strong local vision'.

To this end, Brentwood Council has worked closely with Historic England over the course of the emergence and the recent adoption of the Brentwood Local Plan ( see the Council's [SoCG](#) with Historic England), which ran concurrently with the DHGV masterplanning and co-design process and in the subsequent development of the DHGV SPD; with the aim of overcoming concerns from Historic England in relation to the potential of the development to harm the significance of a number of designated heritage assets.

Collaborative feedback from Historic England has directly influenced the DHGV Framework Masterplan and SPD, establishing key visual links across the site which new development must respect. Ensuring the natural heritage of the landscape (including views) are interconnected with the heritage of the listed buildings within and around the allocation site.

The routing of the overhead transmission line, as proposed, will profoundly impede upon these intentional view corridors which are specified in the SPD, from the Church of St Mary to the historic Farmstead and onwards to the Church of All Saints. This would represent a fundamental erosion of this strategic objective.

**DH01g: Homes that provide desirable design, choice and are affordable - *Development that delivers homes that people will be proud to live in, that are universal, adaptable and sustainable in design using quality, durable materials; and homes which are affordable and provide a range of choices in terms of size and tenure, to encourage a mixed and balanced community to establish and flourish.***

This strategic objective responds to the garden community principles which state the need to provide 'mixed tenure homes' and 'housing types that are genuinely affordable'. DHGV represents the creation of a new community which, to function as such, must provide a range of choice (dwelling size, type

and tenure) to allow for the creation of a balanced community from all stages of life to form.

Delivering great, affordable homes will be key to achieving this objective. However, there is a very real danger the financial viability of the allocation will be adversely affected by virtue of the proposed overhead powerline proposal. With the potential to significantly diminish the quantum and quality of affordable housing that can be achieved.

Brentwood Borough is an area in acute affordable housing need. The affordability ratio for Brentwood Borough is 13.2, meaning the median house price in the borough in 2022 is 13.2 times median gross annual workplace-based earnings (this ranks the 6<sup>th</sup> highest in the East of England).

Historically affordable housing supply in Brentwood Borough has been severely constrained by the Borough's Green Belt location, restricted supply of development land and lack of development finance and public subsidy. However, with the adoption of the Local Plan, the delivery of affordable housing on site allocations is projected to increase substantially. To achieve this, site allocations must deliver policy compliant levels of affordable housing. Given its scale, nowhere is this more important than at DHGV strategic allocation.

13. Potential for financial viability of the allocation to be adversely affected as a consequence of the proposed overhead powerline proposal, not only creates risk for achieving the required quantum of affordable housing, but also for the ability of the garden village to secure the required infrastructure contributions as specified in the Council's Infrastructure Delivery Plan. These are requirements that make the development of Dunton Hills acceptable in planning terms and are fundamental to the delivery of the scheme.
14. When consideration is given to the cumulative effects, outlined above, the totality of the affect the routing of the overhead transmission line will have on the delivery and quantitative standards of DHGV becomes apparent. Calling into question the ability of the strategic allocation to be delivered in accordance with the Local Plan policies upon which it was allocated and the garden community principles upon which it is has been conceived.
15. It's important to note, that DHGV allocation site's redevelopment is predicated on the undergrounding of the existing 132kV + 11kV overhead lines that run across the site. This undergrounding is required to deliver the site's projected quantum and quality of development, which has been informed by comprehensive masterplanning work that forms part of the Council's Local Plan's evidence base.
16. It's noted National Grid's Design Development Report (June 2023), in its consideration to the avoidance of DHGV, makes no assessment into the potential for undergrounding for this section of the route; this is considered unacceptable given the severity of the impact the overhead transmission line will have on the

ability of DHGV to be delivered in accordance with adopted Local Plan policies. The Council wishes to highlight the need for transparency regarding what consideration of undergrounding on this section of the route has been undertaken to date, what, if any, specific financial modelling has National Grid done on the cost of undergrounding? What does National Grid estimate will be the total costs of settling claims for damages - including legal expenses? And, apart from meeting obligations to the taxpayer, what are the specific planning reasons for National Grid ruling out undergrounding of the Basildon/Brentwood stretch of the route? Has a robust cost benefit analysis and options appraisal setting out the above been undertaken to date, and if not on what grounds can this be justified?

17. Finally, its noted consideration of direct and indirect effects the Norwich to Tilbury project will have on the socio-economic, historic environment, landscape and visual conditions in and around DHGV are in the process of being assessed within the Environmental Impact Assessment (EIA). These considerations have direct links to garden village principles outlined in this response, as such BBC have been engaged with National Grid in feeding information into the EIA process; however, the EIA is still, at this stage outstanding. BBC wishes to stress the continued need to assess the likely significant impacts on DHGV that need to be identified as part of the EIA process.

END

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# Appendix B



National Grid Energy Transmission  
Response sent by email: [contact@n-t.nationalgrid.com](mailto:contact@n-t.nationalgrid.com)

ECC reference: N020027 – NSC2

14 August 2023

Dear Catrin

## **Norwich to Tilbury: second round of non-statutory public consultation by National Grid Energy Transmission Limited.**

Thank you for consulting and providing briefing sessions for Essex County Council (ECC) in relation to changes to the 2022 draft preferred route alignment for the proposed project as detailed in paragraphs 3.28 – 3.2.13 on pages 19 – 21 of the Design Development Report (June 2023). The project we have responded to and which we maintain our position of an in-principle objection is outlined below.

Proposed project: Norwich to Tilbury is a nationally significant infrastructure project (NSIP) to reinforce approximately 183 kilometres (km) of high voltage electricity transmission network between Norwich Main substation in Norfolk, Bramford substation in Suffolk and Tilbury substation in Essex. The proposed project would include the following:

- Approximately 158 km of new overhead line (OHL) supported by approximately 520 steel lattice pylons.
- Four separate sections of underground 400kV cabling that would total 25km in length, including approximately 19 km through and in the vicinity of the Dedham Vale Area of Outstanding Natural Beauty (AONB).
- Six cable ceiling end compounds (CSE) to connect the OHLs to the underground cables.
- A 400 kV substation on the Tendring Peninsula.
- No details have yet been provided relating to associated development as defined in Section 115 of the Planning Act 2008 (as amended) required either to support the construction or operation of the principal development or to help address its impacts.

Project promoter: National Grid Electricity Transmission Limited (NGET)

Date consultation received: 27 June 2023

Date consultation closes: 21 August 2023

For brevity, ECC have sought to provide comments in relation to the proposed changes only, or where it considers there are important outstanding matters that it would wish to resolve prior to NGET's planned statutory consultation in 2024. It is recommended that this 2023 consultation response is read alongside ECC's previous June 2022 response to the 1<sup>st</sup> round of non-statutory consultation, which has been included as an appendix 1.

Where possible, ECC has sought to avoid replicating technical comments made in response to consultation by the Planning Inspectorate (PINS) on the scope of the environmental impact assessment (EIA) in December 2022, or to subsequent engagement by NGET on the various EIA Topic Technical Notes that have been circulated. However, given the extent of consultation in the last 12 months, some overlap has been inevitable. ECC would advise

that any overlap should not be read as replacing previous comments, unless explicitly stated.

As part of this 2<sup>nd</sup> round of consultation, ECC has reviewed its previous grounds for objecting in principle to the strategic proposal for Norwich to Tilbury, as well as its more detailed objection to sections of the draft 2022 preferred route alignment. Since the 1<sup>st</sup> round of non-statutory consultation, ECC has adopted a Nationally Significant Infrastructure Policy which has been used to inform this response and will continue to do so throughout the development consent process.

In accordance with this policy, ECC will only support NSIPs that create resilience in Essex and not those that exacerbate existing or create new vulnerabilities, in isolation or cumulatively with other development. This particularly relates to ECC's commitment to deliver sustainable growth that levels up the economy, environment and health and wellbeing of communities across the county.

ECC acknowledges the proposed changes that have been made to the draft 2022 preferred route and welcomes the continued commitment by NGET to engage constructively with host local authorities and affected communities. Nevertheless, ECC's in principle objection to the strategic proposal still stands, alongside more detailed objections to sections of the draft 2023 preferred route. These grounds for objection are discussed further in the remainder of this letter.

