

**Memorandum of Understanding on
Distribution of Objectively Assessed Housing
Need across the West Essex/East Hertfordshire
Housing Market Area**

March 2017

Between

East Hertfordshire District Council
Epping Forest District Council
Harlow District Council
Uttlesford District Council



Uttlesford
District Council

And supported by (non-signatories)

Essex County Council (as a Highways Authority)
Hertfordshire County Council (as a Highways Authority)
Highways England



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1 Background

Introduction

- 1.1. This Memorandum of Understanding (MoU) concerns the distribution of the Objectively Assessed Housing Need (OAHN) of four councils comprising the West Essex/East Hertfordshire Housing Market Area (HMA): East Hertfordshire District Council, Epping Forest District Council, Harlow District Council and Uttlesford District Council (see Appendix 1 for more background on the HMA).
- 1.2. The MoU was prepared by officers and Members of these four authorities, with assistance from Essex County Council, Hertfordshire County Council and Highways England. The preparation of the MoU was overseen by the 'Co-operation for Sustainable Development Member Board' (the Co-op Member Board)¹.

Joint and co-ordinated working in the West Essex/East Hertfordshire HMA

- 1.3. The National Planning Policy Framework (NPPF) states that: "Public bodies have a duty to cooperate on planning issues that cross administrative boundaries, particularly those which relate to the strategic priorities..." and, furthermore, "The Government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities" (para 178). It also expects local authorities "...to demonstrate evidence of having effectively co-operated to plan for issues with cross-boundary impacts when their Local Plans are submitted for Independent Examination. This could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position. Cooperation should be a continuous process of engagement from initial thinking through to implementation, resulting in a final position where plans are in place to provide the land and infrastructure necessary to support current and projected future levels of development" (para 181).
- 1.4. East Hertfordshire, Epping Forest, Harlow and Uttlesford District Councils (also referred to in this MoU as the "West Essex/East Hertfordshire Authorities") have a substantial history of co-ordinated working on strategic planning issues, not least on assessing housing need and planning for future growth. Essex County Council and Hertfordshire County Council have also been involved in cross-boundary working with the authorities for many years on many different topics including planning matters.
- 1.5. Each of the West Essex/East Hertfordshire Authorities will publish their Local Plans (East Hertfordshire for Regulation 19 publication and Epping Forest District for Regulation 18 consultation by the end of 2016, with Harlow for Regulation 19 publication and Uttlesford District Council for Regulation 18 consultation in 2017). The Local Plans will then progress into Independent Examination and adoption in 2017/2018. Joint and co-ordinated working will continue on relevant matters.

¹ The 'Co-operation for Sustainable Development Member Board', established October 2014, hereafter referred to as the 'Co-op. Member Board'. See Appendix 2 for further details of this and the related 'Co-operation for Sustainable Development Officer Group' (hereafter referred to as the 'Co-op Officer Group').

Housing need

1.6. Three Strategic Housing Market Assessments (SHMAs), published in 2010, 2012 and 2015 have been undertaken for the combined area of East Hertfordshire, Epping Forest, Harlow and Uttlesford Districts². The most recent SHMA was commissioned by the Co-op Member Board and managed through a sub group of the Co-op Officer Group. Details of the terms of reference and working practices of the Co-op Member Board and the Co-op Officer Group are set out in Appendix 2. The 2015 SHMA gives an up to date and Planning Practice Guidance compliant³ assessment of housing need over the Housing Market Area (HMA) for the period 2011-2033. The 2015 SHMA gave the following headline results (in net additional dwellings) for the HMA as a whole, and for each local authority. It is acknowledged that since the publication of the SHMA in 2015, updated 2014-based household projections have been published (see paragraph 3.4). The four authorities are all committed to identifying an up-to-date OAHN based on the 2014-based projections. The 2015 SHMA gave the following headline results (in net additional dwellings) for the HMA as a whole, and for each local authority.

Figure 1 - Headline results from the SHMA (2015)

Local Authority	OAHN Market dwellings	OAHN Affordable dwellings	Total OAHN (net new dwellings 2011-2033)
East Hertfordshire DC	12,200	4,200	16,400
Epping Forest DC	8,100	3,200	11,300
Harlow DC	2,500	3,400	5,900
Uttlesford DC	9,700	2,800	12,500
Total for HMA	32,500	13,600	46,100

NB – totals may not sum due to rounding

The full 2015 Joint SHMA is available to view at:

<http://www.eppingforestdc.gov.uk/index.php/home/file-store/category/458-strategic-housing-market-area>

Economic growth

1.7. The Co-op Member Board also commissioned a Joint Economic Report, to consider the Objectively Assessed Economic Need (OAEN) of the Functional Economic Market Area (FEMA, which has been found to be the same as the HMA). This was published in 2015 and gives an up to date and Planning Practice Guidance⁴-compliant assessment of employment

² The SHMAs published in 2010 and 2012 also included Broxbourne Borough Council and Brentwood Borough Council; both of these authorities declined to take part in the most recent SHMA, as Broxbourne BC decided to pursue its own SHMA and Brentwood BC had become part of a wider 'Heart of Essex' SHMA. However, both authorities adopted a 'watching brief' on the 2015 SHMA and through the Co-op Officer Group and Co-op Member Board, were involved in discussions about the SHMA brief and findings.

³ Planning Practice Guidance, Paragraph: 001 Reference ID: 2a-001-20140306

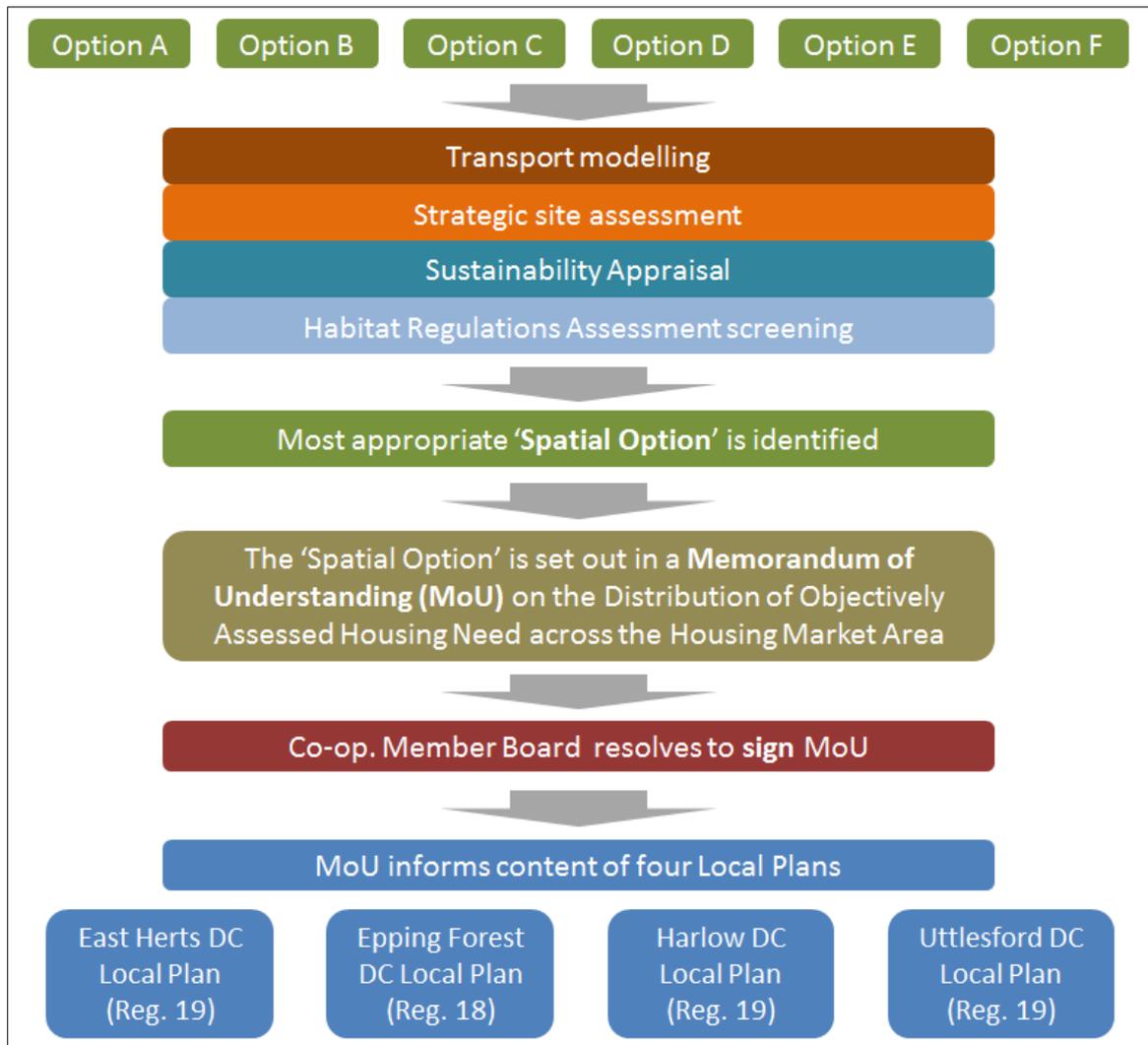
⁴ Planning Practice Guidance, Paragraph: 030 Reference ID: 2a-030-20140306

need across the FEMA for the period 2011-2033. (More details of the 2015 Joint Economic Report can be found in Appendix 3).

Spatial distribution of housing

- 1.8. In order to comply with the Duty to Co-operate in section 33A of the Planning and Compulsory Purchase Act 2004, the West Essex/East Hertfordshire Authorities commissioned work from consultants AECOM, through the Co-op Member Board, to assess the sustainability of strategic spatial options for meeting the overall OAHN within the HMA. The results of this 'spatial optioneering' work inform this MoU.
- 1.9. The work undertaken by the Co-op. Member Board to develop and test options for distributing different levels of growth across the HMA will form a critical component of the evidence base informing each of the four local plans. This work clearly demonstrates that the questions of (i) how much housing should be delivered across the HMA; and (ii) where should this housing best go have both been robustly addressed. Specifically, the authorities have agreed an overall quantum of development for the HMA as well as a housing figure for each of the four authority areas and a specific figure for the level of development to be accommodated in and around Harlow town (to be met in part through named strategic sites). Beyond these agreed figures the four authorities will determine the spatial distribution of housing in their respective areas through their own local plan processes.
- 1.10. The Spatial Options Study used four means to test six potential distribution Options (Options A - F), and the Co-op Member Board subsequently resolved on a specific 'Spatial Option', as set out in Figure 2.

Figure 2 – Process for the Strategic OAHN Spatial Options Study



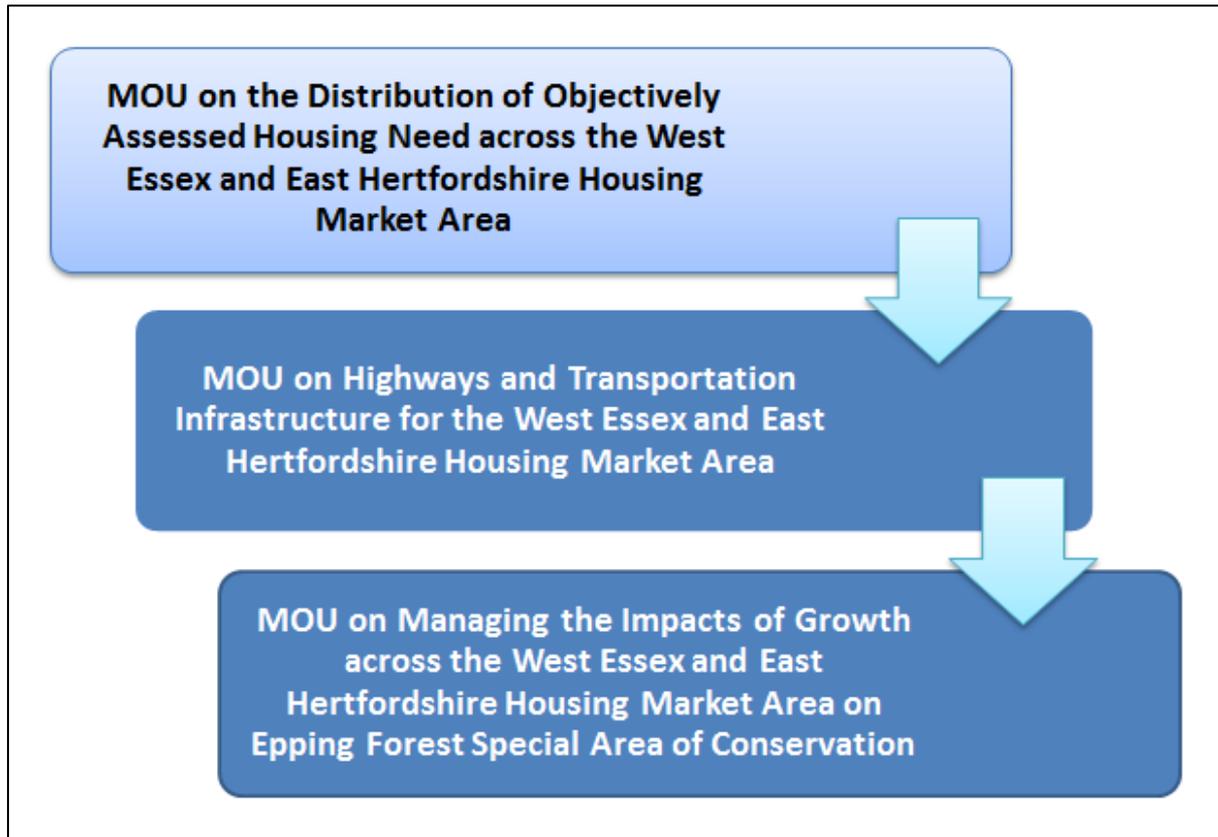
1.11. Further details of the Spatial Options Study are included within Appendix 4.

2 Purpose of this Memorandum of Understanding (MoU)

The three inter-related Memoranda of Understanding

- 2.1. This MoU is the overarching one of a group of three related memoranda of understanding.
- 2.2. The other two deal with highways and transportation infrastructure, and Epping Forest Special Area of Conservation respectively, as shown in Figure 3.

Figure 3 – Inter-related Memoranda of Understanding



This Memorandum of Understanding

- 2.3. This MoU is designed to address the distribution of OAHN as defined by the 2015 SHMA. Although it addresses the OAHN within the West Essex/East Hertfordshire HMA only, the draft of the MoU, and the evidence underpinning it, were discussed both at the Co-op Member Board and the Co-op Officer Group which includes other relevant authorities (see Appendix 2 for membership details).
- 2.4. The purpose of this MoU is to ensure that the West Essex/East Hertfordshire Authorities (supported by Essex County Council, Hertfordshire County Council and Highways England), working together, fulfil the following requirements:
 - (i) to meet in full, the Objectively Assessed Housing Need of the West Essex/East Hertfordshire HMA, as assessed by the Joint SHMA (2015), within the HMA (taking account of availability, viability and deliverability);
 - (ii) to deliver the shared Strategic Vision for the LSCC 'Core Area', as set out in Appendix 5 and to include this Strategic Vision as part of the individual local plans;

- (iii) to fulfil the commitment in the Joint Statement⁵ made by the Co-op Member Board in 2015, to "...work towards the production of a memorandum of understanding to support the joint working and meeting the duty to co-operate";
- (iv) to achieve item (i) above through the most sustainable pattern of development which is feasible, achievable and deliverable as assessed by the Spatial Options Study and other relevant evidence, by including the 'Spatial Option' for OAHN within individual Local Plans;
- (v) to continue to engage with one another at an early stage, in detail, and on a continuing basis, with the intention of avoiding possible objections being made at consultation stages and/or at Independent Examination of the individual Local Plans;
- (vi) to continue to co-operate during the implementation and monitoring of individual Local Plans;
- (vii) to commission any future joint evidence work which may be required;
- (viii) to help demonstrate compliance with the Duty to Co-operate during the Independent Examination of Authorities' Local Plans;
- (ix) to assist in securing necessary enabling strategic infrastructure for the growth set out in this MoU; and
- (x) to inform and support the 'Highways and Transportation Infrastructure for the West Essex and East Hertfordshire Housing Market Area' MoU and the 'Managing the Impacts of Growth across the West Essex and East Hertfordshire Housing Market Area on Epping Forest Special Area of Conservation' MoU (see Figure 3).

Other matters considered outside this MoU

- 2.5. The NPPF states that, '*Local planning authorities should work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly coordinated and clearly reflected in individual Local Plans*' (para 179).
- 2.6. There are of course many key issues, other than the spatial distribution of OAHN, which are cross-boundary in nature and which the West Essex/East Hertfordshire Authorities are working on together. Other key matters of strategic cross boundary significance which are being addressed by ongoing joint and co-ordinated work are listed in Figure 4. This is not an exhaustive list, and the four local authorities will continue to work together to identify and tackle cross-boundary matters. Essex County Council is preparing a Growth Infrastructure Framework, which will greatly assist in this task.

⁵ The Co-op Member Board issued a joint statement on sign-off of the 2015 Joint SHMA and 2015 Joint Economic Report, which is available here: <http://www.eppingforestdc.gov.uk/index.php/home/file-store/category/532-shma-economic-growth-reports-co-op-board-joint-statement>.

