

**ESSEX PLANNING OFFICERS ASSOCIATION****Great Notley Discovery Centre,  
Great Notley Country Park, Braintree, CM77 7FS.****MINUTES – 14<sup>th</sup> March 2019**

<b>ATTENDEES</b>	
Graham Thomas – Chairman Ian Butt (Castle Point BC) Christine Lyons (Basildon BC) Richard Greaves (ECC) Nigel Richardson (Epping Forest DC) Simon Cairns (Colchester BC) Gordon Glenday (Uttlesford DC) Jeremy Potter (Chelmsford CC)	<b>Guests:</b> Laura Taylor-Green (Public Health) Pete Dawson (Places Services) Chris King (Places Services) Gareth Dalglish (Natural England) Sue Hooton (Place Services) Claire Stuckey (Chelmsford CC) Shelley Blackaby (Colchester BC)

	<b>Agenda item</b>	<b>Owner</b>
<b>1.</b>	<b>Introductions &amp; Apologies</b> Emma Gooding – Braintree Phil Drane – Brentwood Ian Vipond – Colchester Matt Leigh – Maldon Amanda Parrott – EPOA Policy Chair Paul McBride – Harlow	
<b>2.</b>	<b>Minutes and Matters Arising from previous meeting</b> Minor amendment to note that Nigel Richardson (Epping Forest) was present.  <b>Agreed:</b> <ul style="list-style-type: none"> <li>• Minutes are an accurate record of meeting on 13 December, with minor amendment above.</li> </ul> <b>Outstanding actions:</b> <ul style="list-style-type: none"> <li>• Mobile connectivity – Graham to follow up with Connie Kerbst about organising meetings with interested local authorities.</li> <li>• The mechanism to address Unmet G&amp;T need has been completed and is now available on the EPOA website hosted by Uttlesford. EPOA colleagues expressed their thanks to Amanda Parrott in particular for her involvement in bringing this work to a successful conclusion.</li> </ul>	All
<b>3.</b>	<b>Notice of AOB:</b>	
<b>4.</b>	<b>Design Guide Updates and Quality Review Panel</b> Pete Dawson and Chris King delivered a presentation on the Essex Design Guide updates and Quality Review Panel to be launch later in the year.  <u>Design Guide Updates</u>  Place Services have been commissioned by EPOA to update specific elements of the EDG and develop new sections of guidance which will be available online later in the spring. General updates include reflecting changes in national policy, strategies, protocols etc.  Exemplar case studies are being sought for the EDG website. The website is	Pete Dawson Chris King Place Services

attracting c.300 users a month and c.400 users have signed up to be notified of amendments.

A working group has been set up to oversee the development of 3 new sections:

- 1) School design guidance will include principles, process and best practice to improve design quality for the school building programme. There was consensus that Garden Communities should consider integrating community uses / community access within school developments. This should be embedded in policy and masterplans
- 2) Commercial / industrial / large footprint buildings will include understanding context and site setting, exemplar case studies, promoting quality design and environmental sustainability. It was noted that colour and finishes are important; good examples along the M1 were highlighted
- 3) G&T sites will include general principles, a possible method to follow, design quality and green infrastructure. Withdrawn national guidance included good principles but this new section does not seek to go into specific detail or address location principles. PBA have provided support on this new section and have highlighted that there is no guidance like this elsewhere in the country. It is proving complex to develop and difficult to find 'good' examples. There haven't been many G&T sites developed in Essex to draw upon. Management of G&T sites will be key however. A good range of service areas and local authorities have been involved.

These EDG updates have been informed by a wide range of stakeholders including planning officers, specialist officers and Essex Developers Group. It was noted that the EDG is now recognised for its innovation and quality by Sport England, and the Building Research Establishment (BRE) and shortlisted in the national RTPI Planning Awards in the category of Health and Wellbeing (24 April).

The next task will be updating parking standards.

#### Quality Review Panel

The QRP will be open to all to support local authorities and applicants in improving overall design quality from pre-app. There are no costs to local authorities as this is an applicant paid for service.

There will be a diverse panel of 30 plus members, including representatives from Tate Galleries, local and national practices, public health and Sport England.

The panel can be reactive or scheduled, and the aim is for 2 scheduled panels a month. The panel will consider strategic, complex or major applications, but doesn't set a specific size threshold.