## 1. ECC's in principle objection to the strategic proposal for Norwich to Tilbury

- 1.1 ECC welcomes further information that supports greater transparency on the assessment of need for additional transmission capacity, and the appraisal of strategic options to meet this need that are provided in the Design Development Report (June 2023) and Strategic Options Back Check and Review (June 2023). ECC understands that this work was undertaken by NGET prior to the first round of non-statutory consultation and informed by National Grid Electricity Systems Operator's (ESO) assessment of future transmission requirements and network capability, as detailed in the 10 Year Electricity Statement 2022 and refreshed Network Option Assessment 2021/22 (NOA).
- 1.2 Unfortunately, this information is not sufficient for ECC to be certain about how much additional transmission capacity is required, and by what date, to fully evidence a strategic proposal that relies on onshore reinforcement technology, and a programme delivery date of 2030. Given the recent announcement that the Norfolk Boreas offshore wind farm will not be progressed, ECC would challenge ESO's assumption that 100% of contracted projects in East Anglia will be successfully awarded Contract for Difference and require connection to the network by this date.
- 1.3 ECC consider that there are significant uncertainties and sensitivities around the need and timing of Norwich to Tilbury that would have been evident to NGET and ESO during the appraisal of strategic options and choice of strategic proposal. ECC understands that NGET has contracts with offshore wind developers at North Falls and Five Estuaries, and with Tarchon Energy for an interconnector with Germany that require connection into the proposed new East Anglia Connection Node substation in Tendring by 2030. However, it is not clear beyond the existence of these contracts why Norwich to Tilbury was included in the government's Accelerated Strategic Transmission Investment (ASTI), which then made it out of scope for Holistic Network Design (HND) as part of the Offshore Transmission Network Review (OTNR).
- 1.4 ECC is concerned that Norwich to Tilbury has been scoped out of HND and into the OTNR Early Opportunities workstream without reasonable justification. This is not

helped by the lack of engagement by ESO and opportunities for stakeholders to challenge the energy generation scenarios presented in the 10 Year Electricity Statement 2022 and NOA that NGET rely on to evidence the need, timing, and choice of proposed technology for Norwich to Tilbury.

- 1.5 There is very little information available on Early Opportunities, including the Offshore Coordination Support Scheme (OCSS), and ECC remains uncertain how effective offshore wind developers 'opting in' to OCSS will be in reducing the onshore adverse impacts from Norwich to Tilbury. This further adds to the concerns of ECC that Norwich to Tilbury will remain an example of the uncoordinated and inefficient approach to energy transmission that the government accepts requires urgent improvement and is currently reviewing.
- 1.6 ECC wishes to reiterate that its preferred strategic option for Norwich to Tilbury remains an integrated offshore technology that minimises onshore transmission infrastructure and does not include OHLs and pylons. ECC recognises that this option would need to be delivered at pace and without risk to national net zero, renewable energy and decarbonisation targets, and energy security.
- 1.7 If the strategic proposal were to retain the current onshore option, ECC considers that significant changes are required to sections of the 2023 preferred route to reduce adverse impacts and harmful effects to the local economy, environment and health and wellbeing of communities. This should also include the consideration by NGET of how benefits from Norwich to Tilbury, both direct and indirect, are maximised from all possible sources. ECC expects the vital role that Essex and its local communities are expected to have in hosting nationally significant onshore transmission infrastructure, which supports the delivery of cheaper, more secure, and low carbon energy generation, to be recognised.

## 2. Residual impacts, community benefits and social value

- 2.1 ECC considers Norwich to Tilbury will have residual impacts that adversely affect the local economy, environment and health and wellbeing of communities in Essex that cannot be sufficiently mitigated or compensated through the planning regime. Furthermore, that Norwich to Tilbury will deliver significant benefits at the national level, but not at the local level. ECC expects secondary mitigation and compensatory offsetting for Norwich to Tilbury to be robust and provide a positive legacy beyond construction, but also wants to ensure that its local communities benefit directly from hosting transmission infrastructure that supports national objectives. ECC would welcome working in partnership with NGET to plan and deliver a generous and innovative community benefits package for Norwich to Tilbury. This should include any emerging requirements from the government's anticipated community benefits guidance for electricity transmission network infrastructure and explore opportunities to coordinate with other projects.
- 2.2 As part of statutory consultation, ECC would expect NGET to undertake a social value self-assessment and to submit a Social Value Statement. This statement would explain how NGET will work in partnership with ECC to ensure that the design, procurement, and construction of Norwich to Tilbury improves the economic, environmental, and social wellbeing of local communities in Essex and for the lifecycle of the project. ECC's main social value priorities are currently centred around the support of entry level employment, local employment, employment of disadvantaged groups and environmental measures to address both the climate and environment crisis.

## 3. Dunton Hills Garden Village/West Basildon – the need for rerouting/undergrounding.

- 3.1 ECC acknowledges further consideration of its objection to the 2022 preferred route on land allocated in Policy R01: Dunton Hills Garden Village Strategic Allocation of adopted Brentwood Local Plan (2022). The grounds for objection were made as part of the first round of non-statutory consultation in June 2022 and related to the visual impact of the 2022 preferred route and its likely adverse effects on housing delivery in Brentwood and Basildon, and the financial viability and general amenity of Dunton Hills Garden Village (DHGV). ECC welcomes the recent opportunity to discuss these issues further in regular meetings with NGET and joint local authority partners Basildon Borough Council and Brentwood Borough Council. Given the need to address this part of the route where there is planned development, we would ask for these meetings continue.
- 3.2 Unfortunately, the 2023 preferred route does not contain sufficient mitigation for ECC to withdraw its objection. ECC consider that, should there be no reasonable alternative to the 2023 preferred route whereby the land allocated for DHGV is avoided altogether, sufficient mitigation would require the use of underground cabling. ECC consider that this position is supported by the Holford Rules guidelines cited in paragraph 2.8.6 of the adopted National Policy Statement for Electricity Networks Infrastructure (2011) and paragraphs 2.11.10 and 2.11.14 of the draft National Policy Statement for Electricity Networks Infrastructure (2021), which includes consideration of undergrounding outside of nationally designated landscapes.
- 3.3 ECC has summarised its argument below but would defer to joint local authority partners who have provided further details in appendices 2 and 3 on national and local planning policy as it relates to DHGV and wider issues around viability and housing delivery in the South East Housing Market Area.
- 3.4 ECC notes the proposed change to the 2022 preferred route described in paragraph 3.2.12 on page 21 of the Design Development Report (June 2023) as:
- “...proposal to restrict the graduated swathe and alignment to the eastern edge of the preferred corridor to reduce interaction with the Dunton Hills Garden Village development...”*
- 3.5 Further, the consideration of alternative route alignments between Hutton and West Horndon detailed in paragraphs 5.5.142 – 5.5.145 on pages 62-63 of the same report. The Design Development Report concludes in paragraph 5.5.145 on page 63:
- “The majority of the Dunton Hills Garden Village proposals...are set back by around 80m from an existing high pressure gas pipeline, which itself is some distance from the eastern edge of the consultation corridor. It is considered that there is sufficient space to allow for an alignment that is consistent with the Holford Rules and the relevant policy framework without reducing the available development area”.*
- 3.6 ECC does not support this conclusion and is concerned that the justification for the 2023 preferred route is too narrowly framed around the proximity to an existing high-pressure gas pipeline. The Design Development Report makes no reference to any consideration having been given to Brentwood Local Plan policy R01 or the associated Dunton Hills Garden Village Supplementary Planning Document, which describes in detail the extensive work that has been undertaken at the national and local level to plan, design and develop a viable garden village.
- 3.7 The same report is also silent on the strategic importance of DHGV for housing delivery in Brentwood, Basildon, and the south-east, given that the wider evidence



base does not refer to the various housing market areas in place across the route. This is further compounded by the absence of any reference to the significant affordable housing need in both the Brentwood and Basildon boroughs, which is exacerbated by the areas of green belt land designation, the lack of development finance and public subsidy, as well as both boroughs' proximity to, and links with Greater London.

- 3.8 ECC would have expected the 2023 preferred route to have been informed by the relevant local development plans for both Councils and specifically in relation to Basildon, the absence of an up-to-date Local Plan and five-year housing land supply. ECC considers that the 2023 preferred route would materially undermine the local plan-making processes in both Brentwood and Basildon to the significant harm of local people needing to access affordable, high-quality housing.
- 3.9 ECC would consider that from the outset the 2022 preferred route was contrary to Holford Rule 7, which states that a new high-voltage route alignment should only be chosen after consideration has been given to the effects on the amenity of “...*existing development and proposals for new development.*” Holford Rule 7 further states that when a new line needs to pass through a “*development area*” it should be routed to minimise as far as possible effects on development.
- 3.10 The 2022 preferred route was engineering led and appeared not to benefit from robust consideration (if any) being given to the visual impact and effects to amenity on DHGV. It follows that mitigation was not proposed. ECC accepts that the 2023 preferred route is intended to “...*reduce interaction with Dunton Hills...*” but it is not clear how this change addresses compliance with the Holford Rule 7, or the general presumption in the Holford Rules against routing overhead lines close to residential areas. Given that DHGV is an allocated site in an adopted local plan, supported by a supplementary planning document and has had a live planning application to develop the site since 2021, ECC consider that this general presumption should be applied purposively to include DHGV as a residential area.