Figure 4 – Key matters of strategic cross-boundary significance (outside this MoU)

<p>Other Housing issues</p> <ul style="list-style-type: none"> • Viability • Sustainable building materials and processes • Unmet needs and five year housing land supply • <i>Accommodation for Travellers and Travelling Showpeople (see below)</i>
<p>Other Economic issues</p> <ul style="list-style-type: none"> • Existing retail offer and future need • Competition between economic centres • Commuting patterns
<p>Highways & Transportation Infrastructure</p> <ul style="list-style-type: none"> • Delivery of the new J7A of the M11 to enable growth in and around Harlow • Promotion of sustainable modes of transport • Improvements at J7 and J8 of the M11 • London Stansted Airport growth • Opportunities relating to Crossrail 2 and four-tracking of the West Anglia Main line • Provision of Green Transport Corridors • Central Line issues
<p>Community Infrastructure</p> <ul style="list-style-type: none"> • Education - primary, secondary, higher • Open spaces, and sport and recreation facilities • Library provision
<p>Health</p> <ul style="list-style-type: none"> • Consideration of a new site for Princess Alexandra Hospital, possibly a 'health and social care campus' • Provision of primary care, adult social care etc.
<p>Environment</p> <ul style="list-style-type: none"> • Epping Forest Special Area of Conservation (inc. air quality) • Green Infrastructure • Climate change including flood risk • Food production, including the Lea Valley glasshouse industry • Wastewater management • Waste management • Integration of local designations • Urban form of growth areas and their integration with existing urban settlements
<p>Built Environment</p> <ul style="list-style-type: none"> • Significant heritage assets e.g. Historic towns and Conservation areas • Green Belt Reviews

2.7. These strategic cross-boundary issues will also be cascaded down to the individual Local Plans of the West Essex/Est Hertfordshire authorities.

Accommodation for Travellers and Travelling Showpeople

2.8. Assessing need and providing accommodation for Gypsies and Travellers and Travelling Showpeople is a key cross-boundary issue and one which will require ongoing and detailed engagement over the West Essex/East Hertfordshire area and beyond.

2.9. At the time of writing this MoU, an update to the Gypsy and Traveller Accommodation Assessment (GTAA) for Essex is being prepared. The update will re-assess need across Essex on the basis of the new definition (in planning terms) of travellers which was

introduced in 2015⁶, and which effectively redefined 'traveller' in planning policy terms to exclude those who no longer travel permanently. The update to the GTAA will also address need for Travelling Showpeople. The East Hertfordshire Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessment Update, May 2016⁷, has assessed need on the basis of the new national definition and taken into account the provisions of the Housing and Planning Act, 2016.

- 2.10. Harlow, Uttlesford and Epping Forest Districts have agreed to meet their own individual assessed need within their own boundaries. While East Hertfordshire District Council envisages being able to accommodate its need within its boundaries, it should be noted that it is entering into Duty to Co-operate arrangements with Welwyn Hatfield Borough Council to enable meeting some of both councils' identified needs via provision of a new site at Birchall Garden Suburb, East of Welwyn Garden City.
- 2.11. Those traveller households which have been identified as not meeting the new Planning Policy for Traveller Sites definition will have their accommodation needs provided for under other policies in the respective local plans.

⁶ Planning policy for traveller sites, CLG, August 2015, available at <https://www.gov.uk/government/publications/planning-policy-for-traveller-sites>

⁷ This report is available at <http://democracy.eastherts.gov.uk/ieListDocuments.aspx?CIId=151&MIId=2862>

3 The ‘Spatial Option’ of OAHN within the HMA

- 3.1. The AECOM report (Harlow Strategic Site Assessment, September 2016) identified sufficient suitable sites in and around Harlow to accommodate close to 16,100 units provided that:
- Detailed traffic modelling demonstrates that development to the East of Harlow is deliverable on the scale envisaged
 - Significant infrastructure requirements are met, including highways, sustainable travel options, education sewerage/drainage etc.
 - Landscape impacts can be mitigated
 - Development can be distributed amongst several sites in combination
- 3.2. The Spatial Options Study identified the most suitable option capable of accommodating approximately 16,100 units in and around Harlow, based upon the evidence assessed by AECOM.
- 3.3. The most suitable ‘Spatial Option’ represents ‘planning positively for growth’, as it is higher than both the established OAHN within the published 2015 SHMA (46,100), and the number suggested by the 2012-based CLG household projections alone (49,638 dwellings).
- 3.4. It is lower than the SHMA consultants ORS’ estimated figure for emerging OAHN taking into account the 2014-based Sub-National Population Projections, and the 2012-based Household Projections (approximately 54,600⁸), and lower than Option F (57,141) but it still makes good progress towards these higher figures. The proposed option takes account of the infrastructure constraints and specifically the capacity on the highway network.

Figure 5 – The ‘Spatial Option’ of OAHN - 2011-2033

Local authority	Net new dwellings 2011-2033
East Hertfordshire District Council	~ 18,000
Epping Forest District Council	~ 11,400
Harlow District Council	~ 9,200
Uttlesford District Council	~ 12,500
Total across the HMA	~ 51,100
<i>...of which the area in and around Harlow* will provide</i>	<i>~ 16,100</i>

* This represents net new dwellings

** ‘In and around Harlow’ refers to Harlow town as well as around Harlow in adjoining districts

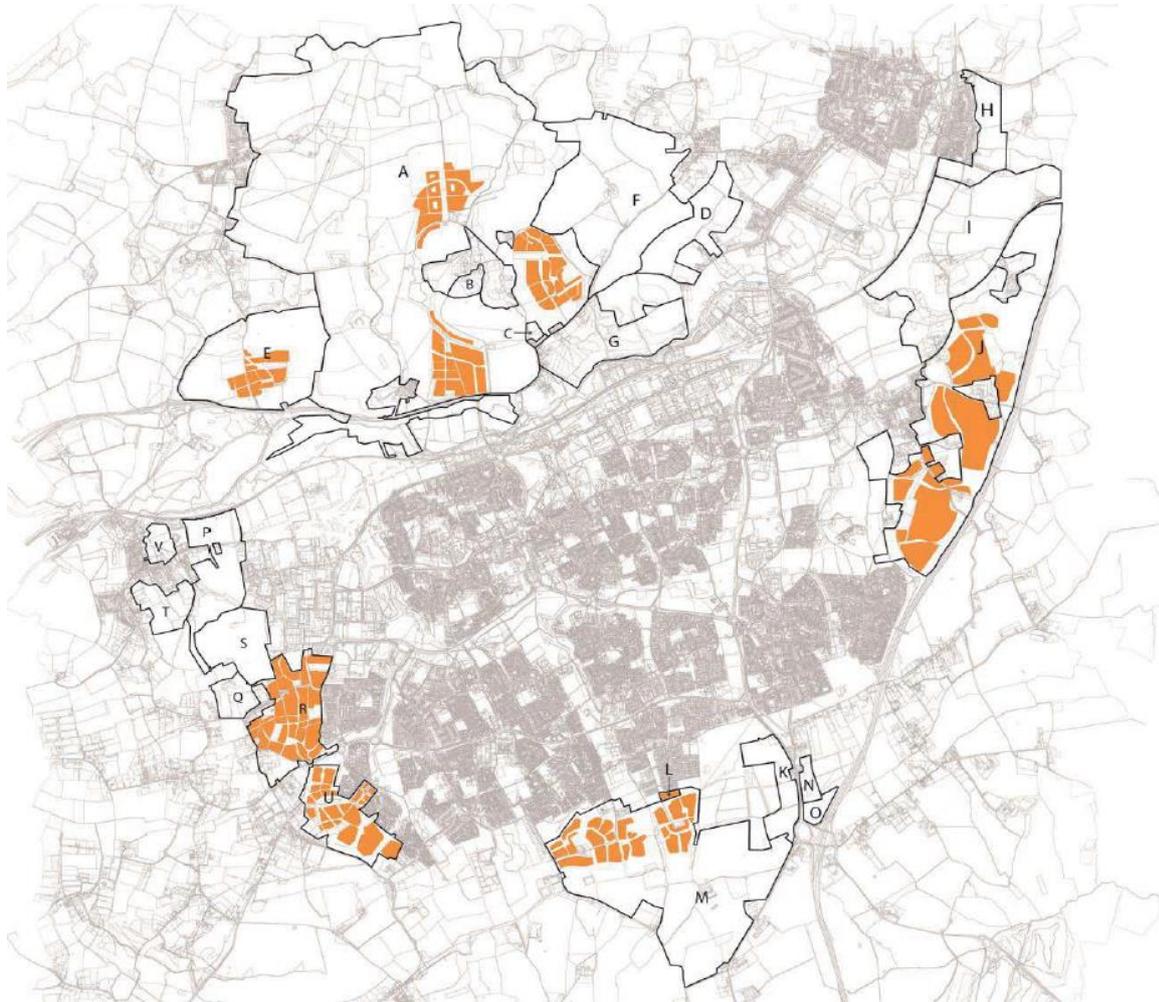
***Uttlesford District Council accept this figure as appropriate based on 2012 based housing projections. However, the Council is testing a figure of 14,100 based on 2014 projections to

⁸ SHMA consultants ORS have estimated that the impact of the 2014-based Sub-National Population Projections, and 2012-based Household Projections could mean a rise in OAHN to approximately 54,600, but this number is not final. It has been tested through the Spatial Options Study in the interests of assessing what that number might mean for the HMA. Formal review of the OAHN number will take place through a full SHMA update in the future.

meet the housing need from within the District. The Council reserves its position to potentially meet this housing need figure.

- 3.5. Approximately 16,100 dwellings identified in and around Harlow could be accommodated in the following AECOM distribution scenario subject to availability, viability and deliverability:

Figure 6 - AECOM scenario for how growth could be distributed



- 3.6. Development in and around Harlow will also include, within Harlow District, existing commitments (including completions and permissions), urban brownfield developments and development of the existing site of Princess Alexandra Hospital (which will relocate), which are not shown in Figure 6. This comprises approximately 6,575 dwellings, which are within the overall number for Harlow District Council quoted in Figure 5.
- 3.7. Delivery of this 'Spatial Option' will be informed and managed through the four West Essex/East Hertfordshire Authorities' individual housing trajectories, which the authorities will continue to co-operate on.
- 3.8. For more details of the 'Spatial Option' please refer to Appendix 4, and the Spatial Options Study.

4 Future co-operation & monitoring

- 4.1. This section sets out basic tasks and outcomes at present; more specific actions will be jointly agreed at a later date as this MoU is reviewed and kept up to date.

Implementation and Monitoring of the tasks outlined in this MoU

- 4.2. Overall compliance with the MoU will be monitored via a standing item on the agenda of the Co-op Officer Board. If any issues arise they will be referred to the next available Co-op Member Board for discussion and resolution. There will also be a formal review of compliance with the MoU on the Co-op Member Board agenda roughly every six months.

Figure 7 – Implementing and monitoring the tasks outlined by the MoU

Task		Implementation by	Monitoring by
1	Deliver the shared Strategic Vision for the LSCC 'Core Area' and include as part of the individual local plans	West Essex/East Hertfordshire Authorities to include the shared Strategic Vision within their Local Plans and seek to deliver it together.	Co-op Officer Group and Co-op Member Board, supported by LSCC to monitor delivery of the shared Strategic Vision.
2	Meet in full, the OAHN (including affordable housing need) of the West Essex/East Hertfordshire HMA through the most sustainable pattern of development, as assessed by the Joint 2015 SHMA and Joint Economic Report (2015) and updates, (taking account of availability, viability and deliverability)	West Essex/East Hertfordshire Authorities to include the 'Spatial Option' for OAHN (high level numbers and spatial principles) within their individual evidence base and Local Plans and continue to co-operate to find the best way of meeting the OAHN requirement in full in the HMA (see also para. 1.8)	Co-op Officer Group to monitor Local Plan consultations and ensure that the 'Spatial Option' for OAHN is included in individual plans, and that ongoing engagement takes place
3	Continue to engage with one another at an early stage, in detail, and on a continuing basis, with the intention of avoiding avoid possible objections being made at consultation stages and/or at Independent Examination of the individual Local Plans	West Essex/East Hertfordshire Authorities to continue to engage regularly via the Co-op Officer Group and Co-op Member Board which provide a platform for regular communication for all parties.	Co-op Officer Group to monitor overall engagement from the West Essex/East Hertfordshire Authorities, ensuring that information is shared at an early stage for all Local Plan consultations.

Task		Implementation by	Monitoring by
4	Continue to co-operate during the implementation and monitoring of individual Local Plans	West Essex/East Hertfordshire Authorities to discuss and work towards a common set of indicators for monitoring Local Plan progress, and use these together.	Co-op Officer Group to monitor progress to common set of indicators.
5	Commission any future joint evidence work which may be required	West Essex/East Hertfordshire Authorities to continue to share ideas about joint evidence which could be commissioned. Essex and Hertfordshire County Councils to assist with any suggestions.	West Essex/East Hertfordshire Authorities to self-monitor their engagement with each other on this task.
6	East Hertfordshire DC, Epping Forest DC and Harlow DC to continue to work together on the expression of interest for capacity funding to DCLG in response to the Locally Led Garden Villages, Towns & Cities Prospectus.	The three authorities with support from Uttlesford District Council, Essex County Council and Herts County Council to submit a joint bid for capacity funding with the help of ATLAS	West Essex/East Hertfordshire Authorities to self-monitor their engagement with each other on this task
7	Help demonstrate compliance with the Duty to Co-operate to the Planning Inspectorate	West Essex/East Hertfordshire Authorities to continue to engage regularly via the Co-op Officer Group and Co-op Member Board, and to refer to this MoU, and the two related MoUs, at the Independent Examination into their Local Plans.	West Essex/East Hertfordshire Authorities to self-monitor their engagement with each other on this task.
8	Assist in securing enabling strategic infrastructure for the growth set out in this MoU	If this MoU is not effective in helping secure enabling infrastructure, it will be reviewed and re-drafted.	Co-op Officer Group to monitor effectiveness, if found ineffective, a new draft will be mooted at the next available Co-op Member Board, and decisions on drafting to take place at the Board thereafter.

Task		Implementation by	Monitoring by
9	Inform and support the 'Highways and Transportation Infrastructure for the West Essex and East Hertfordshire Housing Market Area MoU' and the 'Managing the Impacts of Growth across the West Essex and East Hertfordshire Housing Market Area on Epping Forest Special Area of Conservation MoU'	<i>This task is already complete; the 'Highways and Transportation Infrastructure for the West Essex and East Hertfordshire Housing Market Area' MoU and the 'Managing the Impacts of Growth across the West Essex and East Hertfordshire Housing Market Area on Epping Forest Special Area of Conservation' MoU have been completed.</i>	

Contingency planning

- 4.3. Should the West Essex/East Hertfordshire Authorities encounter any significant difficulty in delivering the tasks outlined in this MoU, for example, if the 'Spatial Option' of OAHN were found in the future to be undeliverable for some unforeseen reason, the Authorities commit to working together to find a joint solution which represents the 'best option' for the HMA. This may include commissioning further technical evidence, preparing further MoUs or agreements etc. following discussions at the Co-op Officer Group and Co-op Member Board. Furthermore, mechanisms for Local Plan review may be considered by any of the Authorities.