The QRP includes a set cost, agenda (including site visit), structure and panel members, and will be tailored to meet the need of applicants. Details are available on the QRP website, which is now live.

There will be QRP training in early April, followed by formal panel later in April. 3 Chief Officers from EPOA were requested to interview and appoint the QRP chair. Chelmsford (JP), Basildon (CL) and Uttlesford (GG) volunteered to be on the interview panel.

CL highlighted that managing Member expectation will be important to help them understand and encourage buy-in to the QRP process. PD advised that content can be included on the QRP website and there may be potential for future Member training and engagement.

It was noted that refinement of the QRP process for school developments is required, particularly on when to get involved in the QRP.

PD/CK to progress



	<p>Sport England is supportive of this Scheme.</p> <p>It involves a 3-stage process:</p> <ol style="list-style-type: none"> <li>1. Developers Charter – sign up annually setting out key principles and for each development a 2-stage process</li> <li>2. Ensure Action Design Principles are embedded in design / masterplanning</li> <li>3. After completion, assess development to ensure that principles have been implemented</li> </ol> <p>There has been interest from Colchester, Basildon and Tendring to date. Chelmsford are starting to pilot the Scheme, which is voluntary and is a cost to the developer.</p> <p>There was consensus that this Scheme could be part of the QPR process, as Sport England etc. are already on the panel.</p> <p>Communication with developers on the overall benefits of the Scheme will be critical – importance of embedding principles in masterplans.</p> <p>EPOA support the Accreditation Scheme and associated Charter in principle.</p> <p><u>Actions:</u></p> <ul style="list-style-type: none"> <li>• Consider how the Scheme could be integrated into the QRP process</li> <li>• Scheme to be an item on the Planning Portfolio Holders meeting on 25 June 2019</li> <li>• Scheme to be discussed further at next EPOA meeting in June.</li> </ul>	<p>Jeremy Potter Laura Taylor-Green</p>
<p>6.</p>	<p><b>Natural England’s - District Licensing for Great Crested Newts in Essex – Presentation Attached</b></p> <p>Gareth Dalglish first presented to EPOA in March last year on GCNs. NE were asked to develop an Essex-wide strategy, give consideration to deferring for a year due to implications for local authority resources, and clarify that the scheme would be legally compliant. Gareth followed this up by delivering a presentation on the proposed District Licensing Scheme.</p> <p>The scheme looks to move away from a site-based approach towards a more strategic, landscape-scale approach to GCN mitigation. The aim of this approach is to:</p> <ol style="list-style-type: none"> <li>1) influence local plan allocations to direct development away from the most important GCN sites</li> <li>2) restore a network of traditional ponds and suitable habitats in better strategic locations delivering higher GCN numbers, and long-term management</li> </ol> <p>Positive benefits for developers include fewer delays, no seasonal restrictions as onsite mitigation measures will not be required, more certainty, fewer risks and lower costs.</p> <p>Local authorities do not need to deliver the schemes themselves, for example Essex Wildlife Trust could be appointed as the Habitat Delivery Body.</p> <p>300 surveys and other data sources have been input into a Species Distribution Model to identify where GCNs are most likely to be. At this point in time, ponds are the most important habitat that need to be created / restored to reverse decline in GCNs. The model has 95% accuracy and will be reviewed every 2 years to ensure that it is still fit for purpose.</p> <p>The outcome is a Risk Zone map showing the likely presence of GCN:</p> <ul style="list-style-type: none"> <li>• Green zones suggest there are no suitable habitats for GCNs to thrive</li> </ul>	<p>Gareth Dalglish Partnership Manager Natural England</p>

- Amber zones suggest there's just under 50% chance of GCNs
- Red zones cover protected areas with GCN habitats and where GCN's are highly likely to be present e.g. SSSIs – these sites are not included in the District Licensing scheme; the traditional licensing route applies

The vast majority of Essex is amber, as there are significant quantities of GCN across the County.

For any applications, a 250m buffer around the red line development boundary will be applied, so that ponds inside and outside are captured. However, with the new approach applicants don't have to survey, as it is probability, risk-based approach.

Strategic Opportunity Areas (SOA) have been mapped using different variables to identify the best places to locate mitigation measures (i.e. new / restored ponds). The location of ponds and pond density is critical to increasing the GCN population.