#### 4. Education, skills, employment, and supply chain

- 4.1 The construction of Norwich to Tilbury will result in an increased demand for the skills necessary to deliver the pipeline of nationally significant and major infrastructure projects that are proposed in Essex or neighbouring counties. Given a national and local skills shortage, ECC would welcome working with NGET and other stakeholders to develop an infrastructure skills base for the East. This base will be required to understand and practically address potentially national and local skills shortages, whilst also mitigating any potential further impact that could disrupt infrastructure delivery and/or adversely affect the local labour market. ECC expect that long term opportunities for local people to access the necessary education, skills and employment on the construction and operation of Norwich to Tilbury and/or other energy infrastructure projects are maximised. This will require NGET to agree meaningful and timely investment in further education, apprenticeships and with local training providers.
- 4.2 ECC would further welcome working with NGET and other stakeholders to find high-quality suppliers to the main contractors for Norwich to Tilbury, as well as stimulating readiness and competitiveness within the supply chain for other nationally significant and major infrastructure projects.

#### 5. ECC Transportation and Highways, including Public Rights of Way

- 5.1 ECC is the local highway authority for any part of Norwich to Tilbury that is within the administrative boundary of Essex.
- 5.2 The comments made in relation to the draft 2022 preferred route and included as part of the 1<sup>st</sup> round of non-statutory consultation are still relevant to the draft 2023 preferred route. Until such time that further detail is provided on the preferred route, which includes any associated development, ECC would reiterate that it expects all impacts on the strategic and local highways network, including the Public Rights of Way (PRoW) to be fully assessed for the lifecycle of the development and where necessary mitigated. Please refer to appendix 4 for technical comments in full.

## 6. ECC Minerals and Waste

- 6.1 ECC is the minerals and waste local planning authority for any part of Norwich to Tilbury that is within the administrative boundary of Essex.
- 6.2 The comments made in relation to the draft 2022 preferred route and included as part of the 1<sup>st</sup> round of non-statutory consultation are still relevant to the draft 2023 preferred route. Please refer to appendix 5 for minor additional comments.

## 7. ECC Sustainable Urban Drainage Systems

- 7.1 ECC is the lead local flood authority for any part of Norwich to Tilbury that is within the administrative boundary of Essex.
- 7.2 The comments made in relation to the draft 2022 preferred route and included as part of the 1<sup>st</sup> round of non-statutory consultation are still relevant to the draft 2023 preferred route. Please refer to appendix 6 to read this response in full.

## 8. ECC Place Services - Arboriculture

- 8.1 The comments made as part of and after the 1<sup>st</sup> round of non-statutory consultation in June 2022 are considered sufficient to address the potential impacts from the draft 2023 preferred route to existing trees, woodlands, and protected sites. Please refer to appendix 7 to read this response in full.

## 9. ECC Place Services -Ecology

- 9.1 The comments made in relation to the draft 2022 preferred route and included as part of the 1<sup>st</sup> round of non-statutory consultation are still relevant to the draft 2023 preferred route.
- 9.2 Further comments relate primarily to the need for further ecological survey and assessment work to consider the cumulative impacts of Norwich to Tilbury with other development. There is concern that more information is needed to understand the impacts on hedgerows, particularly those that could be important for bat foraging and commuting routes for Barbastelle bats or Dormouse connectivity. Substation site constraints will need to include non-statutory designated sites to avoid significant ecological impacts that could trigger the need to deliver compensatory habitat. ECC Place Services – Ecology seeks to inform choices on micro routing to avoid ecological features including veteran trees (irreplaceable habitat) and specifies options for restoration planting schemes, in addition to securing temporary mitigation measures during construction. ECC would welcome working with NGET and other host local authority partners on a Biodiversity Net Gain Plan for Norwich to Tilbury that would deliver beyond the statutory minimum 10%. Please refer to appendix 7 to read this response in full.

## 10. ECC Place Services – Archaeology

- 10.1 The comments made in relation to the draft 2022 preferred route and included as part of the 1<sup>st</sup> round of non-statutory consultation are still relevant to the draft 2023 preferred route.
- 10.2 Further comments state that the proposed changes and increase to the areas undergrounding in the draft 2023 preferred route will significantly increase the impact on below ground archaeological deposits. The undergrounding will involve a development corridor approximately 100 metre (m) wide creating significant disturbance to the archaeological deposits within this area. It will be important to undertake both desk based, non-intrusive and intrusive archaeological evaluation within these areas to understand the impact of the proposed development. ECC Place Services – Archaeology notes that a methodology for the landscape viewpoint assessment was circulated as a technical note in July 2023. This has been largely agreed but contains caveats that include the need to agree additional viewpoints in Essex and as early as possible to ensure that on site assessments can be undertaken in both the summer and winter months. Please refer to appendix 7 to read this response in full.

## 11. ECC Place Services - Historic Buildings

- 11.1 The comments made in relation to the draft 2022 preferred route and included as part of the 1<sup>st</sup> round of non-statutory consultation are still relevant to the draft 2023 preferred route. ECC Place Services – Historic Buildings reiterates the comments made by ECC Place Services - Archaeology in relation to landscape viewpoints. Please refer to appendix 7 to read this response in full.

## 12. ECC Place Services - Landscape

- 12.1 The comments made in relation to the draft 2022 preferred route and included as part of the 1<sup>st</sup> round of non-statutory consultation are still relevant to the draft 2023 preferred route. ECC Place Services – Landscape considers that additional undergrounding evident in the draft 2023 preferred route is welcome, but more needs to be done by NGET to underground or re-route sections of the draft 2023 preferred route as mitigation for visual impact and its harmful effects on the landscape character and amenity. An up-to-date assessment of landscape value for the length of the draft 2023 proposed route and graduated swathe is required, with further undergrounding or rerouting mitigation required at a number of additional locations listed in the Design Development Report:

- Ardleigh (TB1 – TB20) as shown in Figure 6.18 (TB1 – TB20) on page 91.
- The River Colne Valley (TB33 – 39 and TB39 – 61) as shown in Figure 6.20 on page 94 and Figure 6.21 on page 95.
- Marks Tey (TB59 – TB78) as shown in Figure 6.22 on page 97.
- Coggeshall / Kelvedon (TB78 – TB98) as shown in Figure 6.23 on page 98.
- Fairstead (TB96 – TB120) as shown in Figure 6.24 on page 99.
- Great Leigh to Great and Little Waltham (TB120 – TB140) as shown in Figure 6.25 on page 101.
- Broomfield / Chelmsford (TB141 – TB161) as shown in Figure 6.26 on page 102.
- Ingatestone (TB182 – TB198) as shown in Figure 6.28 on page 104.
- Hutton (TB197 – TB213) as shown in Figure 6.29 on page 105.
- Dunton Hills Garden Village (TB214 – TB231) as shown in Figure 6.30 on page 106.

12.2 ECC Place Services – Landscape considers that there will be notable residual visual impacts from the draft 2023 preferred route, the effects of which cannot be mitigated. Accordingly, any landscape value assessment should also be used to inform a robust and substantial landscape mitigation and compensation scheme. Please refer to appendix 8 to read this response in full.

### 13. ECC Green Infrastructure

13.1 The comments made in relation to the draft 2022 preferred route and included as part of the 1<sup>st</sup> round of non-statutory consultation are still relevant to the draft 2023 preferred route. Please refer to appendix 9 to read this response in full.

### 14. East of England Ambulance Service

14.1 The comments made in relation to the draft 2022 preferred route and included as part of the 1<sup>st</sup> round of non-statutory consultation and scoping for EIA are still relevant to the draft 2023 preferred route. Please refer to appendix 11 to read this response in full.

### 15. The removal of obsolete 132kV pylons

15.1 ECC considers that there are opportunities for Norwich to Tilbury to facilitate the removal of 132kV pylon lines operated by UK Power Networks, to rationalise and improve the network resilience overall, whilst reducing the cumulative visual impact of energy infrastructure, and compensating for the additional visual impact of the proposed new 400kV power lines.

### 16. The avoidance of Boxted Airfield

16.2 In the interests of amenity, national defence and the aviation industry, Norwich to Tilbury needs to ensure the continued and safe use of Boxted Airfield.