5 Signatures

- 5.1 This Memorandum of Understanding is signed by and duly authorised for and on behalf of the following authorities. (See appendix 6 for details of roles and responsibilities of the organisations below in relation to this MoU):

East Hertfordshire District Council

Name (printed): Councillor Linda Haysey

Redaction

Signature:

Designation: Leader of the Council

Date: 31st March 2017

Epping Forest District Council

Name (printed): Councillor John Philip

Redaction

Signature

Designation: Planning Policy Portfolio Holder

Date: 31st March 2017

Harlow District Council

Name (printed): Malcolm Morley OBE

Redaction

Signature:

Designation: Chief Executive of Harlow District Council

Date: 31st March 2017

Uttlesford District Council

Name (printed): Councillor Susan Barker

Signature: **Redaction**

Designation: Deputy Leader and Portfolio Holder for Environmental Services

Date: 31st March 2017

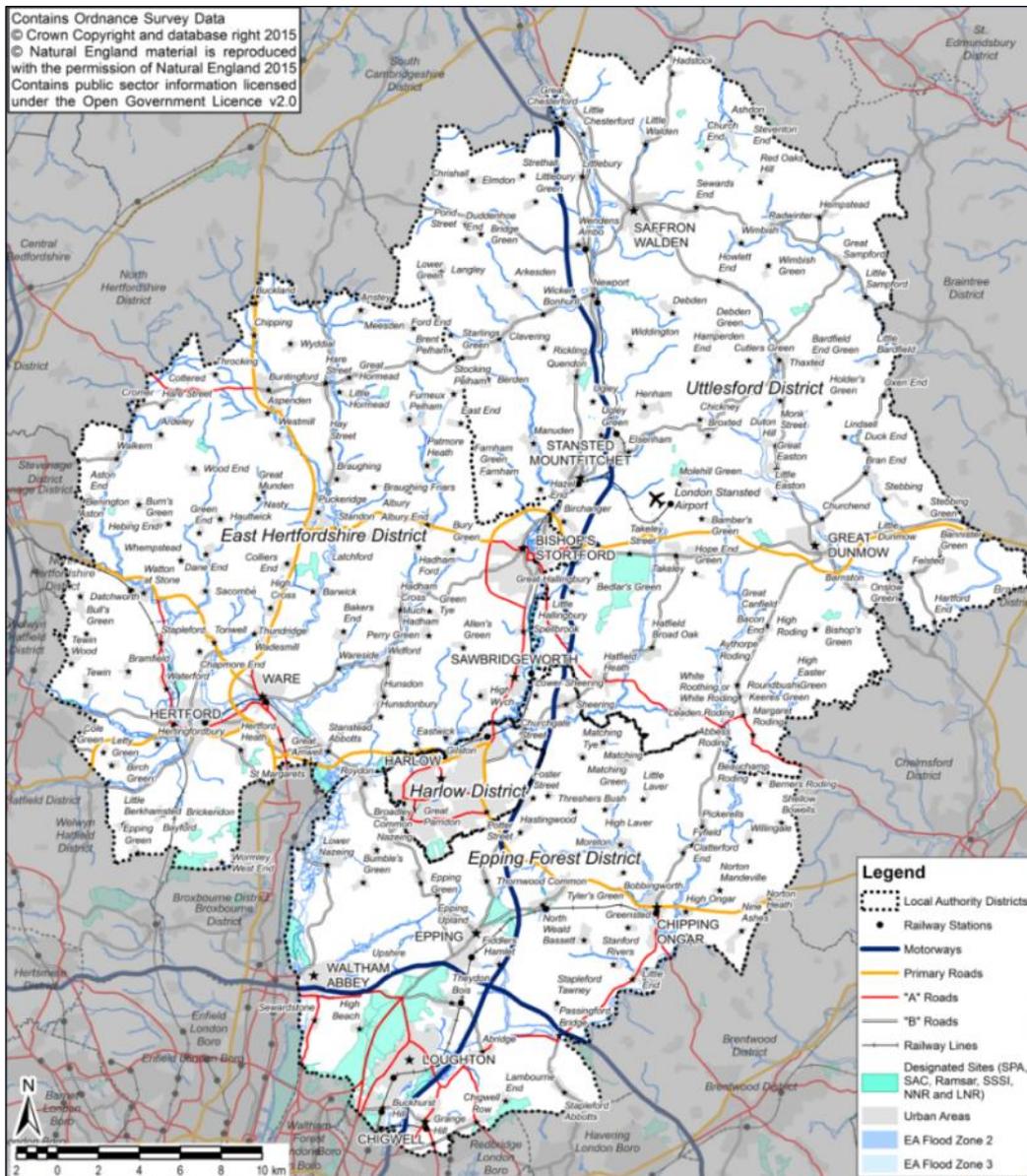
6 Appendices (for reference)

6.1 The following appendices are included for reference purposes only.

Appendix 1 – Background on the West Essex/East Hertfordshire HMA

- A1.1 The West Essex/East Hertfordshire HMA comprises the local authority Districts of East Hertfordshire, Epping Forest, Harlow and Uttlesford. It covers a total of approximately 574 square miles, and as at the 2011 Census, had a total population of 423,733 and a total of 181,336 dwellings.
- A1.2 A significant proportion is designated as Green Belt, and there are large portions of rural hinterland within the area, but also some larger and more urban settlements. The West Essex/East Hertfordshire HMA is centred on the large, 'new town' of Harlow, the biggest service centre within the area.
- A1.3 The West Essex/East Hertfordshire HMA also faces substantial pressure for development, due to population growth, and its proximity to London, and to major transport infrastructure such as the M25 and M11, the London Underground and Stansted Airport.

Figure 8– The West Essex/East Hertfordshire area



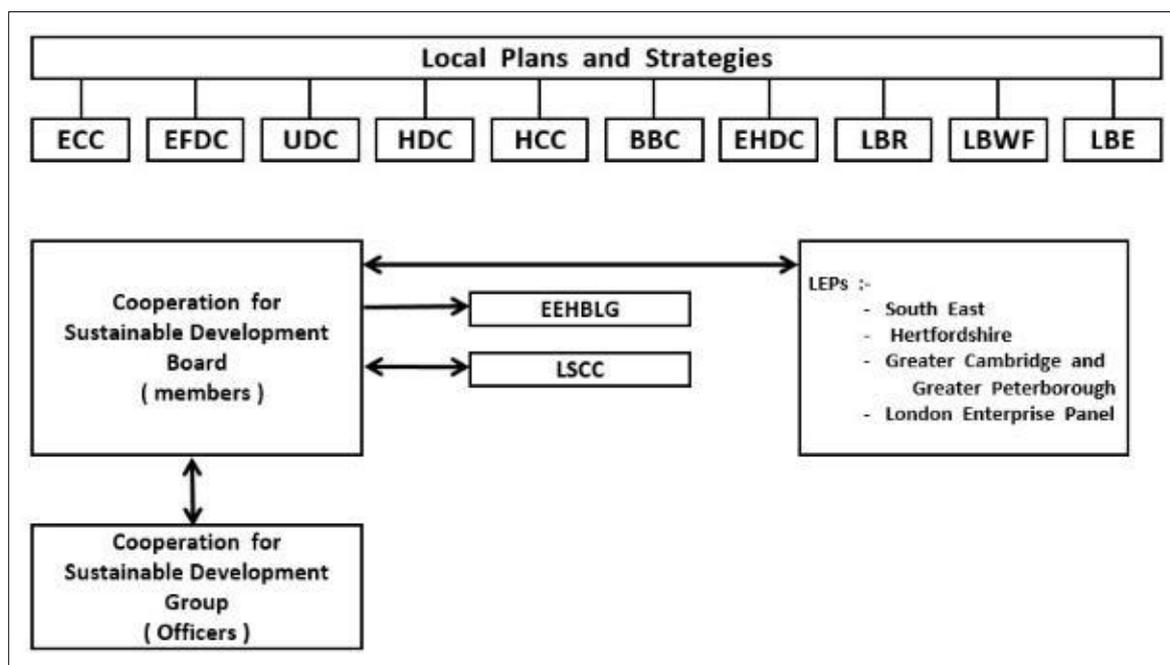
Appendix 2 – Details of the Co-op Member Board and Co-op Officer Group

- A2.1 The West Essex/East Hertfordshire Authorities form the core of the 'Co-operation for Sustainable Development Officer Group' (established February 2014, hereafter referred to as the 'Co-op Officer Group') and the 'Co-operation for Sustainable Development Member Board' (established October 2014, hereafter referred to as the 'Co-op Member Board').
- A2.2 The Co-op Member Board and Co-op Officer Group have been very important in helping to address cross-boundary issues, and they both now have many more members, including other adjacent local authorities, representatives from two County Councils, the Lee Valley Regional Park Authority, and the Corporation of London (Conservators of Epping Forest). The London Stansted Cambridge Consortium is also fully engaged and has been working with the four core authorities and Broxbourne Borough Council, and the Greater London Authority also has a watching brief.
- A2.3 Neither the Co-op Member Board nor Co-op Officer Group has formal decision making powers, however they both make recommendations to the constituent Councils, and to any cross boundary grouping of elected Members which has similar purposes. This approach has proved successful in furthering cross-boundary work and ongoing engagement.
- A2.4 The two groups have also proved a helpful platform for other bodies to engage with several authorities at once, for example the NHS, Highways England, and Thames Water. Both groups meet roughly every month to six weeks.

The Co-op Member Board

- A2.5 The 'Aims and Objectives' of the Co-op Member Board (from the Terms of Reference) are:
- "(1) The Co-operation for Sustainable Development Board will support Local Plan making and delivery for sustainable communities across geographical and administrative boundaries in West Essex, East Hertfordshire and the adjoining London Boroughs. It will do this by identifying and managing spatial planning issues that impact on more than one local planning area within West Essex, East Hertfordshire and the adjoining London Boroughs;
- and
- (2) The Board will support better integration and alignment of strategic spatial and investment priorities in West Essex, East Hertfordshire and adjoining London boroughs, ensuring that there is a clear and defined route through the statutory local planning process, where necessary."

Figure 9– Governance structure of the Co-op Member Board



In this figure:

- BBC = Broxbourne Borough Council
- ECC = Essex County Council
- EEHBLG = Enfield, Essex and Hertfordshire Border Liaison Group
- EFDC = Epping Forest District Council
- EHDC = East Hertfordshire District Council
- HCC = Hertfordshire County Council
- HDC = Harlow District Council
- LBE = London Borough of Enfield
- LBR = London Borough of Redbridge
- LBWF = London Borough of Waltham Forest
- LEP = Local Enterprise Partnership
- LSCC = London Stansted Cambridge Consortium
- UDC = Uttlesford District Council

A2.6 The Co-op Member Board issued a joint statement on sign-off of the 2015 Joint SHMA and 2015 Joint Economic Report, which is available here:
<http://www.eppingforestdc.gov.uk/index.php/home/file-store/category/532-shma-economic-growth-reports-co-op-board-joint-statement>.

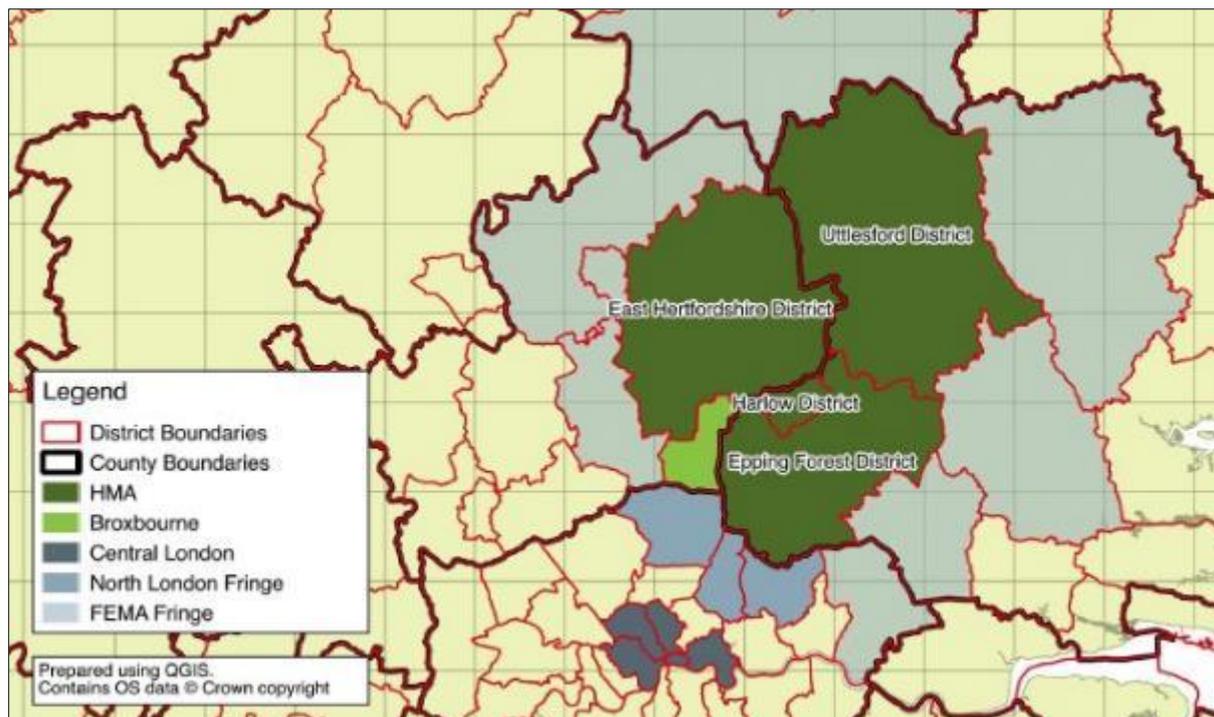
The Co-op Officer Group

A2.7 The Terms of Reference for the Co-op Officer Group set out that the Group aims:
"To achieve effective co-operation between Councils to support Local Plan making and delivery for sustainable communities across geographical and administrative boundaries in West Essex, East Hertfordshire and the adjoining London boroughs.', by, '.... providing a forum across the county boundaries of Essex and Hertfordshire and Greater London for officers of participant councils to develop a shared understanding of community issues, to jointly review the options to achieve the needs of those communities, including growth, and to identify how they should co-operate to enable those needs to be met."

Appendix 3 – Joint Economic Report

- A3.1 The Joint Economic Report (2015, Hardisty Jones Associates, formal title: Economic Evidence to Support the Development of the OAHN for West Essex and East Hertfordshire) was commissioned by the Co-op Member Board on behalf of the West Essex/East Hertfordshire Authorities.
- A3.2 The 2015 Joint Economic Report found that Epping Forest District Council, East Hertfordshire District Council, Harlow District Council and Uttlesford District Council form an effective Functional Economic Market Area⁹, and so proceeded to assess economic need on that basis.

Figure 10– The Functional Economic Market Area



- A3.3 The 2015 Joint Economic Report gave the following headline results for Objectively Assessed Economic Need (in net additional jobs per annum) for the Functional Economic Market Area as a whole, and for each local authority as a range of net additional jobs per annum, over the Local Plan period 2011-2033.

⁹ The Joint Economic Report highlighted some links from the Functional Economic Market Area to Broxbourne Borough Council, but concluded that it was not within the FEMA. Broxbourne BC had a 'watching brief' on the Joint Economic Report, and through the 'Co-operation for Sustainable Development Officer Group' and 'Co-operation for Sustainable Development Member Board', was involved in discussions about the Joint Economic Report brief and the results.

Figure 11– Headline results from the Joint Economic Report (2015)

Local Authority	a) Projection based on historic share of total jobs	b) Projection based on likely future share of total jobs	OAEN range net new jobs per year 2011-2033
East Hertfordshire DC	505	435	435 – 505*
Epping Forest DC	400	455	400 – 455*
Harlow DC	325	335	325 – 335*
Uttlesford DC	665	675	665 – 675*
Total for FEMA	1,890	1,890	1,890 (same total for each projection)

NB – totals may not sum due to rounding

**These numbers express projected jobs growth as a range per year, for each local authority, for 2011-2033. This is because the Joint Economic Report analysed the projected jobs growth across the FEMA, then modelled apportioning the ‘share’ of jobs in two different ways:*

- a. based on the historic share of FEMA jobs that each authority had; and*
- b. based on the likely future share of FEMA jobs that each authority was likely to have (according to the projections).*

The Joint Economic Report then gave the range of these two numbers as the range for each authority. (The ‘a’ and ‘b’ do not signify the relative importance of one or other apportionment).

A3.4 The full 2015 Joint Economic Report is available to view at:
<http://www.eppingforestdc.gov.uk/index.php/home/file-store/category/507-joint-economic-report>.

Appendix 4 – Strategic OAHN Spatial Options Study

Background

A4.1 The Strategic OAHN Spatial Options Study (“the Spatial Options Study”) was commissioned by the West Essex/East Hertfordshire Authorities to:

- facilitate the development of a memorandum of understanding between the West Essex/East Hertfordshire authorities, which sets out high level numbers and principles for distributing housing growth across the HMA (and which can be subsequently cited at Independent Examinations into the four constituent Local Plans)
- set out the strategic options for how the housing need identified in the SHMA (2015) could be distributed across the HMA, based on an analysis of the existing/emerging policy context and evidence base and provide an evidence-based commentary on the anticipated significant positive and negative impacts of each option relative to the others (including opportunities to deliver infrastructure, employment development, regeneration benefits, etc.) and potential mitigation measures (where relevant); and to assist in producing an MoU.

A4.2 The process of the study is shown in chapter 1 of this MoU.

Identification of the options

A4.3 The Spatial Options Study identified six ‘reasonable’ options, ‘A’ to ‘F’ as follows. Full details of the breakdown of dwellings over the four local authority areas is shown later in this MoU.

Figure 12– The ‘Options’ in the Strategic OAHN Spatial Options study

Option	Details of this option	Rough total dwelling number for option (source of number)	Total dwellings* to be delivered across the HMA 2011-2033
A	Each authority meets its OAHN within its own boundaries	46,100 (2015 SHMA)	48,298 of which 14,150 in wider Harlow area
B	Less development at Harlow and accelerated development on the A120	46,100 (2015 SHMA)	48,148 of which 10,500 in wider Harlow area
C	Less development at Harlow and two new settlements in East Hertfordshire	46,100 (2015 SHMA)	47,648 of which 10,500 in wider Harlow area
D	Maximum growth at Harlow, with reduced allocations in constrained areas of the HMA	46,100 (2015 SHMA)	46,743 of which 17,650 in wider Harlow area

Option	Details of this option	Rough total dwelling number for option (source of number)	Total dwellings* to be delivered across the HMA 2011-2033
E	Higher growth across the HMA, with allocations in constrained areas	49,638 (2012-based household projections)	51,798 of which 17,650 in wider Harlow area
F	Maximum growth across the HMA	roughly 54,600[^] (emerging OAHN according to 2012-based household projections and 2014-based Sub-National Population Projections (SNPP))	57,141 of which 20,895 in wider Harlow area

* These numbers differ from those in the 'Rough Total' column as they are based on the sum of units that actual potential sites could deliver, through the work on strategic sites in and around Harlow. The 'Rough Total' column is only based on the total dwelling numbers given in the SHMA, the 2012-based Household Projections and the 2014-based Sub-National Population Projections, i.e. as a SHMA-wide total not taking into account actual sites

** 'wider Harlow area' means in and around Harlow town, i.e. not just within Harlow District

[^] SHMA consultants ORS have estimated that the impact of the 2014-based Sub-National Population Projections, and 2012-based Household Projections could mean a rise in OAHN to approximately 54,600, but this number is not final. It has been tested through the Spatial Options Study in the interests of assessing what that number might mean for the HMA. Formal review of the OAHN number will take place through a full SHMA update in the future.