Tariff of £15k is to be charged per pond (multiplied depending on on-site survey or modelling route adopted & risk zone, e.g. amber zone 2 x £15k, green zone 1 x £15k) plus £700 licensing fee. NE, local authorities or another body such as Essex Wildlife Trust could be licensing body for GCN; NE just need to authorise who does it.

Tariff builds delivery of at least 2 x ponds for every 1 lost through development (1 is a backup if others fail), maintenance of ponds up to 25 years, costs of planning permission etc. – an average cost.

High resolution PDFs of maps can be circulated to EPOA; currently there are data protection issues with some of the raw GIS data, which is being resolved. The GIS files will then be shared with local authorities.

NE is working on impact assessments for proposed development. Data is being sought from local authorities by 18 March, including Local Plan allocations / windfall sites, comments on amber sites (i.e. if anything is missing) and comments on SOAs.

Following feedback from local authorities on draft maps, NE will develop a draft strategy to support the Scheme by end of June.

The Scheme is expected to be launched by end of 2019. NE has started engaging with Place Services and Essex Wildlife Trust in terms of physically delivering mitigation ponds.

After EPOA concerns about the legality of the proposed approach, NE have sought legal counsel and advised that District Licensing complies with the 1991 Wildlife and Countryside Act, and other relevant legislation.

Similar Schemes have been launched in Kent recently, and will be launching soon in Cheshire. The Scheme is already being implemented in the Midlands.

AP asked how money is likely to be secured. NE confirmed that S1 of the 2011 Localism Act can be used to levy money from developers; it is important to separate the licencing function from the planning function. If local authorities are given authority to administer the license, developers would be expected to pay after planning permission is granted to secure the licence. If they don't pay this is a criminal offence. Reference to securing the licence and payment could be an informative attached to planning permission. SH advised however that there is model condition wording which can be circulated.

AP asked about viability of charging. NE confirmed that this is likely to be a cheaper route for developers. JP pointed out that this is not linked to S106 and

	<p>should be considered separately.</p> <p>RG asked whether the status of GCNs would alter following Brexit. NE confirmed that the status will not be affected as GCNs are protected by the 1991 Act.</p> <p>RG asked what the ideal location is for GCNs given the SOAs. NE confirmed that GCNs should be in remote locations as they dislike disturbance and shouldn't be part of on-site mitigation SUDS schemes. It is important that there are enough suitable habitats which are part of a wider network to ensure a net-gain in GCNs. There may be a net-export from constrained, more built-up local authorities into neighbouring areas depending on suitable locations.</p> <p>JP asked whether this is a 'licence to kill'. NE confirmed that GCNs on a development site wouldn't need to be moved prior to development – GCNs (and habitats) sacrificed. The intention however is to deliver a network of suitable habitats in appropriate locations to ensure a net-gain in GCNs.</p> <p>NE would prefer local authorities to implement the scheme; but the preferred approach needs to be agreed with EPOA. Place Services for example could be a licensing body for Essex; this would also cover County schemes.</p> <p><u>Actions:</u></p> <ul style="list-style-type: none"> <li>• LPAs to provide local plan allocations GIS files and windfall sites, and any feedback on the maps, by 18 March (and by end of March at the very latest)</li> <li>• Sue Hooton to circulate standard model condition wording</li> <li>• Sue Hooton to liaise with Amanda Parrott (EPOA Policy group Chair). The Policy group will need to propose how the scheme should be taken forward in Essex for the EPOA group to consider by June</li> </ul>	<p>Sue Hooton</p> <p>Sue Hooton Amanda Parrott</p>
<p>7.</p>	<p><b>RAMS Update – Papers Attached</b></p> <p>Claire introduced herself as the new Chair of the RAMS Steering Group, supported by Shelley Blackaby.</p> <p>The RAMS strategy has now been completed by Sue Hooton's team, and has subsequently been signed-off and approved by NE as meeting the required standard. This is now being formally taken through each local authority's governance process.</p> <p>A RAMS SPD is being prepared but has been paused to take into account independent legal advice due to be received next week. The SPD is expected to be finalised in the next couple of months, followed by formal public consultation towards the end of the Summer.</p> <p>Some local authorities are already collecting RAMS money, and this is being held until the strategy/SPD has been finalised and mitigation measures agreed.</p> <p>GG asked whether monies should be collected already. NE issued advice in August 2018 regarding RAMS. CL has set aside £5,000 to cover schemes which may have been approved since that date, but RAMS contributions have not be secured from applicants. The BDC is however ring-fenced. Once the RAMS strategy / SPD is in place however SH clarified that money will need to be collected. CS confirmed that Chelmsford had been collecting monies at a flat rate to contribute towards a specific mitigation project agreed with NE, and once the RAMS work is approved they will be collecting the tariff as set out in SPD.</p> <p>Shelley introduced the governance and delivery flow chart. Definitions were clarified below:</p> <p>Delivery officer – a full time officer appointed to project management implementation of RAMS to be funded by RAMS monies; a local authority will need to host this officer – Colchester, Chelmsford and Southend have</p>	<p>Shelley Blackaby Colchester BC</p> <p>Claire Stuckey Chelmsford City</p>