Yours sincerely

*Graham Thomas.*

**Graham Thomas**  
**Head of Planning and Sustainable Development**

Appendix 1 – ECC’s response to the 1<sup>st</sup> round of non-statutory consultation

Appendix 2 – Briefing note to ECC from Brentwood Borough Council

Appendix 3 – Briefing note to ECC from Basildon Borough Council

Appendix 4 – ECC Highways and Transportation, including Public Rights of Way

Appendix 5 – ECC Minerals and Waste

Appendix 6 – ECC Sustainable Urban Drainage Systems

Appendix 7 – ECC Place Services (Arboriculture, Ecology, Archaeology and Historic Buildings)

Appendix 8 – ECC Place Services - Landscape

Appendix 9 – ECC Green Infrastructure

Appendix 10 – ECC Employment and Skills

Appendix 11 – East of England Ambulance Service

## Appendix C

### **Joint local authority position in relation to Dunton Hills Garden Village and the need to underground the Norwich to Tilbury route on and around land allocated for Dunton Hills Garden Village**

#### **Dunton Hills Garden Village – the need for the consideration of alternatives, including the undergrounding of the route**

ECC acknowledges further consideration of its objection to the 2022 preferred route on land allocated in Policy R01: Dunton Hills Garden Village Strategic Allocation of adopted Brentwood Local Plan (2022). The grounds for objection were made as part of the first round of non-statutory consultation in June 2022 and related to the visual impact of the 2022 preferred route and its likely adverse effects on housing delivery in Brentwood and Basildon, and the financial viability and general amenity of Dunton Hills Garden Village (DHGV). ECC welcomes the recent opportunity to discuss these issues further in regular meetings with NGET and joint local authority partners Basildon Borough Council and Brentwood Borough Council.

Unfortunately, the 2023 preferred route does not contain sufficient mitigation for ECC to withdraw its objection. ECC consider that, should there be no reasonable alternative to the 2023 preferred route whereby the land allocated for DHGV is avoided altogether, sufficient mitigation would require the use of underground cabling. ECC consider that this position is supported by the Holford Rules guidelines cited in paragraph 2.8.6 of the adopted National Policy Statement for Electricity Networks Infrastructure (2011) and paragraphs 2.11.10 and 2.11.14 of the draft National Policy Statement for Electricity Networks Infrastructure (2021), which includes consideration of undergrounding outside of nationally designated landscapes

ECC has summarised its argument below but would defer to joint local authority partners who have provided further details in appendices [xxx] on national and local planning policy as it relates to DHGV and wider issues around viability and housing delivery in the South East Housing Market Area.

ECC notes the proposed change to the 2022 preferred route described in paragraph 3.2.12 on page 21 of the Design Development Report (June 2023) as:

*“...proposal to restrict the graduated swathe and alignment to the eastern edge of the preferred corridor to reduce interaction with the Dunton Hills Garden Village development...”*

Further, the consideration of alternative route alignments between Hutton and West Horndon detailed in paragraphs 5.5.142 – 5.5.145 on pages 62-63 of the same report. The Design Development Report concludes in paragraph 5.5.145 on page 63:

*“The majority of the Dunton Hills Garden Village proposals...are set back by around 80m from an existing high pressure gas pipeline, which itself is some distance from the eastern edge of the consultation corridor. It is considered that there is sufficient*

*space to allow for an alignment that is consistent with the Holford Rules and the relevant policy framework without reducing the available development area”.*

ECC does not support this conclusion and is concerned that the justification for the 2023 preferred route is too narrowly framed around the proximity to an existing high-pressure gas pipeline. The Design Development Report makes no reference to any consideration having been given to Brentwood Local Plan policy R01 or the associated Dunton Hills Garden Village Supplementary Planning Document, which describes in detail the extensive work that has been undertaken at the national and local level to plan, design and develop a viable garden village.

The same report is also silent on the strategic importance of DHGV for housing delivery in Brentwood, Basildon and the south-east, given that the wider evidence base does not refer to the various housing market areas in place across the route. This is further compounded by the absence of any reference to the significant affordable housing need in both the Brentwood and Basildon boroughs, which is exacerbated by the vast areas of green belt land designation, the lack of development finance and public subsidy, as well as both boroughs' proximity to, and links with Greater London.

ECC would have expected the 2023 preferred route to have been informed by the relevant local development plans for both boroughs and specifically in relation to Basildon, the absence of an up-to-date Local Plan and five-year housing land supply. ECC considers that the 2023 preferred route would materially undermine the local plan-making processes in both Brentwood and Basildon to the significant harm of local people needing to access affordable, high-quality housing.

ECC would argue that from the outset the 2022 preferred route was contrary to Holford Rule 7, which states that a new high-voltage route alignment should only be chosen after consideration has been given to the effects on the amenity of “...existing development and proposals for new development.” Holford Rule 7 further states that when a new line needs to pass through a “development area” it should be routed to minimise as far as possible effects on development.

The 2022 preferred route was engineering led and appeared not to benefit from robust consideration (if any) being given to the heritage impact, visual impact and effects to amenity on DHGV. It follows that mitigation was not proposed. ECC accepts that the 2023 preferred route is intended to “...reduce interaction with Dunton Hills...” but it is not clear how this change addresses compliance with the Holford Rule 7, or the general presumption in the Holford Rules against routing overhead lines close to residential areas. Given that DHGV is an allocated site in an adopted local plan, supported by a supplementary planning document and has had a live planning application to develop the site since 2021, ECC consider that this general presumption should be applied purposively to include DHGV as a residential area.



## **FINANCE, ASSETS, INVESTMENT AND RECOVERY COMMITTEE 13 SEPTEMBER 2023**

<b>REPORT TITLE:</b>	<b>Response to the Basildon Borough Council Local Plan Issues and Options Consultation 2027-2042</b>
<b>REPORT OF:</b>	<b>Phil Drane, Director – Place</b>

### **REPORT SUMMARY**

This report seeks approval on a formal response from Brentwood Borough Council (submitted as an officer's response pending approval from the committee) to the Basildon Local Plan, Issues & Options consultation (Regulation 18). The consultation ran from 27 June to 5 September 2023.

The officer response conveys broad support of Basildon Borough Council's aims in preparing a new Local Plan. The Basildon Plan is currently at the beginning stages of the plan-making process with no specific details on the strategic approach for the area. The consultation is focused more on seeking options on what the strategic strategy should be.

The consultation document highlights the fact that as of now the standard method indicates that Basildon Borough Council has a housing need of 1,041 new home per annum, resulting in 20,820 new homes over the plan period. The consultation document seeks opinions on what is an appropriate level of housing to be delivered and makes reference that the plan could provide less housing depending on the outcome of the pending NPPF revision. The consultation document also refers to Basildon's gypsy and traveller's needs currently being 85 pitches and 3 travelling showpeople plots for those that meet the planning definition and an additional 93 pitches and 86 traveling showpeople plots for those that do not meet the definition. The officer response highlights the importance of Basildon Borough Council making every effort possible to meet these needs in full.

### **RECOMMENDATION**

- R1. Approve the response to the Basildon Local Plan Issues & Options consultation (Regulation 18), as set out in Appendix A.**

## **SUPPORTING INFORMATION**

### **1.0 REASON FOR RECOMMENDATION**

1.1 Basildon Borough Council is currently working towards a new Local Plan, with a possible plan period of 2027 to 2042 (with the possibility of this being extended subject to this consultation outcome). The consultation document was an 'Issues & Options' Plan, which is at the very beginning stages of the Plan making process. The Issues & Options consultation document was out for consultation from 27 June to 5 September 2023. Basildon Council agreed to accept an officer's response to the consultation pending approval from the committee.

1.2 Brentwood Borough Council is duty bound to undergo the duty to cooperate with neighbouring authorities on preparation of their local plans. In addition to being a neighbouring authority, both Basildon and Brentwood are members of the Association of South Essex Local Authorities (ASELA), and therefore ongoing joint working and discussion on cross-boundary planning matters, such as unmet housing needs, is discussed as part of the preparation of the South Essex Joint Strategic Framework.

#### **Issues, Options and Analysis of Options:**

1.3 The National Planning Policy Framework (NPPF) requires each local planning authority to produce a local plan. This should set out strategic priorities for the area and plan positively for development and infrastructure needs, in line with national policy and guidance.

1.4 Local plans should include strategic policies to deliver:

- a) Home and employment needed in the area;
- b) Provision for retail, leisure and other commercial development;
- c) Provision of infrastructure for transport, telecommunications, water supply, waste water, flood risk and coastal change management, and the provision of minerals and energy (including heat);
- d) Provision of health, security, community and cultural infrastructure and other local facilities; and
- e) Climate change mitigation and adaption, conservation and enhancement of the natural and historical environment, including landscape.

1.5 The Basildon Local Plan is at the very beginning stages of the plan-making process. The document sets out what the vision of the Plan is and the key



strategic priorities, however the consultation was focused on obtaining comments / views on how to achieve these strategic priorities.