The 'Spatial Option'

- A4.4 The Spatial Options Study has identified that the 'Spatial Option' (a hybrid of some of those tested) is the most sustainable spatial distribution of OAHN across the HMA subject to the criteria listed at 3.1. and site availability, viability and deliverability
- A4.5 The 'Spatial Option' is based broadly upon each local authority meeting its OAHN within its own boundaries, and with medium-higher growth in the wider Harlow area. It comprises a total of approximately 51,100 dwellings in the Local Plan period 2011-2033. Broad details of the breakdown by local authority are in Figure 13. Full details of the breakdown are available within the Spatial Options Study.
- A4.6 The 'Spatial Option' dwelling total of approximately 51,100 represents 'planning positively for growth', as it is higher than both the established OAHN within the published 2015 SHMA (46,100), and the OAHN suggested by the 2012-based CLG household projections (49,638 dwellings). It is lower than the SHMA consultants ORS' estimated figure for emerging OAHN taking into account 2012-based Household Projections and the 2014-based Sub-National Population Projections (approximately 54,600), and lower than Option F (57,141) but it still makes good progress towards these higher figures.

Figure 13 - Details of Options A to F and the 'Spatial Option'

Local authority	'The Spatial Option'	Original 'Reasonable Options' as tested					
		Option A	Option B	Option C	Option D	Option E	Option F
East Hertfordshire DC	~ 18,000	Each authority meets its OAHN within its own boundaries (medium growth in and around Harlow)	Less development at Harlow and accelerated development on the A120 (lower growth in and around Harlow)	Less development at Harlow and two new settlements in East Hertfordshire (lower growth in and around Harlow)	Maximum growth at Harlow, with reduced allocations in constrained areas of the HMA (higher growth in and around Harlow)	Higher growth across the HMA, with allocations in constrained areas (maximum growth in and around Harlow)	Maximum growth across the SHMA area (maximum growth in and around Harlow)
Epping Forest DC	~ 11,400	16,789	15,289	18,289	16,264	18,389	20,299
Harlow DC	~ 9,200	11,093	8,943	8,943	10,313	12,993	14,152
Uttlesford DC	~ 12,500	7,900	7,900	7,900	7,900	7,900	9,175
Housing Market Area Total	~ 51,100	48,298	48,148	47,648	46,743	51,798	56,242 + 759*
Within which - Greater Harlow total is	~ 16,100	14,150 (medium growth)	10,500 (lower growth)	10,500 (lower growth)	17,650 (higher growth)	17,650 (higher growth)	20,985 (maximum growth)

* Wider Harlow area means in and around Harlow town, i.e. not just within Harlow District

** This 759 consists of additional permissions/completions/windfalls which were identified after the testing of Options A to E was complete, but were available to test within option F.

Appendix 5 – Strategic Vision for LSCC Core Area

- A5.1 The following vision was prepared by the LSCC through working with representatives of East Hertfordshire District Council, Epping Forest District Council, Harlow District Council, Uttlesford District Council and Broxbourne Borough Council¹⁰. The five local authority areas form the LSCC 'Core Area'. Workshops for Members were held at an early stage in its preparation, and both Members and officers have been involved in its refinement. This joint Strategic Vision was presented to the Co-op Member Board, which agreed that each of the five local authorities within the LSCC 'Core Area' would include it within their individual Local Plans, alongside their own Local Plan level vision.
- A5.2 The Councils of Broxbourne, East Herts, Epping Forest, Harlow and Uttlesford form the LSCC Core Area which lies at the heart of the London Stansted Cambridge Corridor (LSCC). This corridor has, over the past decade or more, been the engine of UK growth with its world class industries and businesses.
- A5.3 Over the past five years the Corridor's dynamic, knowledge-based economy has grown at a rate almost double that of the UK average and as a result rates of population growth have increased. Transport links are excellent; with two major rail routes - the East Coast and West Anglia main lines - serving the Corridor. The A1(M), A10 and M11 motorways link its towns and cities with the capital, while London Stansted Airport offers international connections.
- A5.4 With a significant number of jobs in knowledge-based industries, the Corridor is a leading knowledge economy and a showcase for tech industries and firms. There is a high rate of innovation.
- A5.5 The Corridor accounts for 24,700 jobs in the life sciences sector contributing 11% of all national employment. This success is built on research institutes and notable firms and organisations, including Amgen and AstraZeneca in Cambridge, GlaxoSmithKline in Stevenage, and Public Health England in Harlow.
- A5.6 The continued success of the Corridor as a great place to live, work, do business and visit provides the opportunity for the Core Area to deliver greater and lasting prosperity for its residents and businesses. As such the Council is working with its partner authorities in the Core Area to deliver the following LSCC strategic vision for the area up to 2050:

Strategic Vision for the London Stansted Cambridge Corridor (LSCC) Core Area

- A5.7 *The Core Area will build on its key strengths including its skilled workforce in sectors such as health, life sciences and pharmaceuticals, advanced engineering and aerospace, its high quality environment and educational opportunities. Together with Stansted Airport, the local authorities will deliver sustainable growth which supports the economic ambitions of the LSCC and the UK through:*
- *complementing and supporting the economic performance of the Corridor whilst maintaining and enhancing the special character of the area, including the locally distinctive historic character of its market towns and rural settlements;*

¹⁰ Although this MoU and the HMA cover only the four West Essex/East Hertfordshire Authorities, the MoU itself, the SHMA and Joint Economic Report, and the Spatial Options Study were discussed at the Co-op Member Board and the Co-op Officer Group, of which Broxbourne Borough Council is a member. Broxbourne BC officers and Members were also involved in the drafting and agreement of the LSCC 'Core Area' vision.

- *the delivery of housing, supported by good access to social, leisure, community, health facilities, education and jobs, that meets the needs of local people and supports sustainable economic growth, whilst ensuring it remains an attractive place for people to live and locate to;*
- *capitalising on existing economic sectors and promoting growth of expanding industries including in the food production, life sciences, pharmaceuticals and technology sectors; tourism including hotels, Stansted's expansion, recreation/green assets including the Lee Valley, Stort Valley, Epping Forest and Hatfield Forest National Nature Reserve;*
- *working with partners to protect and enhance the high quality environment, its unique landscapes and places of special wildlife value. This would be achieved by place-shaping initiatives which would include measures to conserve areas of high biodiversity; the provision of new, alternative green spaces for people and wildlife; and the increase of green infrastructure connections between these areas, to provide greater opportunities for more sustainable access to nature for everyone living in the corridor;*
- *working with partners to secure investment in major infrastructure including increasing rail capacity on the West Anglia Mainline and maximising the opportunities that Crossrail 2 can deliver, together with road improvements including a new junction on the M11 at 7A and improvements to junctions 7 and 8, and to the A414, A120, A10 and M25; and delivery of superfast broadband;*
- *supporting the delivery of new jobs in the Harlow Enterprise Zone, and the north side of Stansted Airport, Broxbourne Park Plaza, Brookfield and Bishop's Stortford – all identified as Strategic Opportunity Sites within the corridor; and*
- *the regeneration of existing urban areas including at Harlow, Waltham Abbey, Loughton and Waltham Cross.*

A5.8 *The Core Area supports the development and sustainable growth of Greater Harlow and key growth locations at Broxbourne, Brookfield and Bishop's Stortford together with Stansted Airport growing to its full permitted capacity and as a business growth hub. These centres, with proportionate growth throughout the wider area, and the right investment, would create an economic powerhouse.*

A5.9 *Putting in place these critical building blocks will provide the foundations for looking further ahead to 2050. Certainty through further investment and delivery of key infrastructure, including in the West Anglia mainline, Crossrail 2, the M11 junctions, M25 junctions, A414, A120 and A10 is a vital component of this.*

Appendix 6 – Governance and Roles (in relation to this MoU)

Appendix 6 A – Signatory organisations

The West Essex/East Hertfordshire local authorities

- A6a.1 The four local authorities form the core of the Co-op Member Board and Co-op Officer Group, and have several pieces of joint evidence in common, including the SHMA, Joint Economic Report, and the Spatial Options Study.
- A6a.2 The four authorities will continue to work together, and wish to use this MoU as a basis for making progress together, and on their individual Local Plans, in order to enable development to be provided in the most sustainable locations within the West Essex/East Hertfordshire area.

Appendix 6 B – Non-signatory organisations

Co-operation for Sustainable Development Member Board and Officer Group

- A6b.1 The Co-op Officer Group and the Co-op Member Board were both established in 2014, and provide a forum for the discussion of cross-boundary issues, the commissioning and management of joint studies, and the formation of recommendations to take back to the individual authorities who form its members. For more details on the working practises of these groups, see Appendix 2.
- A6b.2 The Co-op Member Board and Co-op Officer Group commissioned and oversaw the Joint SHMA, the Joint Economic Report, and the Spatial Options Study. All three of these studies, among others, inform this MoU.
- A6b.3 The Co-op Member Board also has overarching responsibility for the implementation and management of this MoU. The Co-op Officer Group will provide support in this matter, through monitoring the various aims and updating the Co-op Member Board regularly.

Essex County Council and Hertfordshire County Council (as Highways Authorities)

- A6b.4 Essex County Council covers fourteen unitary and district council areas, including the districts of Epping Forest, Harlow and Uttlesford. Hertfordshire County Council covers ten district council areas, including that of East Hertfordshire.
- A6b.5 Both County Councils have responsibility for many matters which are relevant to planning, including but not limited to: education and schools (including adult community education), highways and transport, health and social care, libraries, waste and minerals, and some strategic planning matters.
- A6b.6 Both Essex County Council and Hertfordshire County Council are key members of the Co-op Member Board and Co-op Officer Group, and provide support and guidance on cross-border issues.
- A6b.7 Essex County Council in particular contributes heavily to cross-border work on many different topics, including the Spatial Options Study, and has undertaken the Local Plan transport modelling for the West Essex/East Hertfordshire area, as well as more specific transport modelling, for example, for a new Junction 7A of the M11.

- A6b.8 Hertfordshire County Council produces its own transport modelling but the two County Councils work together to share information from their respective models, which is then fed into the other's model to help inform calculations. This is especially important as the West Essex/East Hertfordshire area crosses the county boundary between Essex and Hertfordshire.
- A6b.9 Although Essex and Hertfordshire County Council are not signatories to this MoU, as highways authorities their officers and Members have provided support in its drafting, and have been involved in its discussion at the Co-op Member Board and Co-op Officer group.
- A6b.10 Both county councils are signatories to the related cross-boundary Transport Infrastructure MoU regarding transport matters, along with the West Essex/East Hertfordshire Authorities.

Highways England

- A6b.11 Highways England (formerly the Highways Agency) is the government company charged with operating, maintaining and improving England's motorways and major 'A' roads (the strategic road network). For the West Essex/East Hertfordshire HMA these routes include the M11, A120 and M25.
- A6b.12 The Strategic Road Network is at the core of our national transport system. Its many arteries connect our major towns and cities, ensure commuters make it to work every day, connect businesses with their suppliers and customers, and help millions of us visit our friends and families.
- A6b.13 Highways England is a statutory consultee in the planning system. In discharging this responsibility, it acts as a proactive partner. Highways England will support economic growth, providing the conditions that help businesses to succeed and grow, facilitating new development around the road network, and supporting investment and trade.
- A6b.14 Highways England is not a signatory to this MoU, but its officers have provided support in its drafting, and are heavily involved in the related cross-boundary Transport Infrastructure MoU regarding transport matters, along with Essex and Hertfordshire County Councils, and the West Essex/East Hertfordshire Authorities.
- A6b.15 Once Local Plans are adopted, Highways England will continue to work with the West Essex/East Hertfordshire Authorities to ensure that its strategic planning is fully cognisant of their policies and proposals. Highways England is developing the next round of Route Strategies, which will be a key building block in the Government's next Road Investment Strategy. Route Strategies bring together information from motorists, local communities, construction partners, environmental groups and across the business sector to help better understand the performance of the strategic road network and shape investment priorities to improve the service for road users and support a growing economy. The evidence collected and the indicative solutions identified - along with the outcomes of the strategic studies - will be the foundation of Highways England's first 'Strategic Road Network Initial Report' to be submitted to Government in 2017.

London Stansted Cambridge Consortium

- A6b.16 The London Stansted Cambridge Consortium (LSCC)¹¹ was formed in June 2013 as a strategic partnership of public and private organisations covering the area north from the Royal Docks, Tech City, the City Fringe, Kings Cross, and the Olympic Park, up through the

¹¹ www.lsc.co

Lee Valley, the M11, A1 and A10 road, the East Coast and West Anglia Mainline rail corridors to Stevenage, Harlow and Stansted, and through to Cambridge and Peterborough.

- A6b.17 The consortium brings together public and private sector organisations which have the common aim of seeking economic growth, higher employment rates, providing places for people and business while preserving the quality and character of the corridor. It was formed to organise and promote what is a clear economic area, with strong inter-connections; commuting to work and learn patterns, clusters of industries and supply chains.
- A6b.18 The LSCC has supported the West Essex/East Hertfordshire Authorities in cross-boundary matters, particularly relating to the shared Vision for the LSCC Core Area (see section 4 of this MoU).

Advisory Team for Large Applications (ATLAS)

- A6b.19 Relevant elected Members from the Co-op Member Board have been involved in a series of workshops facilitated by the Homes and Communities Agency's Advisory Team for Large Applications (ATLAS)¹² aimed at specifically considering the issue of expansion in and around Harlow and role that potential strategic sites could play.
- A6b.20 A number of strategic expansion sites are coming forward as part of Local Plan processes. The precise distribution and scale of development from the sites will be subject to further evidence gathering, decision making and Independent Examination of Local Plans.

¹² www.atlasplanning.com

Appendix 7 – Key Member and Officer contacts

Figure 14 - Key Member and Officer contacts

Organisation	Contact name	Role	Email address
East Hertfordshire District Council	Cllr Linda Haysey	Leader of the Council	linda.haysey@eastherts.gov.uk
	Kevin Steptoe	Head of Planning & Building Control	kevin.steptoe@eastherts.gov.uk
	Claire Sime	Planning Policy Manager	claire.sime@eastherts.gov.uk
Epping Forest District Council	Cllr John Philip	Planning Policy Portfolio Holder	john.philip1@ntlworld.com
	Alison Blom-Cooper	Interim Assistant Director	ablomcooper@eppingforestdc.gov.uk
	David Coleman	Planning Policy Manager	dcoleman@eppingforestdc.gov.uk
Harlow District Council	Cllr Danny Purton	Portfolio Holder for Environment	danny.purton@harlow.gov.uk
	Dianne Cooper	Planning & Building Control Manager	dianne.cooper@harlow.gov.uk
	Paul MacBride	Forward Planning Manager	paul.macbride@harlow.gov.uk
Uttlesford District Council	Cllr Susan Barker	Deputy Leader/Portfolio Holder for Environmental Services	cllrbarker@uttlesford.gov.uk
	Richard Fox	Planning Policy Team Leader	rfox@uttlesford.gov.uk
Essex County Council	David Sprunt	Strategy & Engagement Manager (Highways)	david.sprunt@essex.gov.uk
Hertfordshire County Council	Roger Flowerday	Development Manager (Highways)	roger.flowerday@hertfordshire.gov.uk
Highways England	Andy Jobling	Asset Development Manager	andy.jobling@highwaysengland.co.uk

Memorandum of Understanding on Highways & Transportation Infrastructure for the West Essex/East Hertfordshire Housing Market Area

between

Essex County Council
Hertfordshire County Council
Highways England

East Hertfordshire District Council
Epping Forest District Council
Harlow District Council
Uttlesford District Council

