

# ***Report to the Council***

**Committee:** Cabinet

**Date:** 21 December 2017

**Subject:** Planning and Governance

**Portfolio Holder:** Councillor J Philip

---

**Recommending:** That the report of the Planning and Governance Portfolio Holder be noted.

---

## **1. Response of Epping Forest District Council to the Boundary Commission for England on new Parliamentary Constituency Boundaries**

At the most recent meeting of the Governance Select Committee, a discussion was held on members views on the ongoing review of Parliamentary Constituencies which concluded on 11 December 2017. Officers were authorised to submit views to the Boundary Commission for England (BCE) which I was asked include within my report to Council. The full response is reproduced below:

"I write on behalf of Epping Forest District Council as Assistant Director, Governance regarding the review of the constituencies in which our residents vote. The matter was considered by the Council's Governance Select Committee at their meeting on 5 December 2017 and I have been authorised to submit the views of this Council on the proposals. Details of their views can be found in the minutes of their meeting which can be found on this link: <https://goo.gl/V1NqvM>

Our District Council area contains Epping Forest constituency in its entirety and elements of both Harlow and the Brentwood and Ongar constituencies.

Members here support the proposals for Epping Forest constituency to remain as it is currently constituted with no change to its current boundary. The constituency always sat within the minimum and maximum electorate levels envisaged by the Commission.

However, members have asked me to make two further points in relation to the proposals:

(1) The proposals seek to transfer an area which currently sits in the Ongar and Brentwood constituency to the Harlow constituency. This area includes North Weald Bassett. Residents of this area were subject to change during the last boundary review when they moved from Epping Forest to Brentwood and Ongar. This time they are being linked to Harlow, and whilst they understand the reasons why the commission have made this change in relation to the latest proposals, my members are of the view that this area does not have the connection to Harlow and that the town looks to Epping as its associated community and administrative centre.

(2) Members of the noted the enlargement of the Harlow constituency and changes to the boundaries generally in this district and have asked me to make the point they hope that these proposals are not the precursor to changes to the Districts administrative boundaries at a future point.

## **2. Completion of Electoral Canvass 2017**

I am pleased to say that the publication of the Councils Electoral Register was completed on time on 1 December 2017. Again the Council's officers have ensured that performance of the Council will be amongst the highest in the Country.

At the conclusion of the canvass the Council managed responses from 98.6% of the districts properties (only 803 properties haven't yet responded and are being followed up by officers). A total of 33,759 properties (60%) of all households used the automated response options which is better than previous years.

Of those that used online methods, 18,456 households used the internet (54.67% of the total automated responses), 8,214 (24.33%) used the phone and 7,089 (21%) used SMS messaging methods.

Officers are now in the process of chasing outstanding individual registrations and the remaining household forms.

### **3. Development Management**

Planning and Building Control Income including DC Pre-application fees for the first eight months the year up to November 2017 total £1,008,065. This is very encouraging and demonstrates that Development Management's Income is maintaining the required current sustainable trend.

#### **Building Control**

Building Control's income for November 2017 was £37,965 (2016: £33,651). BC's income year to date for 2017/18 comprises of 89% of the annual budget for eight months, which is 67% of the current financial year. The year to date income is £399,504 (2016: £341,974) and exceeds budget by £80,494.

The medium term outlook looks very good and the projected income for BC may reach £530,000 comprising of eight months actual and four months budget.

Building Control are working hard maintain and increase income in very competitive market conditions. It is essential that they are able to maintain and improve existing staffing levels to sustain their income level that ensures they will be able to break even on the 'Ring Fenced' account for 2017/18.

#### **Development Control**

Development Controls income for November 2017 was £67,192 (2016: £78,308). DC's income year to date income for 2017/18 is £535,347 (2016: £670,337) and comprises of 55% of the annual budget for eight months, which is 67% of the current financial year.

The year to date income for 2017/18 is below budget by £104,463. However it is important to note that the 2017/18 budget was set partly as a result of the record income achieved in 2016/17 of £975,468. On reflection, as the 2015/6 years actual income was £849,842, our budget should perhaps have been set closer to the three year average of £879,477. DC Income for 2016/17 may reach £865,500 based on eight months actual and four months budgeted income.