- 1.6 The document does not identify any growth areas, rather the consultation focused on where consultees would support growth within the borough. No specific reference is made to the amount of housing the Plan will aim to deliver, however does highlight the fact that the current housing needs as identified by the standard method is 1,041 new home per annum, resulting in 20, 820 new homes over the plan period (assuming a 15-year Plan). The recent National Planning Policy Framework (NPPF) did suggest that the requirement to meet the figures as identified by the standard method may be lifted, however the revision to the NPPF has yet to be published. The consultation document makes reference to the housing figures potentially being lower than those identified by the current standard method.

### **Officer Consultation Response**

- 1.7 The officer's response conveyed general support to Basildon Borough Council progress with a new Local Plan, however, did stress the need for Basildon to make every effort to meet its housing needs in full, including the needs for gypsy and traveller accommodation.
- 1.8 The consultation document also raised the questions as to if a 15-year Plan period, which is the minimum requirement as set out in the NPPF was sufficient. Based on Brentwood's experience, the officer's response suggested that Basildon Borough Council consider extending the plan period to safeguard against any unforeseen delays.

## **2.0 BACKGROUND INFORMATION**

- 2.1 On 3 March 2022, Basildon's Full Council decided to withdraw their submitted Local Plan (plan period 2014-2023). In accordance with regulation 27 of the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended Basildon Council published a statement on their website and notified consultees of this decision.
- 2.2 The resolution to withdraw was under the provisions of Section 22 of the Planning and Compulsory Purchase Act 2004, which provides for a local planning authority to withdraw a local development document at any time up to its adoption.
- 2.3 Basildon Council were instructed by the Secretary of State to commence work on a new Local Plan immediately. This consultation is the first step in Basildon Council preparing a new Local Plan. Much of the evidence base

which was prepared for the previous iteration of the withdrawn plan will need to be updated.

### **3.0 OTHER OPTIONS CONSIDERED**

3.1 To comply with the duty to cooperate it is important that the council engage with Basildon's Local Plan process.

### **4.0 RELEVANT RISKS**

4.1 None

### **5.0 ENGAGEMENT/CONSULTATION**

5.1 Brentwood Borough Council is required to engage through the duty to cooperate with neighbouring authorities on preparation of their local plans.

5.2 Basildon Borough is within the neighbouring South Essex housing market area, and both Brentwood and Basildon are members of the Association of South Essex Local Authorities (ASELA). There has been ongoing joint working and discussion on cross-boundary planning matters, such as unmet housing need, through the ASELA partnership and part of the preparation of the South Essex Joint Strategic Framework.

5.3 The Basildon Local Plan Issues and Options consultation was open from 27 June until 5 September 2023. Local planning authorities have a statutory obligation to allow consultees a minimum of six weeks to respond as part of the plan-making process.

5.4 It is considered appropriate that Brentwood Borough Council express broad support for Basildon Borough Council's efforts to develop a local plan in accordance with national policy and guidance, and the commitment to continue collaboration through the duty to cooperate on strategic planning matters that affect South Essex.

### **6.0 FINANCIAL IMPLICATIONS**

**Name & Title: Tim Willis, Director – Resources (Section 151 Officer)**  
**Tel & Email: 01277 312500 / tim.willis@brentwood.rochford.gov.uk**

6.1 There are no direct financial implications arising from this report.

## **7.0 LEGAL/GOVERNANCE IMPLICATIONS**

**Name & Title: Claire Mayhew, Acting Joint Director – People & Governance (Monitoring Officer)**

**Tel & Email: 01277 312500 / [claire.mayhew@brentwood.rochford.gov.uk](mailto:claire.mayhew@brentwood.rochford.gov.uk)**

- 7.1 The Localism Act 2011 places a legal duty on local planning authorities and other defined local bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters. It is currently not a duty to agree, but local planning authorities must make every effort to secure the necessary cooperation before they submit their Local Plan for examination. The cooperation should produce effective and deliverable policies on strategic cross boundary issues.

## **8.0 EQUALITY & HEALTH IMPLICATIONS**

**Name & Title: Kim Anderson, Corporate Manager - Communities, Leisure and Health**

**Tel & Email: 01277 312500 [kim.anderson@brentwood.gov.uk](mailto:kim.anderson@brentwood.gov.uk)**

- 8.1 The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:
- a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful;
  - b) Advance equality of opportunity between people who share a protected characteristic and those who do not; and
  - c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 8.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).
- 8.3 The proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.

## 9.0 ECONOMIC IMPLICATIONS

**Name & Title:** Phil Drane, Director - Place

**Tel & Email:** 01277 312500 / phil.drane@brentwood.rochford.gov.uk

- 9.1 There are no direct economic or climate change implications currently, although the Basildon local plan should be prepared in accordance with ASELA joint working, helping to deliver economic growth across South Essex. As the Basildon plan progresses specific employment land and policy proposals will be made and it will be important that the council engage to maximise economic growth across South Essex.

### REPORT AUTHOR:

**Name:** Andrea Pearson

**Title:** Senior Planning Policy Officer

**Phone:** 01277 312572

**Email:** andrea.pearson@brentwood.gov.uk

## APPENDICES

- Appendix A: Brentwood Borough Council response to the Basildon Borough Council Local Plan Issues and Options Consultation 2027-2042 (August 2023)

## BACKGROUND PAPERS

- Basildon Borough Council Local Plan Issue and Options Consultation: Issues and Options Consultation (June 2023) - Basildon

## SUBJECT HISTORY (last 3 years)

Council Meeting	Date
N/A	-



## **Brentwood Borough Council response to the Basildon Borough Council Local Plan Issues and Options Consultation 2027-2042, August 2023**

1. Brentwood Borough Council (BBC) welcomes the opportunity to engage with Basildon Borough Council on their Local Plan Issue and Options Consultation 2023.
2. BBC supports Basildon Borough Council in their efforts to progress a new Local Plan. The comments provided are high level at this stage and have been provided at the officer level. This response will be going to committee on 13 September 2023 to seek approval for it to be formally accepted. Any amendment required by members will be communicated in writing the following day.
3. BBC supports the proposed strategic priorities which have been identified to deliver an updated vision. BBC wishes to highlight the importance of cross-boundary planning in helping to address aspects across all identified strategic priorities. The two councils are members of the Association of South Essex Local Authorities (ASELA) and have been engaged in the Joint Strategic Framework.
4. The Basildon Local Plan Issues and Option document makes mention that Basildon Council's housing needs, when considering the standard method is at least 1,041 new homes per year, resulting in a need of 20, 820 new homes by 2042. The document also identifies that the most recent gypsy and traveller accommodation needs assessment (which is currently being updated and expected by the end of this calendar year) identifies a need for 85 new pitches and 3 travelling showpeople plot for those that meet the planning definition and a further 86 new plots for those that do not meet the planning definition until 2038. The document at this stage does not state whether it is the councils intention to plan to meet these needs in full. BBC would recommend that Basildon make every effort to meet their housing and gypsy and traveller needs in full based on the most up to date evidence.
5. Basildon are currently proposing a plan period from 2027 to 2042, planning for a 15-year plan period in line with the requirements outlined within the NPPF. Based on Brentwood's experience, it is suggested that Basildon Council consider extending the plan period given the time scales proposed between now and the adoption of the Local Plan are rather tight and likely to go over

leaving the council at risk of having less than the minimum 15-year plan period.

6. BBC looks forward to ongoing engagement with Basildon Borough Council as the Local Plan is progressed and through the work undertaken by ASELA.



**FINANCE, ASSETS, INVESTMENT & RECOVERY COMMITTEE  
13 SEPTEMBER 2023**

<b>REPORT TITLE:</b>	<b>Local Plan Review Update</b>
<b>REPORT OF:</b>	<b>Phil Drane – Director of Place</b>

## **REPORT SUMMARY**

The Brentwood Local Plan 2016-2033 was adopted in March 2022 following Examination in Public overseen by the Planning Inspectorate on behalf of the Secretary of State. The appointed Inspectors in their final report recommended a number of Main Modifications in order to make the plan sound and capable of adoption. One of those included the addition of Policy MG06: Local Plan Review and Update. This Policy sets out that the Council's commitment to bring forward a partial update of the Plan with the objective of meeting the full Objectively Assessed Housing Needs. The review was required to commence immediately with submission of the review for examination within 28 months.

To facilitate the production of the Local Plan Review it is necessary to reconvene the Local Plan Member Working Group.

Reviewing the Local Plan will ensure that the Council continues to have an up-to-date strategic planning framework for the borough that provides control and certainty at the planning application stage and protects communities from speculative applications. It will also assist in the delivery of the Council's corporate objectives, including climate change and placemaking ambitions, and support job creation and regeneration.