February 2017



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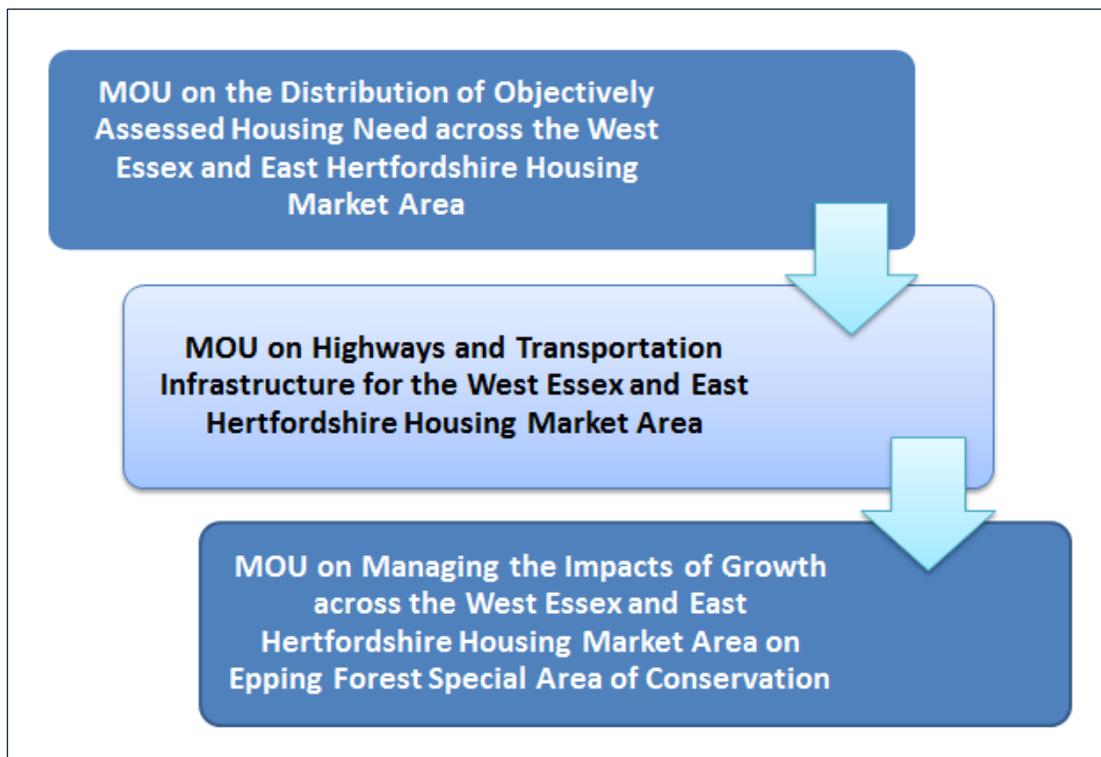
1 Background

- 1.1 Local Plans set out policies to guide development in a locality, including policies and proposals for specific sites to meet the housing, employment, environmental and social needs of the area. The suitability of sites for any of these uses depends on several factors, including transport matters such as local traffic flow, road and transport connections, and options for sustainable travel.
- 1.2 The preparation of Local Plans provides an opportunity to support a pattern of development that minimises the need for travel, minimises journey lengths, encourages sustainable travel, and promotes accessibility for all. This can contribute to the achievement of environmental objectives and reduce the cost to the economy arising from the environmental, business and social impacts associated with traffic generation and congestion.
- 1.3 East Hertfordshire DC, Epping Forest DC, Harlow DC and Uttlesford DC (also referred to as the 'West Essex/East Hertfordshire authorities' in this Memorandum of Understanding (MoU)) have a substantial history of co-ordinated working on strategic planning issues such as assessing housing need and planning for future growth. Essex County Council and Hertfordshire County Council have also been involved in cross-border working with the authorities for many years on many different topics including transport matters related to Local Plans.

The three inter-related Memoranda of Understanding

- 1.4 This MoU is one of a group of three related memoranda of understanding. The other two deal with the distribution of Objectively Assessed Housing Need (OAHN) across the West Essex/East Hertfordshire Housing Market Area (HMA), and managing the impacts of growth across the HMA on the Epping Forest Special Area of Conservation, as shown in Figure 1.

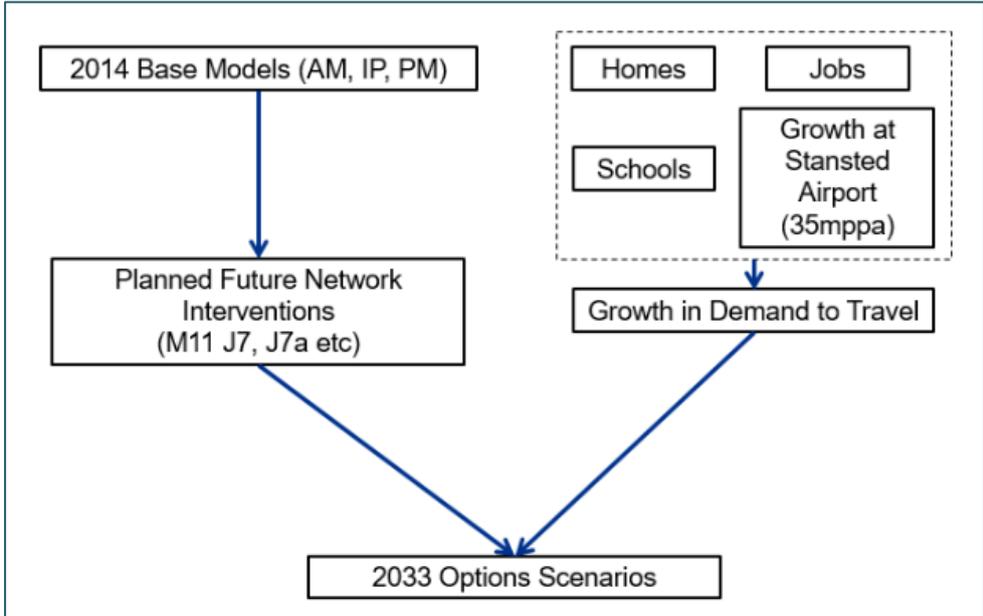
Figure 1 – Inter-related Memoranda of Understanding



Transport modelling relating to Strategic OAHN Spatial Options study

- 1.5 In conjunction with the West Essex/East Hertfordshire authorities, Essex County Council, Hertfordshire County Council and Highways England been involved in the Strategic OAHN Spatial Options study, which sets out the options for how the housing need identified in the West Essex/East Hertfordshire SHMA (2015 – and also emerging data indicating how the OAHN might change) could be distributed across the housing market area, based on an analysis of the existing/emerging policy context and evidence base.
- 1.6 One of the key ways in which the range of potential OAHN spatial distribution options were analysed was through strategic transport modelling carried out by Essex County Council, which was designed to assess the varying impacts to traffic and transportation. (This transport modelling is high-level in nature, and will be supplemented by district-wide modelling for the four West Essex/East Hertfordshire Local Plans when considering local-level issues).
- 1.7 This strategic highway modelling was carried out using Essex County Council’s Visum model, which was agreed by Highways England in 2016.
- 1.8 The assumptions within the strategic highway modelling, as the baseline, are that the following will take place -
 - planned improvements to M11 junction 7;
 - planned short-term improvements at M11 junction 8;
 - implementation of a new J7A on the M11;
 - A120 Little Hadham Bypass;
 - Public Health England moves to Harlow town (as announced by government);
 - London Stansted Airport growth reaches 35 million passengers per annum; and
 - TEMPRO¹ growth outside the West Essex/East Hertfordshire Housing Market Area.
- 1.9 The overall process for the highway modelling is shown in figure 2.

Figure 2 – Overview of Forecasting Process for the Highway Modelling:



¹ TEMPRO (Trip End Model Presentation Program) is the industry standard transport planning software tool for estimating traffic growth, which is required when assessing the traffic impact of a development on the local highway network.

- 1.10 The strategic highway modelling assessed five OAHN spatial distribution options A to E, for the Housing Market Area, which were as detailed in Appendix 1. Please also refer to the overarching 'Distribution of Objectively Assessed Housing Need across the West Essex and East Hertfordshire Housing Market Area' MoU for more details of the five options A to E. Option A1 was a variation to Option A, having a different spatial distribution around Harlow.
- 1.11 Following discussions with managers at Princess Alexandra Hospital (Harlow), and between the West Essex/East Hertfordshire officers, population data was explored to consider the effects on catchment area of a new hospital site either at Gilston (in East Hertfordshire District) or near a new junction 7A on the M11 (in Epping Forest District), as Princess Alexandra Hospital wishes to relocate.
- 1.12 The strategic highway modelling identified percentage traffic flow changes resulting from the Options A to E, and A1. Whilst all of the Options A to C including A1 are predicted to cause broadly similar increases in congestion and commensurate reductions in average vehicle speeds, with the higher growth (in and around Harlow) options D & E these approach 20% greater reductions in average vehicle speeds. In addition the higher growth options D & E both showed significant stress in specific areas of the network and are not recommended to be taken forward in transport terms, unless further major interventions were to be delivered during the Plan period (2011-2033). However more detailed assessment work is ongoing.
- 1.13 It should be noted that these model results are early indications based on initial forecast modelling, and there will of course be further modelling and sensitivity testing as work progresses on the four West Essex/East Hertfordshire Local Plans.
- 1.14 Since undertaking this analysis two additional spatial options have been identified. The first of these, 'Option F', aims to meet the maximum growth across the HMA. The second is the 'Spatial Option' which reflects the latest figures for completions, permissions and windfalls, and is based on spring 2016 household and population projections. It takes into account feedback from the initial highway modelling processes. It is the view of the Co-operation for Sustainable Development Officer Group that this is the most appropriate spatial option.
- 1.15 The strategic highway modelling thus played a key role in the recommendation and selection of the 'Spatial Option' to deliver the OAHN, which is as follows.

Figure 3 – The 'Spatial Option' of OAHN 2011-2033

Local authority	Net new dwellings 2011-2033
East Hertfordshire District Council	~ 18,000
Epping Forest District Council	~ 11,400
Harlow District Council	~ 9,200
Uttlesford District Council	~ 12,500
Total across the HMA	~ 51,100
...of which the area in and around Harlow* will provide	~ 16,100

**in and around Harlow' refers to Harlow town as well as around Harlow in adjoining districts*

2 Purpose of this Memorandum of Understanding

2.1 This Highways and Transportation Infrastructure MoU confirms the collaborative working arrangements that exist between the three highway authorities of Highways England, Essex County Council and Hertfordshire County Council.

2.2 The purpose of this MoU is to ensure that Essex County Council, Hertfordshire County Council and Highways England (supported by the West Essex/East Hertfordshire authorities), together fulfil the following requirements:

1. to contribute to the delivery of the vision set out in section 3 of this MoU;
2. to seek/support/work towards addressing the strategic highway issues identified through modelling, and some of the emerging transport issues are outlined in section 4 of this MoU;
3. to work collaboratively to identify, develop and secure/deliver enabling highway infrastructure schemes supporting the 'Spatial Option' of the Objectively Assessed Housing Need within the West Essex/East Hertfordshire Housing Market Area, as set out above and within the overarching 'Distribution of Objectively Assessed Housing Need across the West Essex and East Hertfordshire Housing Market Area' MoU;
4. to continue to engage with the West Essex/East Hertfordshire Councils (primarily through the Co-operation for Sustainable Development Officer Group and the Co-operation for Sustainable Development Member Board) at an early stage, in detail, and on a continuing basis, with the intention of avoiding possible objections being made at consultation stages and/or at Independent Examination of the individual Local Plans;
5. to continue to co-operate during the implementation and monitoring of the individual West Essex/East Hertfordshire Councils Local Plans;
6. to liaise with each other on any future joint evidence work which may be required to address the strategic highway issues;
7. to help demonstrate compliance with the Duty to Co-operate during the Independent Examination of the West Essex/East Hertfordshire authorities' Local Plans
8. to inform and support the 'Managing the Impacts of Growth across the West Essex and East Hertfordshire Housing Market Area on Epping Forest Special Area of Conservation' MoU (see Figure 1).

2.3 This MoU specifically covers the area directly affected/impacted by the growth in and around Harlow and is NOT intended to cover the whole of the HMA, with specific district level interventions being identified by each district individually.

2.4 The schemes identified within this MoU are those major strategic schemes which would be required to meet the level of growth being proposed within and around the Harlow area. It does not include specific site level interventions, many of which may still be significant in themselves.

3 Vision

- 3.1 The three highway authorities are committed to co-operating with the planning authorities for the West Essex/East Hertfordshire HMA to enable sustainable communities by providing a better understanding of key highways infrastructure, including public transport and sustainable modes, that will be required to support those developments.
- 3.2 We recognise that we have a responsibility to support and develop a more coordinated approach to planning on the strategic and local highway networks to provide sustainable communities.
- 3.3 All parties are fully committed to jointly working together to resolve key highway and transportation issues, primarily those outlined in section 4 of this MoU, but also any further issues which come to light in future.

4 Emerging key highway issues

- 4.1 While the following primarily focus on highways related infrastructure, the overall impact of the infrastructure also seeks to address rail and aviation issues indirectly through provision of improved access

Highways England Network Improvements (M11)

M11 Junction 7/7A

- 4.2 M11 Junction 7 serves as the main point of access to the strategic road network for the town of Harlow and the surrounding areas. The interchange is nearing capacity, which is constraining access to and from the M11. This in turn is constraining Harlow's growth opportunities. Highways England and Essex County Council are investigating solutions and are working together to develop improvements to Junction 7 and proposals for a new Junction 7A. For further details of the particular issues regarding Junction 7 and 7A, please see Appendix 2.
- 4.3 The following actions relating to these junctions are already complete:

Figure 4 – Completed actions relating to M11 Junction 7/7A

Completed Actions
Funding for improvements to Junction 7 has been obtained under Road Investment Strategy 1 (RIS1)
Essex County Council has completed four years of work on investigating options to improve Harlow's road network. A strategic options appraisal showed that the new junction 7A on the M11 is optimum solution to overcome the problems.
Essex County Council ran public consultation on the location and design of the new Junction 7A (together with widening of Gilden Way) in summer 2016

- 4.4 The signatories to this MoU recognise that the following actions will be necessary with regard to Junction 7/7A:

Figure 5 – Future actions relating to M11 Junction 7/7A

Action	Responsible authority
Essex County Council will announce the preferred route for J7A, by Autumn 2016	Essex County Council
Essex County Council will aim to submit a planning application for Junction 7A by Winter 2016/17	Essex County Council
West Essex/East Hertfordshire District Councils will provide support for J7A within their Local Plans, as appropriate to their area and support will be written into Local Plans which will go out to consultation in Autumn/Winter 2016	West Essex/East Hertfordshire District Councils
Highways England will continue to develop the RIS1 proposals for improvements to Junction 7	Highways England

Action	Responsible authority
RIS1 to support delivery of M11 7A before M11 J7 but will revert back to 7 if 7A isn't confirmed	Essex County Council/Highways England
Highways England will continue to provide on-going support and advice through the Co-op. Officer Group and Member Board on how best to achieve funding for J7A	Highways England / Essex County Council
Funding towards the delivery of M11 J7 and/or J7A will be sought from developers	Harlow/Epping Forest/Uttlesford and East Hertfordshire District Councils

M11 Junction 8

- 4.5 M11 Junction 8 serves as the main point of access to the strategic road network for the town of Bishop's Stortford and its surrounding area, as well as London Stansted Airport. It also provides access to the A120 and the B1256, which provides an alternative access to the strategic road network for Uttlesford District.
- 4.6 Short to medium term proposals to increase capacity through the interchange have been identified and are expected to commence in 2018. Longer term significant improvements will be needed at Junction 8 to support local growth and the expansion of London Stansted Airport. For further details of the particular issues regarding Junction 8 please see Appendix 3.
- 4.7 The following actions relating to Junction 8 are already complete:

Figure 6 – Completed actions relating to M11 Junction 8

Completed Actions
Essex County Council has identified short to medium term improvements at Junction 8. £1,000,000 has been secured from the Greater Cambridge Greater Peterborough Local Enterprise Partnership to help fund the short to medium term improvements at Junction 8.
Essex County Council has submitted feedback to Highways England's Route Strategies, which will be the foundation of Highways England's first 'Strategic Road Network Initial Report' to be submitted to Government in 2017 and will inform the need for a strategic intervention at Junction 8 to Road Investment Strategy 2 (RIS2).
Essex County Council has submitted a bid to Highways England's Growth and Housing Fund (GHF) for the short to medium term improvements at Junction 8 (this bid is successfully through the first assessment stage)
Essex County Council has submitted a bid for Local Growth Fund round 3 funding to the South East Local Enterprise Partnership (SELEP) for the short to medium term scheme (this bid is successfully through the first assessment stage)

- 4.8 The signatories to this MoU recognise that the following actions will be necessary with regard to Junction 8:

Figure 7 – Future actions relating to M11 Junction 8

Action	Responsible authority
Essex County Council to continue to work with all relevant funding bodies to secure the funding of the short to medium term improvements at Junction 8 during 2016/17	Essex County Council

Action	Responsible authority
The delivery of identified short to medium term improvements at Junction 8 will be constructed in approximately 2018/19 subject to funding and programme	Highways England / Essex County Council
Funding for a strategic intervention for Junction 8 with enhanced junction design will be pursued via RIS2, and through contributions from developers	Highways England / Essex County Council/Hertfordshire County Council/East Hertfordshire and Uttlesford District Councils
Strategic intervention to Junction 8 will be delivered within the Local Plan period	Highways England / Essex County Council

County Highway and Transportation Network Improvements

4.9 As well as the strategic improvements outlined above, the modelling work identified some key routes on which improvements would be required across all tested scenarios. These include the following:

- A414 corridor through Harlow (sections not currently either being upgraded or programmed for upgrading);
- A414 The provision of a second River Stort crossing to relieve the Harlow network and also help provide capacity for the provision of a north/south Sustainable Transport Corridor;
- A414 west of Harlow - Amwell Junction with the A10;
- Harlow A1025 Second Avenue Corridor (A414 to Velizy Avenue);
- Relocation of Princess Alexandra Hospital (site to be confirmed);
- A120 around Bishop's Stortford – With any long term intervention at M11 junction 8 consideration will need to be given to the impact on the A120 around Bishop's Stortford as to whether intervention(s) over and above that already agreed to facilitate development are required; and
- There will be a need to assess the impact that strategic interventions on the M11 junctions 7, and 8, and the implementation of the new junction 7A, will have on the Bishop's Stortford and Sawbridgeworth local highway network.