#### **Pre-planning application Income**

Pre-application income has reached £73,215 up to November 2017 as compared with the year to date budget for the first eight months of 2017/18 of £69,907. Taking into account the actual for the eight months of this financial year plus four months budget of £34,953 it is looking likely that Pre-application income will match and slightly exceed the budget income of £104,860.

This confirms that development proposals will come forward, but the DC income being lower than budget is a reflection that major planning application that produce the highest fee income are being held back by developers awaiting the emerging new Local Plan submission.

#### **4. Update on the Local Plan**

a. A special meeting of the Council on 14 December 2017 will have considered the proposal to publish the Epping Forest District Local Plan Submission Version 2017 for a six week period from 18 December 2017 to 29 January 2018 in accordance with Regulation 19 of the Town and Country Planning Regulations 2012.

b. The proposed publication of the Local Plan Submission Version is in accordance with the Council's adopted Local Development Scheme and Statement of Community Involvement; it complies with relevant legislative requirements and is necessary before the Local Plan can be submitted to the Secretary of State for Independent Examination prior to the end of March 2018, thereby using the current assessment of housing need. Any delay will require the Council to undertake a significant amount of further work to revise the Plan in order to meet the additional housing need identified under the proposed standardised methodology published by DCLG in September 2017. In addition, the Government is proposing to introduce a new Housing Delivery Test, that will identify whether the number of homes being built is below the prescribed target and, where there is under-delivery, a presumption in favour of development will apply. Although the implementation of the Housing Delivery Test has been delayed, when brought into effect, it is likely that the housing target applied for the District will be as set out in the DCLG consultation (i.e. 923 homes per annum) rather than the 518 homes per annum currently identified as the District's housing requirement.

c. A failure to submit the Local Plan to the Secretary of State for Independent Examination before the end of March 2018 would therefore have considerable implications for the Council. It is highly likely that the Council would need to reconsider many aspects of the Local Plan and undertake a considerable amount of further work in order to respond to a significant increase in the housing requirement. This would require additional resources, whilst also resulting in a considerable delay in finalising the Local Plan for Submission, leaving the District without an up to date Local Plan for a significantly longer period. Importantly, it would also restrict the ability of the Council to deliver plan-led growth to meet future development and infrastructure needs, and leave the District vulnerable to speculative development proposals. It would also leave the Council vulnerable to formal intervention by the Secretary of State exercising his default plan-making powers under Part 2 of the 2004 Act, as set out in the Housing White Paper.

d. On 16 November 2017, the Secretary of State announced that he has commenced the formal process of intervention in the plan-making arrangements of 15 local planning authorities that have failed to progress a Local Plan to the stage of publication.

e. The Local Plan Submission Version is underpinned by a significant amount of technical work and justified by a comprehensive and robust evidence base. The Local Plan policies, spatial strategy and site allocations are supported by an extensive range of detailed supporting documents, including the Sustainability Appraisal, Habitat Regulations

Assessment and Infrastructure Delivery Plan (amongst many others). All the documents and other studies to support the Local Plan is available on the Council's website [www.eppingforestdc.gov.uk/planningourfuture](http://www.eppingforestdc.gov.uk/planningourfuture)

## **5. Harlow and Gilston Garden Town**

f. Further funding for the Garden Town of £175,000 for 2017/18 was announced on 3 October 2017. This funding has been ringfenced to support the setting up of a Quality Review Panel and to provide support for transport and other evidence based work to help bring the strategic sites forward for development. Consultants have been appointed to prepare a spatial vision and design charter and separately consultants have been appointed to provide more detail on sustainable transport corridors for the Garden Town and this work is progressing well.

g. Work has been commissioned to establish a Quality Review Panel and this will start operating early in the New Year to consider Garden Town projects. It is proposed to set up a separate Epping Forest District Quality Review Panel drawn from the same panel members but with its own terms of reference to consider proposals/masterplans within Epping Forest District.

h. A Project Director for the Garden Town has been appointed and will start early in the New Year.