To support the preparation of any Local Plan there is a need to update relevant evidence including undertaking a call for sites.

## **RECOMMENDATIONS**

- R1. Approve that work is continued for the preparation of the Local Plan Review, including a focus on climate change and sustainability matters, with emerging work presented to a reconvened Local Development Plan Member Working Group and key stages brought to committee in due course.**
- R2. Approve that Local Plan supporting evidence is reviewed and updated where appropriate, including commencing a Call for Sites consultation.**

## **SUPPORTING INFORMATION**

### **1.0 REASON FOR RECOMMENDATIONS**

- 1.1 National Policy requires that Local Plans as a minimum are reviewed at least every five years should be updated as necessary. The adopted Brentwood Local Plan requires under Policy MG06: Local Plan Review and Update that an immediate review is undertaken with submission of the review for examination occurring within 28 months of adoption. This was stipulated by the appointed Planning Inspector who oversaw the examination of the Local Plan as there was an identified shortfall in meeting housing needs. Therefore, it is imperative that the Council proceeds with this work to review the adopted Local Plan to ensure housing supply is maintained to meet identified needs.
- 1.2 In addition, there is a need to consider climate change and sustainability matters and reviewing the policies within the adopted Local Plan particularly given that the Council recently declared a Climate Emergency at Ordinary Council in June 2023.
- 1.3 To facilitate the production of the Local Plan Review it is necessary to reconvene the Local Plan Member Working Group which will allow for cross party discussion on the work as it is prepared. Key consultation stages such as Regulation 18 and 19 will be brought to committee for member approval in due course.
- 1.4 A Local Plan needs to be underpinned by appropriate and proportionate evidence; therefore, this will need to be reviewed and updated to support the Local Plan Review. There is an immediate need to undertake a Call for Sites in line with National Planning Practice Guidance so an up-to-date baseline is



established on what development opportunities are available. Findings from any updated and emerging evidence will inform the preparation of the Local Plan which will be brought before the Local Plan Member Working Group.

## **2.0 BACKGROUND INFORMATION**

### **Scope and need for the local plan review**

- 2.1 The Brentwood Local Plan 2016-2033 was adopted in March 2022 following Examination in Public. The appointed Inspectors in their final report recommended a number of Main Modifications in order to make the plan sound and capable of adoption. One of those included the addition of Policy MG06: Local Plan Review and Update. This was necessary due to the Plan not being able to meet the identified housing need and requirement in full during the Plan period. Policy MG06 sets out that the Council's commitment to bring forward a partial update of the Plan with the objective of meeting the full Objectively Assessed Housing Needs. The review was required to commence immediately with submission of the review for examination within 28 months.
- 2.2 Beyond the need for an immediate review as was identified through the Examination in Public of the Brentwood Local Plan the legal requirement for all Local Plans is that they are reviewed at least every 5 years and should then be updated as necessary. It is imperative that any review considers whether policies are up-to-date and in line with National Policy and ultimately allows for a Local Plan to be sound and capable of adoption following an Examination in Public. There will be a need to consider any material changes arising from National Policy and Guidance as well as emerging evidence. These will be kept under review and acted upon accordingly as the Local Plan Review progresses.

### **Climate change and sustainability matters**

- 2.3 The adopted Local Plan seeks to ensure that the development and use of land will contribute to the mitigation of and adaptation to climate change, through the spatial strategy and a combination of Plan policies. Several policies (Policies BE01-BE05) seek carbon reduction and renewable energy, water efficiency and management, low carbon and renewable energy infrastructure network, management of heat risk and sustainable drainage.
- 2.4 At the June 2023 Ordinary Council meeting members agreed under item 46 to declare a climate emergency with a commitment to achieving net-zero carbon status by 2050 for the Brentwood Borough Area. Having an appropriate framework of policies within the Local Plan is one of the key

components in facilitating this. The existing policies within the adopted Local Plan provide a strong basis to move forwards with. However, it is recognised that the Council should explore through the Local Plan Review what more can be done to achieve this net-zero targets as quickly as possible.

### **Government proposed changes to the planning system in regard to plan-making**

- 2.5 There have been a number of announcements made by Government over the past 12 to 18 months regarding proposed reforms to the planning system which would result in changes to how Local Plans are prepared. At this stage none have been enacted and brought into effect through changes to the National Planning Policy Framework (NPPF) or Planning Practice Guidance (PPG). However, it is important to be aware of what could potentially become material at a later date.
- 2.6 In December 2022 the Government published the Levelling-up and Regeneration Bill: reforms to national planning policy. As well seeking views on the government's proposed approach to the NPPF, the consultation sought views on its proposed approach to preparing National Development Management Policies. Alongside it, the government published proposed revisions to the NPPF with consultation running until March 2023. A summary of the main proposed changes at this time are set out below:
- a) Government will review the implications for the standard method of new household projections data based on the 2021 Census, which is due to be published in 2024. No changes to standard method formula were proposed though.
  - b) More explicit indications will be given in planning guidance of the types of local characteristics which may justify the use of an alternative method of assessing housing need. Examples included islands with a high percentage of elderly residents, or university towns with an above-average proportion of students.
  - c) The need to avoid development that would be uncharacteristically dense for the area can outweigh the requirement to meet local housing need. This calculation should be made taking into account the principles in local design guides or codes.
  - d) Authorities would not need to review their green belts, even if meeting housing need would be impossible without such a review.

- e) Councils would be able to take past over-delivery of housing into account when assessing housing need.
- f) Local Plans would no longer be required to be justified, instead, the examination would assess whether local planning authority's proposed target meets need so far as possible, takes into account other policies in the Framework, and will be effective and deliverable.
- g) Duty to co-operate is to be replaced with an as-yet unformulated alignment policy with further consultation to be undertaken.
- h) Authorities with an up-to-date local plan will no longer need to continually show a deliverable five-year housing land supply.
- i) Councils would no longer have to provide five-year housing land supply buffers.
- j) Authorities would be allowed to include historic oversupply in their five-year housing land supply calculations.
- k) The Government is considering suspension or amendment of the usual consequences of failure of the 2022 Housing Delivery Test.
- l) Plan-makers would have until 30 June 2025 to submit a Local Plan using the existing framework. In addition, all examinations would need to be concluded with plans adopted by 31 December 2026.
- m) Requirement to start work on new plans by, at the latest, five years after adoption or their previous plan, and to adopt that new plan within 30 months.
- n) Plans that become more than five years old during the first 30 months of the new system will continue to be considered up-to-date for decision making purposes for 30 months after the new system starts.
- o) Supplementary Planning Documents (SPDs) will no longer be able to be prepared. Instead, Supplementary Plans can be prepared which will be afforded the same weight as a Local Plan. Once the new system comes into effect, existing SPDs are expected to remain in force for a time-bound period.
- p) There is intended to be a consultation on how National Development Management Policies are implemented.

2.7 A further consultation ‘Plan-making reforms: consultation on implementation’ commenced in July 2023 running until 18 October on proposals to make local plans simpler, faster to prepare and more accessible. The consultation sets out further details on the proposals announced in December 2022 (as outlined above) including the proposed 30-month target for local plan preparation which was first announced in the 2020 Planning for the Future white paper. A summary of the proposed changes outlined in the consultation is set out below:

- a) There would be six stages for local plan preparation that must be completed within the 30-month timescale. The six preparation stages include:
  - Scoping and early participation
  - Plan visioning and strategy development
  - Evidence gathering and drafting the plan
  - Engagement, proposing changes, submission;
  - Examination;
  - Finalisation and adoption of the plan.
- b) Draft plans will have to pass three mandatory gateway checks involving inspectors. The first gateway check will take place following the first scoping stage to ensure the plan sets off in the right direction. The second gateway check will involve ensuring compliance with legal and procedural requirements and supporting early resolution of potential soundness issues and take place between two mandatory consultation windows. The third gateway will take place before submission and is designed to monitor and track progress. The first gateway may involve planning inspectors, while inspectors will be required for the latter two.
- c) Plan examinations should take no longer than six months with examining inspectors appointed earlier to avoid delays.
- d) The two mandatory consultation periods, Regulation 18 and Regulation 19 will be longer and more clearly defined.
- e) New approaches to engagement will replace existing narrow and ineffective practices. The government’s proposed changes to the way authorities are required to engage with communities when preparing their local plans is replacing the statement of community involvement.
- f) The new plan-making system will be introduced in autumn 2024 but will be done so via a phased roll out focusing initially on ten front runner authorities. These front runners could start plan-making in 2024 and

should have completed all three gateway assessments by June the following year. All remaining authorities would be ranked chronologically by the date they adopted their local plan, before groups of 25 authorities at a time are allocated a six-month plan making commencement window.