4.10 The A414 through Harlow to the A10 should be considered moving forward as part of an overall approach to the A414 corridor between the M11 and A1 with the Highway Authorities of Essex and Hertfordshire working together to provide the optimum outcome for both authorities.

Figure 8 – Future actions relating to County Highway & Transportation Network

Key Issue	Likelihood of identifying solution	Deliverability Issues	Phasing (years)*	Responsibility
A414 Corridor	High	Funded by developers	6 -10	East Hertfordshire DC Essex CC Harlow DC Hertfordshire CC
A1025 Second Avenue, Harlow	High	Funded by developers	6 -10	Essex CC Epping Forest DC Harlow DC

Key Issue	Likelihood of identifying solution	Deliverability Issues	Phasing (years)*	Responsibility
Second River Stort Crossing	High	Funded by developers	6 -10	Hertfordshire CC East Hertfordshire DC Essex CC Harlow DC
Multi-modal sustainable corridor, north-south through Harlow town	High	Funded by developers	6 -10	East Hertfordshire DC Epping Forest DC Essex CC Harlow DC Hertfordshire CC
Multi-modal sustainable corridor, east-west through Harlow town	High	Funded by developers	6 -10	Epping Forest DC Essex CC Harlow DC
Abercrombie Way/Third Avenue	High	Funded by developers	6 -10	Epping Forest DC Essex CC Harlow DC
A414 Amwell Junction with the A10	High	Funded by developers	6 -10	East Hertfordshire DC Hertfordshire CC
A120 Bishop's Stortford – B1383 Stansted Road Roundabout	High	Funding already in place	0 - 5	Hertfordshire CC Essex CC

**indicative timescale dependent on how developments come forward during the plan period*

Future Co-operation and Planning

- 4.11 Whilst the above schemes and projects have emerged as the conceptual solutions to the growth, before they can be progressed they will all require further transport modelling, business cases to be developed and assessment against policies and strategies of the respective highway authorities.
- 4.12 It will be necessary to monitor the impacts of both the Highways England and County Network Schemes as these are delivered. This is crucial for planning for future interventions beyond the plan period. Due to the long timescales associated with major scheme delivery it is important that this work continues throughout the plan period to 2033, so that future growth in the next plan period can be coordinated and accommodated without delays while the planning and delivery of infrastructure is secured.

5 Securing funding

- 5.1 There are a number of different funding sources available to deliver the various key pieces of infrastructure identified within the MoU, which include Section 106 agreements or Community Infrastructure Levy (CIL - but with S106 being the key contributor to major schemes), Section 278 agreements, government funding streams administered through South East LEP, Hertfordshire LEP, RIS2 and subsequent funding periods, together with other funding opportunities as these arise.
- 5.2 There is a clear distinction between the national infrastructure requirements and the local and county infrastructure requirements which have been identified. Significant funding would be expected through national funding streams for the major pieces of infrastructure, such as the long term solution at M11 J8. However, this would not, and should not, preclude contributions, sometimes major contributions, from developers through S106 towards these schemes. Delivery of the county schemes identified as being required to deliver the levels of growth in the OAHN would be expected to be primarily, or totally, funded by developers through Section 106 or similar contributions, although other funding sources as identified above could provide for the delivery of these schemes in part or in total as necessary.
- 5.3 Further work will be required to firm up costings of the proposed mitigations to establish affordability. The intention is to put in place a single infrastructure delivery plan (IDP) covering all of the interventions, setting out when they are required and what developments will be expected to contribute towards the scheme. The individual IDP's supporting each of the Local Plans will need to reflect these arrangements.
- 5.4 Subject to para 4.11, collective agreement will need to be reached with respect to phasing of the interventions and pooling of contributions to fund delivery in the agreed order. Decisions to proceed with an identified mitigation should be taken by the Co-operation for Sustainable Development Member Board

6 Timing

- 6.1 This Memorandum of Understanding has immediate effect and will remain in place until adoption of the last of the West Essex/East Hertfordshire authorities' Local Plans and all identified schemes have been delivered as required, unless this MOU is reviewed and replaced before this. This document will be kept under review. It is based on the most up to date evidence available at the time of writing.

7 Key contact details

7.1 The primary contacts for this Memorandum of Understanding are as follows.

Figure 9 – Key officer contacts

Organisation	Contact name and email address
Essex County Council:	David Sprunt david.sprunt@essex.gov.uk
Hertfordshire County Council:	Roger Flowerday roger.flowerday@hertfordshire.gov.uk
Highways England:	Andy Jobling andy.jobling@highwaysengland.co.uk
East Hertfordshire District Council	Claire Sime Claire.sime@eastherts.gov.uk
Epping Forest District Council	Amanda Thorn AThorn@eppingforestdc.gov.uk
Harlow District Council	Paul MacBride Paul.Macbride@harlow.gov.uk
Uttlesford District Council	Richard Fox RFox@uttlesford.gov.uk

8 Signatures and seals

8.1 This Memorandum of Understanding is signed by and duly authorised for and on behalf of:

Essex County Council

Name (printed): Councillor Kevin Bentley

Signature: **Redaction**

Designation: Deputy Leader and Cabinet Member for Economic Growth and Partnerships

Date: 22nd March 2017

Hertfordshire County Council

Name (printed): Councillor Derrick Ashley

Signature: **Redaction**

Designation: Cabinet Member for Environment, Planning and Transport

Date: 22nd March 2017

Highways England

Name (printed): Simon Amor

Signature: **Redaction**

Signature:

Designation: Asset Development Manager

Date: 22nd March 2017

East Hertfordshire District Council

Name (printed): Councillor Linda Haysey

Signature: **Redaction**

Designation: Leader of the Council

Date: 22nd March 2017

Epping Forest District Council

Name (printed): Councillor John Philip

Signature: **Redaction**

Designation: Planning Policy Portfolio Holder

Date: 22nd March 2017

Harlow District Council

Name (printed): Malcolm Morley OBE

Signature: **Redaction**

Designation: Chief Executive of Harlow District Council

Date: 22nd March 2017

Uttlesford District Council

Name (printed): Councillor Susan Barker

Signature: **Redaction**

Designation: Deputy Leader and Portfolio Holder for Environmental Services

Date: 22nd March 2017

9 Appendices

Appendix 1 - Options tested within the Strategic Highway Modelling

A1.1 The strategic highway modelling assessed the six OAHN spatial distribution options for the Housing Market Area, which were as follows.

Figure 10 – ‘Reasonable Alternatives’ in the Strategic OAHN Spatial Options study

Option	Details of this option	Rough total dwelling number for option (source of number)	Total dwellings to be delivered across the HMA 2011-2033
A	Each authority meets its OAHN within its own boundaries	46,100 (2015 SHMA)	48,298 of which 14,150 in wider Harlow area
B	Less development at Harlow and accelerated development on the A120	46,100 (2015 SHMA)	48,148 of which 10,500 in wider Harlow area
C	Less development at Harlow and two new settlements in East Hertfordshire	46,100 (2015 SHMA)	47,648 of which 10,500 in wider Harlow area
D	Maximum growth at Harlow, with reduced allocations in constrained areas of the HMA	46,100 (2015 SHMA)	46,743 of which 17,650 in wider Harlow area
E	Higher growth across the HMA, with allocations in constrained areas	49,638 (2012-based household projections)	51,798 of which 17,650 in wider Harlow area
A1	Variation to option A removing Katherines, reducing Harlow East and adding more to Harlow South	46,100 (2015 SHMA)	48,298 of which 14,150 in and around Harlow

Figure 11 – Additional Spatial Options, not yet fully tested

Option	Details of this option	Rough total dwelling number for option (source of number)	Total dwellings to be delivered across the HMA 2011-2033
F	Maximum growth across the HMA	roughly 54,600 [^] (emerging OAHN according to 2012-based household projections and 2014-based Sub-National Population Projections (SNPP))	57,141 of which 20,895 in wider Harlow area
The 'Spatial Option' *	Reflects latest figure for completions, permissions and windfall assumptions and is considered to be the most appropriate spatial option;	n/a	roughly 51,100 of which roughly 16,100 in and around Harlow

* See the 'Distribution of Objectively Assessed Housing Need across the West Essex/East Hertfordshire Housing Market Area MoU' for more details of 'the 'Spatial Option'.

Appendix 2 - M11 Junction 7 improvements and the new junction 7A

- A2.1 M11 Junction 7 serves as the main point of access to the strategic road network for the town of Harlow and the surrounding areas. It also provides access to the A414 (a county principal road), which connects Chelmsford (to the east) and Hertford (to the west); and the B1393 which forms a local link between the settlements of Epping and Harlow and provides access to the strategic road network for much of Epping Forest District.
- A2.2 The M11 Junction 7 interchange is nearing capacity, which is constraining access to and from the M11. This in turn is constraining Harlow town's growth opportunities. Highways England and Essex County Council are investigating solutions and are working together to develop improvements to Junction 7, and a proposal for a new Junction 7A. These solutions will deliver the best benefits within project constraints for Harlow district, and the surrounding districts, by enhancing access to the M11 and acting as an enabler for the housing and economic growth as set out in the 'Distribution of Objectively Assessed Housing Need across the West Essex/East Hertfordshire Housing Market Area MoU', and in the emerging Local Plans of Harlow DC, Epping Forest DC, East Hertfordshire DC, and Uttlesford DC.
- A2.3 Highways England is developing the Road Investment Strategy Period 1 scheme: 'M11 Junction 7 junction upgrade – extra capacity on junction 7 near Harlow', which aims to reduce the current congestion around the junction. Highways England is at the very early stages of developing these proposals and once they have been refined, the scheme will go out to public consultation. Works are expected to start by 2020.
- A2.4 Essex County Council are leading on proposals to create a new junction on the M11 (7A) to the east of Harlow that will enable housing and commercial development within and around Harlow and relieve some of the pressure on the existing Junction 7 to the south. Proposals went out to public consultation in 2016. Funding is yet to be identified and all authorities have committed to promoting this scheme for funding by the future Road Investment Strategy programme.
- A2.5 Essex County Council and Highways England have formed the Essex Strategic Highway Programme Group that meets monthly and will provide guidance in helping the project teams to work collaboratively.

Appendix 3 - M11 Junction 8 Improvements

- A3.1 M11 Junction 8 serves as the main point of access to the strategic road network for the town of Bishop's Stortford and its surrounding area, as well as London Stansted Airport. It also provides access to the A120, an east-west route connecting Standon at the most westerly point with Harwich on the east coast; and the B1256, which provides an alternative access to the strategic road network for Uttlesford District.
- A3.2 Growth is planned both in and around Bishop's Stortford (within East Hertfordshire District) and within Uttlesford District, in addition to potential expansion of London Stansted Airport, both of which are likely to increase traffic demands at Junction 8.
- A3.3 Short to medium term proposals to increase capacity through the interchange have been identified. The Greater Cambridge Greater Peterborough Local Enterprise Partnership has secured £1,000,000 to undertake these improvements. Proposals include widening on the A120 link from Bishop's Stortford, a dedicated free flow left turn from the M11 southbound exit slip to the A120 eastbound, and widening on the M11 northbound exit slip. These proposals are estimated to cost upwards of £5,000,000; therefore, there will also need to be developer contributions. Timescales for the delivery of these proposals are still to be confirmed but are expected in 2018.
- A3.4 Longer term significant improvements will be needed at Junction 8 to support expansion of London Stansted Airport and growth identified by the West Essex/East Hertfordshire Housing Market Area. Highways England is developing the next round of Route Strategies, which will be a key building block in the Government's next Road Investment Strategy. Route Strategies bring together information from motorists, local communities, construction partners, environmental groups and across the business sector to help better understand the performance of the strategic road network, to shape investment priorities, to improve the service for road users and to support a growing economy. The evidence collected and the indicative solutions identified - along with the outcomes of the strategic studies - will be the foundation of Highways England's first 'Strategic Road Network Initial Report' to be submitted to Government in 2017.
- A3.5 Through the Route Strategies we are committed to highlighting the need for investment in Junction 8.

Memorandum of Understanding

Managing the impacts of growth within the West Essex/East Hertfordshire Housing Market Area on Epping Forest Special Area of Conservation

between

East Hertfordshire District Council
Epping Forest District Council
Harlow District Council
Uttlesford District Council

Essex County Council
Hertfordshire County Council

City of London Corporation (Conservators of Epping Forest)
Natural England

February 2017



Uttlesford
District Council



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1. Introduction

- 1.1 The *Conservation of Habitats and Species Regulations 2010*¹ (“the Habitat Regulations”) set out that where a land use plan, either alone or in combination, is likely to have a significant effect on a European site, the plan-making authority must make an appropriate assessment of the implications for the site taking into account the site’s conservation objectives. The local authorities party to this Memorandum of Understanding (MoU) are working together under the Duty-to-Cooperate as defined by the Localism Act 2011. The areas of proposed Local Plan development covered by this MoU are within the bounds of the four district local authorities which make up a Housing Market Assessment (HMA) area, agreed under a separate Memorandum of Understanding². A map of the area covered by this MoU is shown at **Appendix 1**.
- 1.2 There are a number of significant areas for nature conservation within the HMA. Epping Forest is highlighted as a habitat that requires more detailed attention. It is the largest public open space within and adjoining London, covering around 2,450 hectares. It stretches from Manor Park to just north of Epping, with the main body of the Forest being located to the west of Loughton. Two thirds of the Forest has been designated a Site of Special Scientific Interest (SSSI) and a Special Area of Conservation (SAC). The SAC status was confirmed in April 2005, with the primary reasons for designation being the presence of beech forest habitat and stag beetles. Dry and wet heath habitats are also cited as key features. Detailed information about the designation is available from the Joint Nature Conservation Committee website³.
- 1.3 There are known current challenges to the integrity of the part of the SAC which falls within the boundary of Epping Forest District Council. These include in particular, threats posed by air pollution and recreational pressures. The main threats and challenges are set out in Natural England’s (NE’s) Site Improvement Plan (SIP) for Epping Forest SAC (NE 2015)⁴.

¹ 2010 Conservation of Habitats and Species Regulations

<http://www.legislation.gov.uk/ukxi/2010/490/contents/made>

² 2016 Memorandum of Understanding: Distribution of Objectively Assessed Need across the West Essex/East Hertfordshire Housing Market Area

³ 2005 JNCC *Epping Forest Site Details*

<http://jncc.defra.gov.uk/ProtectedSites/SACselection/sac.asp?EUCode=UK0012720>

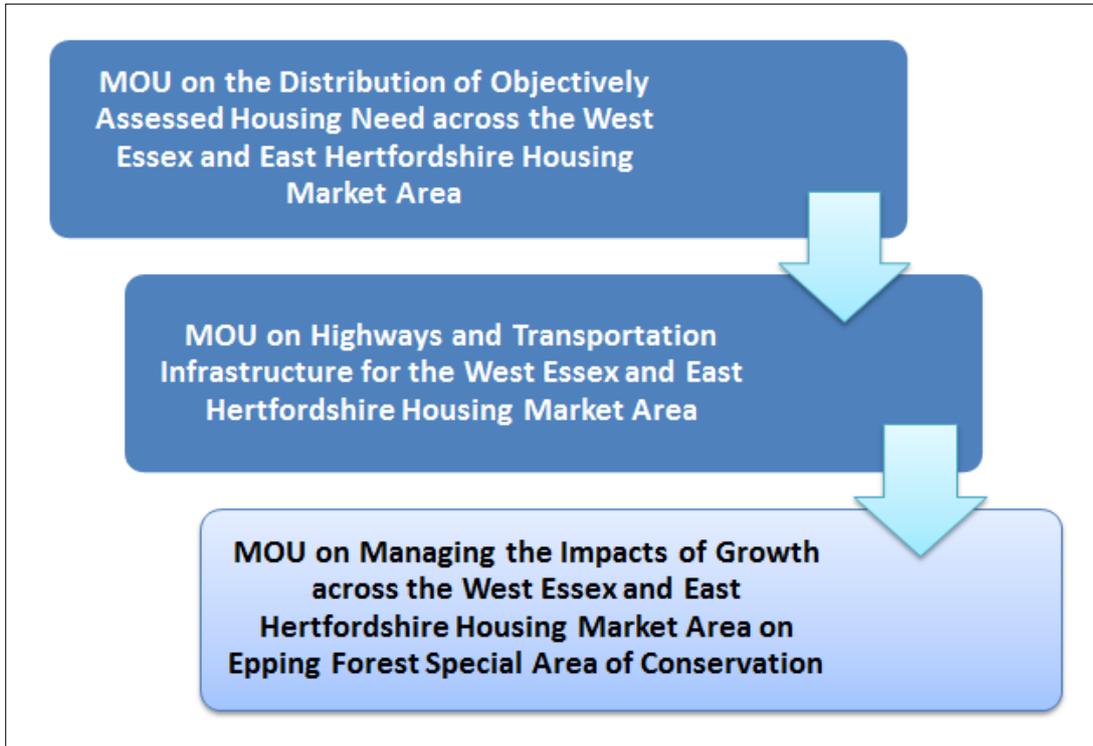
⁴ 2015 Natural England *Site Improvement Plan: Epping Forest*

<http://publications.naturalengland.org.uk/publication/6663446854631424>

2. Purpose of this Memorandum of Understanding

2.1 This MoU is one of a group of three related memoranda. The other two deal with the Distribution of Objectively Assessed Need across the West Essex /East Hertfordshire Housing Market Area, and Highways and Transportation Infrastructure, as shown in Figure 1.