	<p>expressed an interest in taking on this role. An update at the next EPOA meeting would be helpful.</p> <p>RAMS monies will be collected by individual local authorities then periodically sent to the accountable local authority who will be responsible for holding and allocating the RAMS monies – Chelmsford and Southend have expressed an interest in taking on this role.</p> <p>EPOA recommend that these 2 roles should be undertaken by the same local authority.</p> <p>The RAMS Steering group meets monthly but plans to meet quarterly when the project has moved closer to delivery.</p> <p>CL noted that the draft FAQs refer to any shortfall in RAMS income to be picked up by local authorities. Concern that Basildon doesn't have large sites being delivered, until the local plan is in place. SH confirmed that money only needs to be paid when consents are issued as mitigation will be required. CL pointed out that a specific post will have ongoing costs, but SH highlighted that other local authorities are likely to be issuing consents. CS confirmed that it's the role of the responsible Finance local authority to manage the finance, including forecasting consents and delivery, and therefore determine when the appointment of the Delivery Officer is required.</p> <p>GT highlighted the potential resource implications for the Project Board meeting quarterly, suggesting that 2 meetings a year would be enough. CL pointed out that there needs to be effective delegation to the Steering Group to make minor changes, and 6 monthly review of the strategy should be taken to the Board.</p> <p>The Chief Officers expressed their thanks to all officer working on the RAMS Steering Group, recognising this work was new and required dealing with many complex questions and different organisations, making this a tricky subject to effectively deal with.</p> <p>CS asked whether there were any proposed amendments to the ToRs. The Steering Group has been consulted but has not approved these, as seeking approval from EPOA first. EPOA colleagues were asked to provide any feedback by 1 April.</p> <p><u>Actions:</u></p> <ul style="list-style-type: none"> <li>• Chelmsford and Southend need to consider whether they would have capacity to take on both roles</li> <li>• EPOA to appoint Delivery Officer and Finance local authority following capacity consideration</li> <li>• Governance and Delivery flowchart to be amended to take account of appropriate decision-making delegation to Steering Group, and Project Board to meet every 6 months, rather than quarterly</li> <li>• EPOA to feedback to Claire Stuckey on ToRs by 1 April</li> <li>• Claire Stuckey to circulate Chelmsford cabinet report</li> </ul>	<p>Peter Geraghty Jeremy Potter to consider options All Claire Stuckey.</p>
<p><b>8.</b></p>	<p><b>Local Plan/Joint Strategic Plan Update</b> Item not discussed.</p>	<p>All</p>
<p><b>9.</b></p>	<p><b>Housing Delivery Test – Discussion on Implications and Actions for EPOA</b> Item not discussed in depth.</p> <p><u>Actions:</u> Graham Thomas to email EPOA colleagues with a view to setting up a task and finish workstream, given the importance and impact HDT will have for local authorities.</p>	<p>Graham</p>

10.	<p><b>EPOA Elections</b></p> <p><b>Chairman</b> - GT was supported as ongoing EPOA Chair</p> <p><b>Vice Chairman</b> Two nominations were put forward (JP and IB) for the position of Vice-Chair</p> <p><b>Training and Development Lead</b> - CL accepted position as T&amp;D Lead</p> <p><b>Actions:</b> Vice-Chair to be appointed - subsequently confirmed as Jeremy Potter.</p>	All
11.	<b>AOB</b>	All
	<p><b><u>Date Next EPOA meetings 2019/20</u></b></p> <p><i>20 June, 12 September, 5 December 2019, and 19 March 2020</i></p>	