- g) The government will publish a new series of core principles setting out what plans should contain.
- h) New regulations will require that a plan's vision should serve as a golden thread through the strategy.
- i) Authorities will be required to produce annual monitoring reports outlining how their plans have met a series of new nationally prescribed metrics and a fuller analysis four years after adoption.
- j) New digital templates should be used to help authorities prepare their new style plans.
- k) Old style PDF plans should be replaced with digital versions that are shorter and more visual.
- l) Local development schemes would be replaced by new timetable documents.
- m) Digital support for plans will be provided via a new pick and mix toolkit.

2.8 As stated above these are the current proposals put forward by Government and represent potential changes that are yet to be made. There is still a need to progress with the preparation work associated with the Local Plan Review. A watching brief will be kept on these proposals as they advance, and where necessary the Council can adapt work which is at the early stages.

### **Work undertaken since the adoption of the Brentwood local plan**

2.9 Following the adoption of the Local Plan an updated Local Development Scheme timetable was approved at the Policy, Resources and Economic Development Committee in July 2022. This set out the timetable to produce the Local Plan Review, Community Infrastructure Levy (CIL) and Supplementary Planning Documents (SPDs). Since then, there has been a need to focus resources on advancing CIL and the SPDs. Progress on these is set out below.

2.10 Consultation on the CIL Draft Charging Schedule was undertaken in October and November 2022 and submission for Examination in Public taking place in

March 2023. The hearing sessions took place in July 2023 and the Council has now received the Inspectors report confirming that the charging schedule can be approved in its current form without changes. The CIL Charging Schedule will be brought to a future Committee for approval including a recommended date that it can come into effect.

- 2.11 Progress has been made on two SPDs including the Planning Obligations SPD and Dunton Hills Garden Village SPD. Further work was undertaken to make final updates to the Dunton Hills Garden Village SPD with it being adopted at the Policy, Resources and Economic Development Committee in February 2023. A draft version of the Planning Obligations SPD was published for consultation between December 2022 and January 2023. Work on this is set to continue this year taking into consideration comments received.
- 2.12 With these documents nearing completion further resource can be focused on preparing the Local Plan Review. As stated in paragraph 6.3 of the Adopted Local Development Scheme this represents the broad timetables for the preparation of development plan documents. These timetables will be reviewed and refined as the document production progresses.

### **Local Development Plan Member Working Group**

- 2.13 The purpose of the Local Development Plan Working Group is set out within its terms of reference, which is reviewed annually. This sets out that the working group should consider the draft Local Development Plan and associated documents before they are considered by Ordinary Council and/or Planning Committee, as appropriate. The key responsibilities of the working group will be to scrutinise the validity of the plan-making process and evidence base in relation to the following:
- a) Soundness tests (positively prepared; justified; effective and consistent with national policy);
  - b) Duty to cooperate; and
  - c) Themes (such as housing needs & delivery (including specialist needs such as Gypsies and Travellers); employment needs and delivery; environmental and sustainability matters; Green Belt; transport infrastructure; health and wellbeing; natural and built environments; and viability & deliverability.
- 2.14 The working group is cross party and an informal group. Those on the working group are expected to provide feedback to all councillors (where information is

not confidential), providing wider ownership on key stages of the plan-making process (i.e. drafting, consultation, response, adoption).

- 2.15 The outputs of the working group will be reported through the Audit and Scrutiny Committee.
- 2.16 The last working group was held prior to the adoption of the Local Plan in March 2022. It is therefore proposed that the working group is reconvened to facilitate the preparation of the Local Plan Review, evidence and associated documents. The terms of reference for this group will be updated and membership of the group agreed with the Chair and Vice Chair of Planning Committee.

### **Local Plan supporting evidence**

- 2.17 To support the preparation of any Local Plan there is a need to have up-to-date and relevant evidence. The NPPF explains under paragraph 31 that ‘The preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals’.
- 2.18 In preparing the Review of the Local Plan there will need to be a review relevant evidence and determine whether updates are required. There is an immediate need to undertake a Call for Sites in line with National Planning Practice Guidance (PPG) so an up-to-date baseline is established on what development opportunities are available in the borough. This information would then feed into a land availability assessment. The PPG describes this further:

*“An assessment of land availability identifies a future supply of land which is suitable, available and achievable for housing and economic development uses over the plan period. The assessment is an important source of evidence to inform plan-making and decision-taking, and the identification of a 5-year supply of housing. It can also inform as well as make use of sites in brownfield registers.*

*However, the assessment does not in itself determine whether a site should be allocated for development. It is the role of the assessment to provide information on the range of sites which are available to meet the local authority’s requirements, but it is for the development plan itself to determine which of those sites are the most suitable to meet those requirements.”*

- 2.19 The PPG explains that the process to identify land should be transparent and identify as many opportunities as possible. The call for sites needs to be aimed at as wide an audience as is practicable so that those not normally involved in property development have the opportunity to contribute. This can include notifying parish councils and neighbourhood forums, landowners, developers, businesses and relevant local interest groups, as well as local publicity.
- 2.20 In addition to these requirements of the PPG it is intended that the call for sites will also request land to be submitted which could be used for potential Biodiversity Net-Gain offsetting. The requirements of a minimum 10% biodiversity net-gain for new developments is due to come into effect in November this year.
- 2.21 There are several other evidence documents that will need to be reviewed to determine if they require updating. As a minimum to deliver the requirements of Policy MG06 it is expected the following evidence will need to be reviewed and updated:
- a) Strategic Housing Market Assessment (SHMA)
  - b) Gypsy and Traveller Accommodation Assessment (GTAA)
  - c) Housing and Economic Land Availability Assessment (HELAA)
  - d) Green Belt Assessment
  - e) Transport Assessment
  - f) Viability Assessment
- 2.22 Findings from any updated and emerging evidence will inform the preparation of the Local Plan which will be brought before the Local Plan Member Working Group.

### **3.0 OTHER OPTIONS CONSIDERED**

- 3.1 The Council could decide not to proceed with reviewing the Local Plan but this would increase the risk of it becoming progressively out of date as time progresses. If plan-making was paused this would mean that the momentum gained in getting an up-to-date plan in place would be lost as it increases the chances of having to start from scratch rather than building upon existing work already done. It is considered the most appropriate route is to proceed with the review whilst being cognisant of the emerging changes to the planning system proposed by Government.



#### **4.0 RELEVANT RISKS**

- 4.1 There are a number of risks in not reviewing the Local Plan and ensuring it is kept up to date, including relevant evidence. This includes the potential for intervention by the Secretary of State and the increased possibility of planning by appeal. The Council continues to maintain the risk of not having an up-to-date plan on the strategic risk register.

#### **5.0 ENGAGEMENT/CONSULTATION**

- 5.1 Public consultation will be undertaken on the Local Plan Review at key stages (e.g. Regulation 18 and Regulation 19) in line with the relevant legislation. Evidence documents such as the Call for Sites will be subject to focussed consultation.

#### **6.0 FINANCIAL IMPLICATIONS**

**Name & Title: Tim Willis, Director – Resources (Section 151 Officer)**  
**Tel & Email: 01277 312500 / tim.willis@brentwood.rochford.gov.uk**

- 6.1 The delivery of the Local Plan Review and associated evidence are considered to be deliverable within existing agreed budgets. Human Resource requirements will continue to be monitored to ensure that appropriate required support can be secured when needed to avoid slippage.

#### **7.0 LEGAL/GOVERNANCE IMPLICATIONS**

**Name & Title: Claire Mayhew, Acting Joint Director – People & Governance (Monitoring Officer)**  
**Tel & Email: 01277 312500 / claire.mayhew@brentwood.rochford.gov.uk**

- 7.1 The Planning and Compulsory Purchase Act 2004, as amended (“the 2004 Act”) requires local planning authorities to prepare local plans, which must be kept under review and revised as necessary. The Town and Country Planning (Local Planning) (England) Regulations 2012, as amended (“the 2012 Regulations”) set out the procedures to be followed in the preparation of such plans.

#### **8.0 EQUALITY & HEALTH IMPLICATIONS**

**Name & Title: Kim Anderson, Corporate Manager - Communities, Leisure and Health**  
**Tel & Email: 01277 312500 / kim.anderson@brentwood.gov.uk**

- 8.1 The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:

- a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the ground of protected characteristic unlawful.
- b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
- c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- d) The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for b) or c), although it is relevant for a).

8.2 The proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic. The Equality Act 2010 places a statutory duty on the Council to ensure that when considering any new or reviewed strategy, policy, plan, project, service or procedure the impacts on particular groups, including those within the workforce and customer/public groups have been considered. The Local Plan Review will be subject to an Equality Impact Assessment at key stages of preparation. This assessment is a process designed to ensure that a policy, project or scheme does not discriminate against any disadvantaged or vulnerable people.