Figure 1 - Inter-related Memoranda of Understanding



2.2 Currently air pollution is adversely affecting the Forest with Critical Loads of Nitrogen exceeded across the whole Forest and Critical Levels exceeded across a significant proportion of Forest Land. These exceedances affect the health and resilience of trees and impact on the balance of vegetation and fungal communities. The emerging spatial options for the distribution of growth across the HMA have been subject to an assessment of air quality to determine whether any of those options are likely to have an unacceptable impact on the Epping Forest SAC. The detailed findings of this assessment are subject to a separate report **[insert reference]** as part of the Habitats Regulations Assessment (HRA) process.

2.3 The assessment of air quality has been derived from transport modelling data, which are forecasts based on the best available data. It is therefore necessary to continue to monitor the position, and ensure that where any adverse impacts begin to emerge, that the partners are aware of these, and in a position to respond to the changing evidence. It is therefore necessary to establish an appropriate evidence base and monitoring framework.

2.4 The purpose of this MoU is to ensure that the parties named, work in partnership to fulfil the following requirements:

- i. to collect and analyse data and evidence related to the impacts of proposed development and growth under the Local Plans to provide sufficient and robust evidence on which to base a strategy for the protection of Epping Forest SAC;

- ii. to commit to prepare a joint strategy, based on relevant available data and evidence and to an agreed timetable; and
- iii. that the joint strategy will address both the requirement to avoid, or effectively mitigate, adverse impacts on the integrity of the SAC from Local Plan-led development and the requirement to prevent deterioration of the SAC features.

3. Evidence Gathering to inform a Joint Strategy

- 3.1 Natural England (NE), with the Environment Agency, published a Site Improvement Plan (SIP) for Epping Forest in 2015. This identified seven main pressures on the integrity of the SAC and provides the reference point for the scope of the data and evidence-gathering required under this MoU. Evidence will be collected and analysed to determine whether any of these pressures are worsening over time, and whether the growth planned across the HMA is a causal factor. NE will provide detailed and timely advice on the data required, to ensure it is collected within an appropriate and realistic timescale
- 3.2 Unless modified by further NE advice as a result of any future SIP revisions (including newly-identified pressures), all parties to this MoU agree that the data to be collected will include:
- allocated housing and commercial development sites, including delivery timeframes;
 - highways infrastructure changes;
 - public transport developments;
 - visitor numbers and behaviour, purposes of visits and distances travelled;
 - forecast change in traffic flows, and subsequent impacts on air quality including continued monitoring of the Bell Common Air Quality Management Area; and
 - forecast change to visitor pressures, and any significant positive or negative impacts.
- 3.3 Based on these data, assessments will be made of the ecological impacts that would be the consequence of predicted/likely changes in air pollution and recreational pressures to allow avoidance and mitigation plans to be put in place.
- 3.4 At this stage it is not clear how far visitors to Epping Forest travel, and therefore to what extent the growth in housing across the Housing Market Area may increase visitor and recreational pressures. The costs of gathering the appropriate data to provide a robust evidence base would be borne by the local authorities and prospective developers, as appropriate and proportionate to the development proposals across the HMA in relation to impacts on Epping Forest SAC.
- 3.5 Each party to this MoU agrees to ensure that its approval of the data is provided in a timely manner and is not unreasonably withheld. Any withholding of such approval would require a full written justification setting out clear remedial action that it would be reasonable for the data-gathering parties to take forward to meet their competent authority responsibilities under the Habitat Regulations 2010.

4. Developing a Joint Strategy

- 4.1 The organisations party to this Memorandum (MoU) agree to work together to facilitate the collection of data and evidence as outlined in section 3, in order to develop a Joint Strategy to address potential adverse impacts on the integrity of Epping Forest Special Area of Conservation (SAC), as required under the Habitats Regulations 2010. Epping Forest District Council (EFDC) will act as the coordinating competent authority in relation to Epping Forest SAC as defined by the Habitat Regulations 2010 and as described in the Defra Guidance 2012⁵.
- 4.2 The Joint Strategy will be prepared in accordance with a timetable to be agreed by the partners to this MoU in due course. It is intended this Joint Strategy will be in agreed and published prior to the determination of any of the planning applications on sites around Harlow that are part of The Spatial Option detailed in the “Distribution of OAN across West Essex and East Hertfordshire” MoU. If the Joint Strategy is not in place when planning applications are submitted, applicants will be required to submit the necessary information to ascertain whether any adverse impacts will be caused in Epping Forest, and if necessary any mitigation measures that may be necessary.
- 4.3 The Joint Strategy will incorporate early warning monitoring to ensure that adverse impacts do not occur or are mitigated effectively for the SAC. Should this monitoring identify a deteriorating position, sustainable mitigation strategies for air quality, traffic controls, highways and recreation will be set out in the joint strategy so they can be enacted in a realistic timescale if necessary. Local Plans will include appropriate monitoring policies.
- 4.4 Detailed monitoring frameworks will be prepared to support each of the adopted Local Plans, and some of the required data will be made available on a regular basis through this mechanism. Where additional data is required, the scope of this will be agreed by the parties to this MoU as part of the proposed joint strategy.
- 4.5 Based on the agreed spatial distribution and the associated infrastructure requirements, data would need to be generated by traffic modelling to continue to monitor the likely impacts of vehicle transport on Epping Forest SAC. The traffic models would need to meet the level of resolution required to make robust predictions, to cover all the roads within the Forest boundaries, as identified in the map in **Appendix 2**.
- 4.6 From these traffic data, robust monitoring of air quality and predicted levels and rates of change would be made using the standard assessment methods for the area bounded by Epping Forest SAC (see **Appendix 3**).
- 4.7 The overall health of the Epping Forest SAC is affected by activities outside of the HMA, and therefore the remit of the Joint Strategy may need to be broadened in due course. The overall purpose is to manage Epping Forest such that further deterioration is limited, and positive enhancements are introduced as necessary.
- 4.8 Under the joint strategy further development would be linked to any necessary mitigation such that the identified and required actions would be in place and effective prior to any development being undertaken.
- 4.9 Sources and levels of funding for the different levels of mitigation, if and/or when required, will be agreed and will be put in place under the joint strategy.

⁵ 2012 DEFRA Guidance on competent authority coordination under the Habitats Regulations
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69580/pb13809-habitats-guidance.pdf

- 4.10 The joint strategy would be reviewed at the time of the review of this MoU or earlier should circumstances require it and be agreed by all parties.

5. Signatures

5.1 This Memorandum of Understanding is signed by and duly authorised for and on behalf of:

East Hertfordshire District Council

Name (printed): Councillor Linda Haysey

Signature: **Redaction**

Designation: Leader of the Council

Date: 22nd March 2017

Epping Forest District Council

Name (printed): Councillor John Philip

Signature: **Redaction**

Designation: Planning Policy Portfolio Holder

Date: 22nd March 2017

Harlow District Council

Name (printed): Malcolm Morley OBE

Redaction

Signature:

Designation: Chief Executive of Harlow District Council

Date: 22nd March 2017

Uttlesford District Council

Name (printed): Councillor Susan Barker

Signature:

Redaction

Designation: Deputy Leader and Portfolio Holder for Environmental Services
Date: 22nd March 2017

Essex County Council

Name (printed): Councillor Kevin Bentley

Signature:

Redaction

Designation: Deputy Leader and Cabinet Member for Economic Growth and Partnerships

Date: 22nd March 2017

Hertfordshire County Council

Name (printed): Councillor Derrick Ashley

Redaction

Signature:

Designation: Executive Member for Environment, Planning and Transport

Date: 22nd March 2017

Natural England

Name (printed):

Signature:

Redaction

Designation: Area Manager (West Anglia)

Date: 22nd March 2017

City of London Corporation

Name (printed): Philip Woodhouse

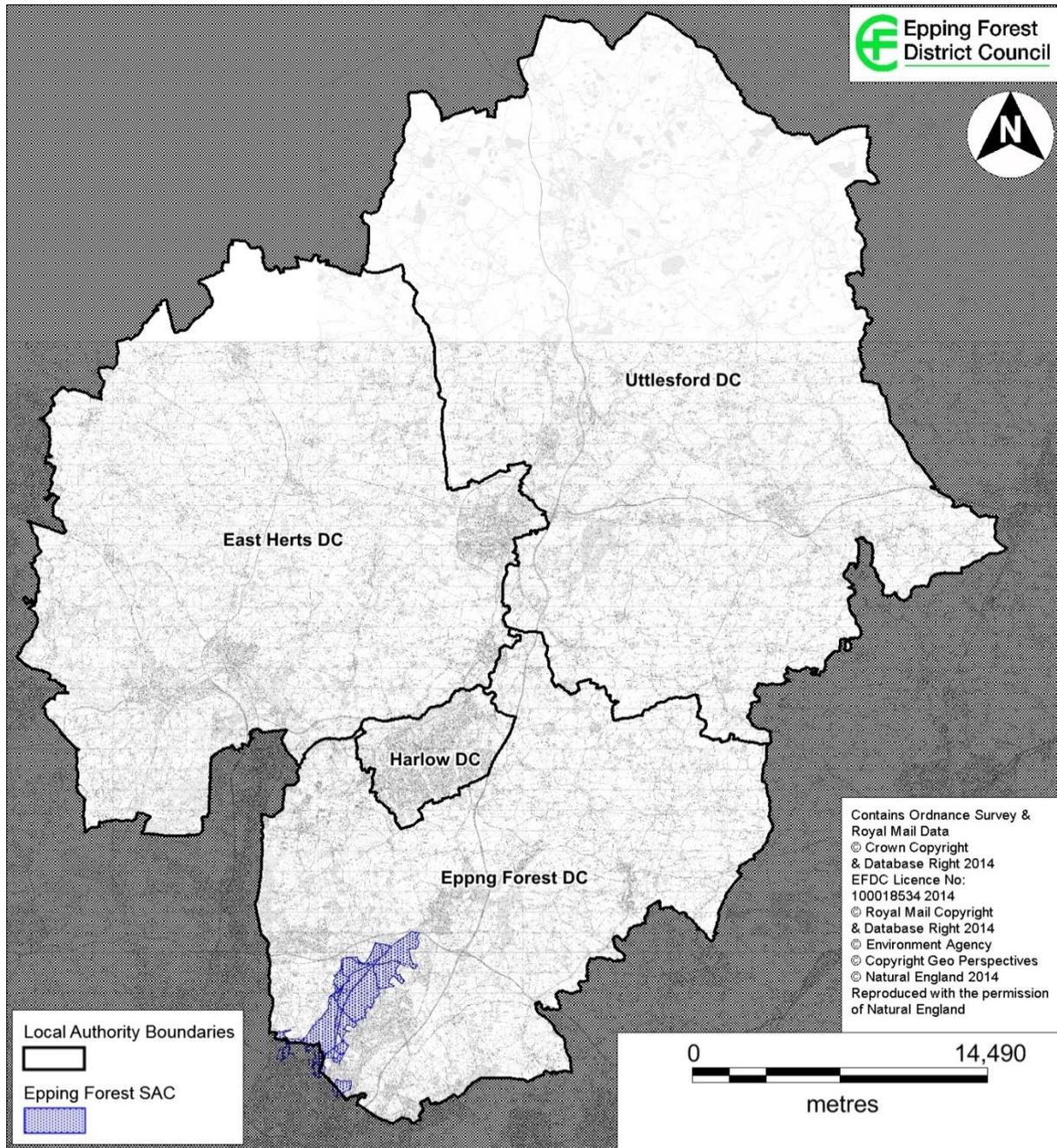
Redaction

Signature:

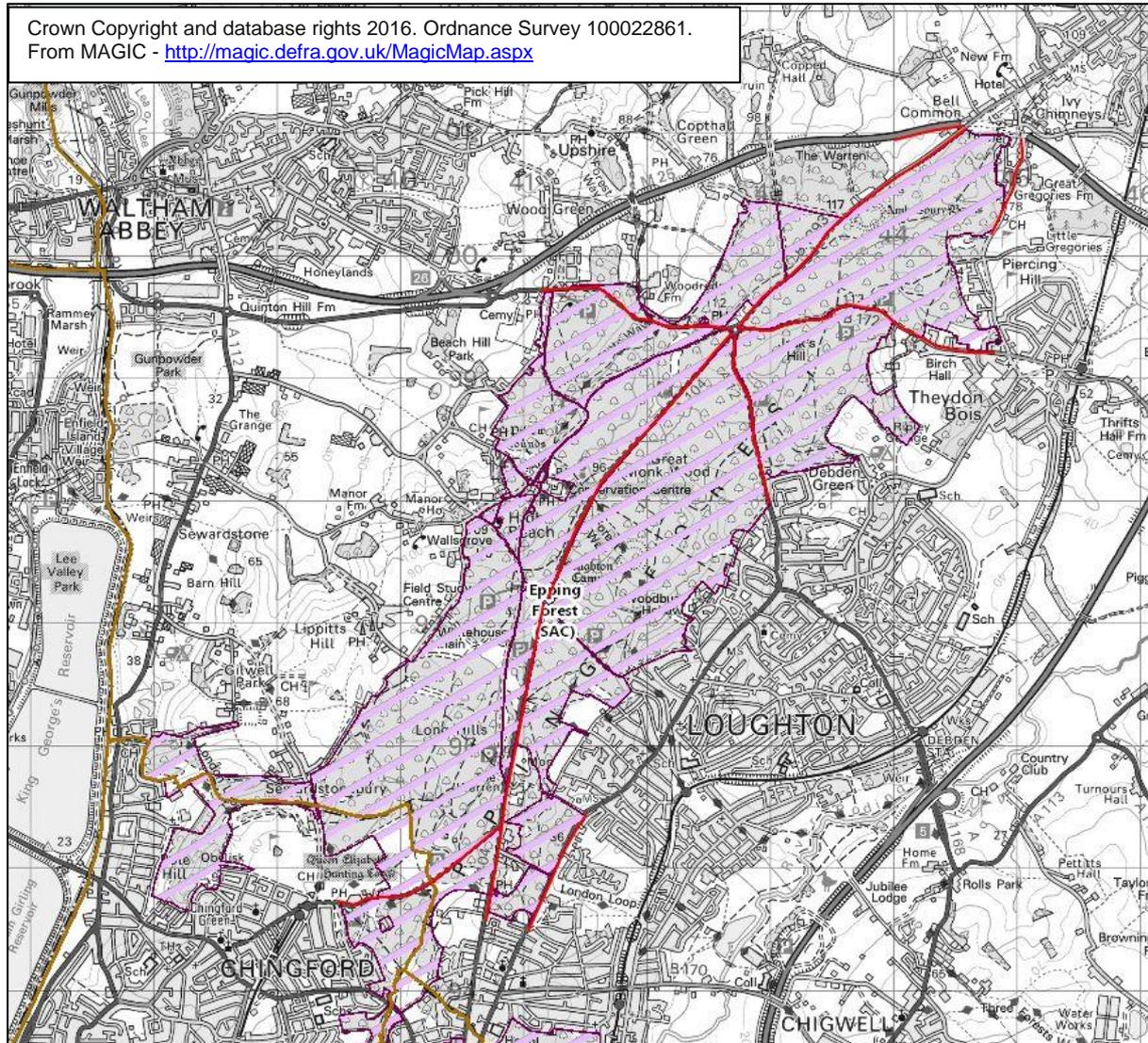
Designation: Chairman

Date: 22nd March 2017

Appendix 1 - The West Essex/East Herts area



Appendix 2 – Road links to be investigated around Epping Forest



Appendix 3 – Air quality predictive modelling method

- A3.1 The predictions of nitrogen deposition and annual mean NO_x concentrations for the proposed works will be based on the assessment methodology presented in Annex F of the Design Manual for Roads and Bridges (DMRB), Volume 11, Section 3, Part 1 (HA207/07)⁶ for the assessment of impacts on sensitive designated ecosystems due to highways works. Background data for the predictions for 2033 will be sourced from the Department of Environment, Food and Rural Affairs (Defra) background maps for 2011 projected forward to 2030 (2030 being the most advanced date in the future for which projections are currently available)⁷. Background data for 2030 would be used for the future assessment, with contributions from A-roads within the grid square removed from the background as this contribution was calculated using ADMS-Roads software. Background nitrogen deposition rates will be sourced from the Air Pollution Information System (APIS) website⁸. These rates will be reduced by 2% per year, as set out in HA207/07, to allow for the predicted improvements in background air quality over time as a result of ongoing national initiatives to improve emissions and the expected improvement in vehicle emissions over that period.
- A3.2 Annual mean concentrations of NO_x were calculated at 50m distances back from each road, with the closest distance being the closest point of the designated site to the road. Predictions were made using the latest version of ADMS-Roads using emission rates derived from the Defra Emission Factor Toolkit (version 6.0.2) which utilises traffic data in the form of 24-hour Annual Average Daily Traffic (AADT), detailed vehicle fleet composition and average speed. The end of the Local Plan period has been selected for the various future scenarios as this is the point at which the total emissions due to Local Plan traffic will be at their greatest.