## **9.0 ECONOMIC IMPLICATIONS**

**Name & Title: Phil Drane, Director - Place**

**Tel & Email: 01277 312500 / phil.drane@brentwood.rochford.gov.uk**

9.1 The Local Plan Review will identify future development in the borough and how this is managed, which will contribute towards economic growth. It is important that an up-to-date plan is maintained to drive economic growth consistent with the Corporate Strategy 2020-2025 and Economic Development Strategy 2021-2025.

**REPORT AUTHOR:**           **Name:** Jonathan Quilter  
   **Title:** Corporate Manager – Strategic Planning  
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**APPENDICES**

None

**BACKGROUND PAPERS**

None

**SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
Policy, Resources & Economic Development Committee: Item 83, Brentwood Local Plan Timetable (Local Development Scheme 2022-2025)	13 July 2022
Extraordinary Council: Item 373, Brentwood Local Plan 2016-2033 Adoption	23 March 2022

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## **Members Interests**

Members of the Council must declare any pecuniary or non-pecuniary interests and the nature of the interest at the beginning of an agenda item and that, on declaring a pecuniary interest, they are required to leave the Chamber.

- **What are pecuniary interests?**

A person's pecuniary interests are their business interests (for example their employment trade, profession, contracts, or any company with which they are associated) and wider financial interests they might have (for example trust funds, investments, and asset including land and property).

- **Do I have any disclosable pecuniary interests?**

You have a disclosable pecuniary interest if you, your spouse or civil partner, or a person you are living with as a spouse or civil partner have a disclosable pecuniary interest set out in the Council's Members' Code of Conduct.

- **What does having a disclosable pecuniary interest stop me doing?**

If you are present at a meeting of your council or authority, of its executive or any committee of the executive, or any committee, sub-committee, joint committee, or joint sub-committee of your authority, and you have a disclosable pecuniary interest relating to any business that is or will be considered at the meeting, you must not :

- participate in any discussion of the business at the meeting, of if you become aware of your disclosable pecuniary interest during the meeting participate further in any discussion of the business or,
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

- **Other Pecuniary Interests**

Other Pecuniary Interests are also set out in the Members' Code of Conduct and apply only to you as a Member.

If you have an Other Pecuniary Interest in an item of business on the agenda then you must disclose that interest and withdraw from the room while that business is being considered

- **Non-Pecuniary Interests**

Non –pecuniary interests are set out in the Council's Code of Conduct and apply to you as a Member and also to relevant persons where the decision might reasonably be regarded as affecting their wellbeing.

A 'relevant person' is your spouse or civil partner, or a person you are living with as a spouse or civil partner

If you have a non-pecuniary interest in any business of the Authority and you are present at a meeting of the Authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest whether or not such interest is registered on your Register of Interests or for which you have made a pending notification.

## **Finance, Assets, Investment and Recovery Committee**

The committee shall consider all matters of policy and strategic importance to the Council including matters referred to it by other Committees and/or Chief Officers.

The function within the remit of the Finance, Assets, Investment and Recovery Committee include all financial matters relating to the budget, (and for avoidance of doubt, being the superior Committee on all such matters including capital, revenue and the Housing Revenue Account (HRA) except where the law otherwise requires), and without prejudice to the generality of this, include the specific functions which are set out below.

### Policy

Generally to review and oversee the co-ordination and governance of all functions of the Council. To undertake and discharge any functions in relation to strategic policies including periodic reviews of the policy framework adopted by full Council from time to time except where required by law to be undertaken elsewhere.

### Finance

- 1) Financial Services
  - 2) Contracts, commissioning, procurement
  - 3) Legal services
  - 4) Health and safety at work (in so far as it relates to the Council as an employer)
  - 5) Corporate communications and media protocols
  - 6) Corporate and Democratic services
  - 7) Human Resources
  - 8) Information Communication Technology
  - 9) Revenues and Benefits
  - 10) Customer Services
  - 11) Assets (strategically)
- 
2. Overall responsibility for monitoring Council performance.
  3. To formulate and develop relevant corporate policy documents and strategies including the Corporate Plan.
  4. To formulate the budget proposals in accordance with the Budget and Policy Framework, including capital and revenue spending, and the Housing Revenue Account Business Plan (including rent setting for Council homes), in accordance with the Council's priorities and make recommendations to Council for approval.
  5. To formulate the Council's Borrowing and Investment Strategy and make recommendations to Council for approval.

6. To take decisions on spending within the annual budget to ensure delivery of the Council's priorities.
7. To approve the write off of any outstanding debt owed to the Council above the delegated limit of £5,000.
8. To determine capital grant applications.
9. To make recommendations on the allocation and use of resources to achieve the council's priorities.
10. To manage and monitor the Council approved budgets and allocation of resources.
11. To provide the lead on partnership working including the joint delivery of services.
12. To consider any staffing matters that are not delegated to Officers, such as proposals that are not contained within existing budgetary provision.
13. To strategically manage any lands or property of the council and provide strategic property advice relating to the council's Housing Stock and without prejudice to the generality of this, to specifically undertake the following-

#### The Council's Asset Management Plan

- (a) The acquisition and disposal of land and property and taking of leases, licenses, dedications and easements.
- (b) The granting variation renewal review management and termination of leases, licenses, dedications and easements.
- (c) Promoting the use of Council owned assets by the local community and other interested parties.
- (d) To manage any lands or property of the Council;
- (e) To include properties within the council's Asset Management Portfolio including Halls etc.
- (f) To take a strategic approach to asset management, ensuring that the use of all of the Council's Property assets achieves Value for Money and supports the achievement of the Council's corporate priorities.
- (g) To review the corporate Asset Management Plan annually.
- (h) The acquisition of land in advance of requirements for the benefit, improvement or development of the Borough.



- (i) Disposal of land surplus to the requirements of a council function.
  - (j) Appropriation of land surplus for the requirements of another Council function.
  - (k) Promote the use of Council owned assets by the local community and other interested parties where appropriate.
  - (l) Property and asset management, including acquisitions and disposals not included in the approved Asset Management Plan.
  - (m) To receive updates reports on the Asset Development Programme and the work of the Asset Development Programme and Project Board.
  - (n) To take a strategic approach to commercial activity, both existing and new, ensuring the Council realises revenue generation opportunities and supports the achievement of the Council's corporate priorities.
  - (o) To agree and monitor the governance arrangements for any commercial and/or partnership arrangement with the Council.
  - (p) Promoting a culture of entrepreneurialism and building the required skills and capacity.
  - (q) To consider and approve business cases and commercial business plans for commercial activity.
14. To consider and propose matters concerning the promotion of economic development throughout the Borough and the interface with countryside or regional economic development initiatives.

#### Economic Development

- (a) To lead, consider and propose matters concerning the promotion of economic development throughout the Borough and the interface with countryside or regional economic development initiatives.
- (b) To promote and encourage enterprise and investment in the Borough in order to maintain and sustain the economic wellbeing and regeneration of the area.
- (c) To develop climate where businesses and individuals can innovate, compete and contribute to the economic development and regeneration of the area; and excellence in local business.
- (d) To encourage the growth of existing businesses in the borough and access to the skills and training necessary to support them.
- (e) To develop and deliver a Borough wide initiative on apprenticeships.

- (f) To consider and determine matters relating to the promotion, maintenance and enhancement of the vitality and viability of shopping centres within the Borough.
  - (g) To consult with the Chamber of Commerce, Federation of Small Businesses, residents and other interested third parties.
  - (h) To maintain a special interest in promoting employment in the Borough.
  - (i) To promote and encourage tourism and heritage.
  - (j) Parking (off street parking provision in Council owned/leased off-street parking places).
  - (k) Any matters relating to Crossrail.
15. To consider a report from the Monitoring Officer at the beginning of the Municipal Year, for the Committee to appoint the membership of the Constitution Working Group, in order for the Monitoring Officer to consult with such Members on the regular review of the Constitution documentation in accordance with Article 12 of the Constitution during the year.
16. To review and facilitate the transformation of delivery of services.

#### Transformation

- (a) To approve and facilitate the transformation of delivery of services.

#### Projects

- (a) To identify, monitor and oversee the implementation of those Corporate Projects that have been agreed by the committee to be major.

#### Scrutiny

- (a) To advise the Audit & Scrutiny Committee of any matters that require scrutiny in accordance with the Audit and Scrutiny Procedure Rules.
  - (b) To receive requests and determine on matters that require scrutiny from any Committee in accordance with the Audit and Scrutiny Procedure Rules.
17. To consider any requests for sponsorship and use of the Council's Coats of Arms and logos.