⁶ Design Manual for Roads and Bridges, HA207/07, Highways Agency

⁷ Air Quality Archive Background Maps. Defra, 2013. Available from: <http://laqm.defra.gov.uk/review-and-assessment/tools/background-maps.html>

⁸ Air Pollution Information System (APIS) www.apis.ac.uk

Memorandum of Understanding

The Distribution of Objectively Assessed Employment Need across the West Essex-East Hertfordshire Functional Economic Market Area

May 2018

This is a Memorandum of Understanding between the following
Councils:

East Hertfordshire District Council

Epping Forest District Council

Harlow District Council

Uttlesford District Council

And supported by (non-signatories):

Essex County Council

Hertfordshire County Council



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1. Introduction

- 1.1 This Memorandum of Understanding (MoU) concerns the distribution of the objectively assessed employment needs of the four local planning authorities comprising the West Essex / East Hertfordshire Functional Economic Market Area (FEMA): East Hertfordshire District Council, Epping Forest District Council, Harlow District Council and Uttlesford District Council (Appendix 1 contains more information about the FEMA).
- 1.2 This MoU has been prepared by officers and Members of these four authorities, with assistance from Essex County Council and Hertfordshire County Council. The preparation of the MoU has been overseen by the Co-operation for Sustainable Development Member Board and the Harlow & Gilston Garden Town Board (Appendices 2 and 3 refer to Membership and Terms of Reference of the two Boards).

2. Purpose of this Memorandum of Understanding

- 2.1 This MoU is designed to address the agreed distribution of employment land as defined by the 2017 FEMA report by Hardisty Jones Associates Ltd (HJA). Although the MoU addresses employment need within the West Essex-East Hertfordshire FEMA only, the draft of the MoU, and the evidence underpinning it, were discussed both at the Co-op Member Board and the Co-op Officer Group, which include other relevant authorities.
- 2.2 The purpose of this MoU is to ensure that the West Essex-East Hertfordshire Authorities (supported by Essex County Council and Hertfordshire County Council), work together to fulfil the following requirements:
- 2.3 To plan for meeting in full, the employment needs of the FEMA, as assessed by the West Essex and East Hertfordshire Assessment of Employment Needs Report (October 2017) and ensure the delivery of these i.e
 - i) 51,000 jobs
 - ii) 10-24 hectares of employment land for office requirements
 - iii) 68 hectares of employment land for industrial requirements
 - iv) To achieve (i) above through formalising agreement of the employment growth distribution which is set out within the "Assessment of Employment Needs" FEMA report (Hardisty Jones Associates Ltd (HJA) - October 2017) at sustainable locations in the FEMA.
 - v) To shape and deliver the shared Strategic Vision for the London Stansted Cambridge Corridor (LSCC) 'Core Area' which will include a focus on strategic and transformational growth at Harlow, to be developed through the Harlow and Gilston Garden Town Economic Growth Strategy.
 - vi) To continue to engage with one another in detail, and on a continuing basis through the plan-making process, with the intention of ensuring the preparation and delivery of sound local plans of each respective LPA, together with supporting economic growth strategies wherever necessary.
 - vii) To continue to co-operate during the implementation and monitoring of individual local plans in order to ensure their effectiveness, including ensuring flexibility and the ability to adapt and respond to changing circumstances as they emerge.
 - viii) To develop an improved shared understanding around the economic growth of the FEMA, and specific future requirements of the Harlow and Gilston Garden Town, including the commissioning, interpretation and effective application of any future joint evidence work where required.
 - ix) To meet the requirements of the Duty to Cooperate effectively and demonstrably and in particular, to focus on its strategic, cross-boundary considerations and to provide a clear framework for collaborative partnership working.

3. Background

Joint and co-ordinated working in the West Essex / East Hertfordshire FEMA

- 3.1 The National Planning Policy Framework (NPPF) states that “Public bodies have a duty to cooperate on planning issues that cross administrative boundaries, particularly those which relate to the strategic priorities...”and, furthermore, “The Government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities” (Paragraph 178). It also expects local authorities “...to demonstrate evidence of having effectively co-operated to plan for issues with cross-boundary impacts when their Local Plans are submitted for Independent Examination. This could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position. Cooperation should be a continuous process of engagement from initial thinking through to implementation, resulting in a final position where plans are in place to provide the land and infrastructure necessary to support current and projected future levels of development” (Paragraph 181).
- 3.2 East Hertfordshire, Epping Forest, Harlow and Uttlesford District Councils (also referred to in this MoU as the “West Essex / East Hertfordshire Authorities”) have a substantial history of co-ordinated working on strategic planning issues, not least on assessing housing need and planning for future growth. Essex County Council and Hertfordshire County Council have also been involved in cross-boundary working with the local planning authorities for many years, relating to a number of topics, including planning matters.
- 3.3 In addition to this, the local authorities that comprise the FEMA area are all active members of the LSCC and seeking to consider and deliver opportunities for growth arising from the LSCC Growth Commission. Along with the Borough of Broxbourne these authorities are at the ‘core’ of the LSCC, the UK’s Innovation Corridor and will be collectively forming a Growth Board to support growth in this area.

4. Statement of the FEMA Authorities' Agreed Intent to Meet the Employment Need within the FEMA

- 4.1 The West Essex-East Hertfordshire FEMA authorities are committed to working together to deliver jobs growth and the associated levels of employment land provision within the FEMA area. The 2017 FEMA report by HJA sets out the agreed preferred scenario, translating the assessment of employment need into the land requirement for B class uses across the FEMA having regards to the current supply position, local economic strategy, historic take-up and market demand. The agreed preferred scenario has been developed through a consultative approach having consideration of a number of 'policy-on' employment scenarios drawing on the existing evidence, emerging Local Plans, knowledge of nominated planning officers within the FEMA and recent economic and housing growth evidence for the sub-region or smaller geographies within. The FEMA report provides an appropriate basis for the production of Local Plans by establishing an agreed distribution of employment requirements across the FEMA, and individual Districts within the FEMA. However, it should be acknowledged that further work is required to develop the economic strategy for the Harlow and Gilston Garden Town, and this may have implications for the detailed employment strategies for individual Districts which will need to be further considered in the future by the Harlow and Gilston Garden Town Member Board and individual local planning authorities.
- 4.2 The agreed preferred scenario arising from the FEMA report is set out within Tables 1 - 3 below.

Table 1 Preferred Scenario – Job Growth by District 2011-33

District	Jobs
East Herts	10,800
Epping Forest	10,800
Harlow	13,400
Uttlesford	16,000
FEMA	51,000

Table 2 Preferred Scenario - Total Estimated Future Sites and Premises Requirements (sq m GEA unless stated) – FEMA 2016-33

	Office	Industrial
Replacement Provision (A)	83,500	412,200

Net Additional Requirement (B)	77,800	92,800
Gross Requirement (C=A+B)	161,300	505,000
Delivered on Existing Employment Sites (D)	82,400	267,300
Net Requirement (E=C-D)	78,900	237,700
Flexibility Allowance (F)	7,900	23,800
Total Requirement (G=E+F)	86,800	261,500
Average Annual Requirement	5,106	15,382
Total Land Requirement	9 – 22 ha	65 ha
Average Annual Land Requirement	0.5 - 1.3 ha	1.8 ha

Source: HJA (figures may not sum due to rounding).

Table 3 Total Estimated Future Sites and Premises Requirements by District (ha) 2016-33

	Office	Industrial
East Herts	3-7	13
Epping Forest District	2-5	14
Harlow	2-4	16
Uttlesford	2-5	22
Additional Provision to Balance Labour Market	1-2	2
West Essex and East Herts FEMA	10-24	68

Source: HJA (figures may not sum due to rounding).

- 4.3 The agreed preferred jobs growth scenario delivers a level of employment growth below that required to maintain existing commuting rates. To maintain this balance a further 2,100 jobs would be required. This would represent a 4% increase in the level of employment growth within the preferred scenario.
- 4.4 Given that there are some uncertainties associated with forecasting and the long-term nature of Local Plans, such a scale of additional provision over the FEMA area up to 2033 does not represent any significant short-term difficulties. It is likely that

the additional provision may be accommodated through increased job densities and / or windfall development. Regardless, assuming the additional employment is spread across Use Classes in line with the current levels of employment growth, the additional requirement would amount to 6,400 sq m (0.6 – 1.6 hectares) of B1a office provision and 8,700 sq m (2.2 hectares) of industrial provision. The FEMA authorities are committed to working together to ensure that this additional provision is accommodated.

Sustainable Travel

- 4.5 The promotion of sustainable modes of travel will be critical to the success of the Harlow & Gilston Garden Town and the wider Harlow area. This will provide the necessary framework for the accommodation and management of growth, it will connect new communities and help to provide a place in which business will want to invest and deliver additional jobs.
- 4.6 There is both aspiration and a definite need for a transformational change in the levels of use of sustainable modes of transport. The key employment areas will be connected to local communities and the town centre and bus and railway stations through sustainable transport corridors which provide a high quality 'spine' for walking, cycling and rapid public transport systems.

5. Delivering this MoU – Connecting to Wider Strategic Issues

- 5.1 The NPPF states that, 'Local planning authorities should work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly coordinated and clearly reflected in individual Local Plans' (Paragraph 179).
- 5.2 There are, of course, many key issues, other than the spatial distribution of employment land, which are cross-boundary in nature and which the West Essex – East Hertfordshire Authorities are working on together. Other key matters of strategic cross-boundary significance which are being addressed by ongoing joint and co-ordinated work are listed in the table below. This is not an exhaustive list, and the four local authorities will continue to work together to identify and tackle cross-boundary matters going forward.

Housing Issues
Harlow & Gilston Garden Town Housing Strategy
Housing Need (including affordable needs, specialist needs)
Viability
Sustainable building materials and processes
Unmet needs and five year housing land supply – effective housing delivery
Accommodation for Travellers and Travelling Showpeople
Other Economic Issues
Harlow & Gilston Garden Town Economic Growth Strategy
Existing retail offer and future need
Competition between economic centres
Commuting patterns
Highways and Transportation Infrastructure
Delivery of the new J7A of the M11 to enable growth in and around Harlow
Promotion of sustainable modes of transport
Improvements at J7 and J8 of M11
London Stansted Airport growth
Opportunities relating to Crossrail 2 and four-tracking of the West Anglia Main line
Provision of Sustainable Transport Corridors
Central Line issues
Community Infrastructure
Education – primary, secondary, post 16 level (e.g. FE) higher; skills development and training
Open spaces, and sport and recreation facilities
Library provision
Health
Health & well-being strategy – proactive and preventative actions & promoting healthy lifestyles
Consideration of a new site for Princess Alexandra Hospital, possibly a 'health and social care campus'
Provision of primary care, adult social care etc.
Active travel / healthy lifestyles
Environment

Epping Forest Special Area of Conservation (including air quality)
Green Infrastructure
Climate change including flood risk
Food production, including the Lea Valley glasshouse industry
Managing flood risks
Wastewater management
Waste planning and management
Integration of local designations
Urban form of growth areas and their integration with existing urban settlements
Minerals planning
Built Environment
Significant heritage assets e.g. historic towns and Conservation Areas
Green Belt reviews

6. Future Co-operation, Implementation and monitoring

6.1 This section sets out basic tasks and outcomes identified at the time of drafting this MoU; more specific actions will be jointly agreed at a later date as the MoU is reviewed and kept up to date.

Implementation and Monitoring of the tasks outlined in this MoU

6.2 Overall compliance with the MoU will be monitored via a standing item on the agenda of the Co-op Officer Board. If any issues arise they will be referred to the next available Co-op Member Board for discussion and resolution. There will be a formal review of compliance with the MoU on the Co-op Member Board agenda approximately every six months.

6.3 The Harlow & Gilston Garden Town Officer and Member Boards will be working to develop and implement an Economic Growth Strategy which link into both Harlow and London Stansted Cambridge Consortium wider growth strategies.

Implementing and monitoring the tasks outlined by the MoU:			
Task		Implementation by	Monitoring by
1	Meet the assessed employment land need of West Essex-East Hertfordshire FEMA through the most appropriate distribution of development, as set out in the 2017 West Essex and East Hertfordshire Assessment of Employment Needs report.	West Essex – East Herts authorities to allocate land to meet the requirements of their respective administrative area within their Local Plans and continue to cooperate to ensure that employment needs of the FEMA are met in full.	Co-op officer group
2	Continue to engage with each other in detail and on a continuing basis, with the intention of avoiding possible objections being made during the plan-making process.	West Essex-East Hertfordshire authorities to continue to engage regularly via the Co-op Member Board which provides a platform for regular communication for all parties.	Co-op Officer Group to monitor overall engagement from the West Essex-East Hertfordshire authorities, ensuring that information is shared at an early stage for all Local Plan consultations.
3	Continue to cooperate during the implementation and monitoring of individual local plans.	West Essex-East Hertfordshire authorities to discuss and work towards a common set of indicators for monitoring Local Plan progress, and use these together.	West Essex-East Hertfordshire authorities to self-monitor their engagement with each other on this task.
4	Help demonstrate compliance with the Duty to Cooperate to the	West Essex-East Hertfordshire authorities to continue to engage regularly via the Co-op	West Essex-East Hertfordshire authorities to self-monitor their engagement with each

	Planning Inspector's for the respective Planning Inspectors	officer Group and Co-op Member Board, and refer to this MoU, along with all other MoUs at their respective Local Plan Examinations.	other on this task.
5	Consider need for collective / strategic economic growth strategies (such as Garden Town ED strategy / rural growth strategy)	4 LPAs, 2 CCs, LSCC, SELEP, Herts LEP May need some additional research / evidence	Co Op & GT officer groups & boards
6	Consider need for focused / specific economic growth strategies (such as sector growth strategies – e.g. life sciences or Lee Valley food production)	4 LPAs, 2 CCs, LSCC, SELEP, Herts LEP May need some additional research / evidence	Co Op & GT officer groups & boards
7	Monitor actions that may flow from the above 2 tasks	Co Op & GT officer groups / other partners	Co Op & GT officer groups & boards
8	Develop (and deliver) strategic IDP – for Garden Town (and beyond)	4 LPAs, 2 CCs, other infrastructure and service providers	Co Op & GT officer groups & boards

Contingency Planning

- 6.4 Should the West Essex-East Hertfordshire authorities encounter any significant difficulty in delivering the tasks outlined in this MoU, the Authorities commit to working together to find a joint solution which represents the 'best option' for the FEMA. This may include commissioning further technical evidence, or preparing further MoUs, for example, following discussions by the Co-op Officer Group and Co-op Member Board or Garden Town officer group / Member Board. Furthermore, mechanisms for Local Plan review may be considered by any of the Authorities.

7. Signatures

7.1 This Memorandum of Understanding is signed by and duly authorised for and on behalf of the following authorities.

East Hertfordshire District Council

Name (printed): Councillor Linda Haysey

Signature:



Designation: Leader of East Hertfordshire District Council

Date: 29 June 2018

Epping Forest District Council

Name (printed): Councillor John Philip

Signature:



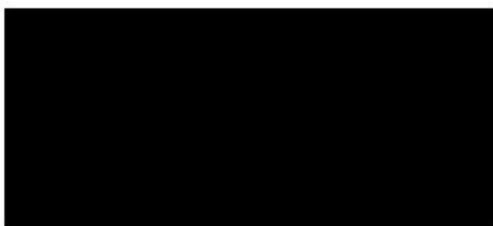
Designation: Portfolio Holder Planning and Governance

Date: 18 May 2018

Harlow District Council

Name (printed): Councillor Danny Purton

Signature:



Designation: Portfolio Holder for Environment

Date: 29 June 2018

Uttlesford District Council

Name (printed): Cllr Susan Barker

Signature:



Designation: Deputy Leader of the Council and Cabinet Member for Environmental Services

Date: 15 May 2018

Appendix 1 the West Essex-East Hertfordshire Functional Economic Market Area

A FEMA reflects the way the economy works; the relationships between where people live and work, the scope of service market areas and catchments. FEMAs are not constrained by administrative boundaries and they do not generally have hard and fast boundaries. The boundaries are porous with many external linkages in terms of travel to work, and catchment areas for other services, as well as business interactions with customers and suppliers.

Ideally a FEMA is defined using data on economic flows e.g. of workers and trade, but there is a limited amount of such data available for the West Essex / East Herts Strategic Housing Market Area (SHMA).

The SHMA area is defined as "...a geographical area defined by household demand and preferences for all types of housing, reflecting the key functional linkages between places where people live and work." The West Essex and East Herts SHMA area has been defined by Opinion Research Services (ORS) and comprises East Hertfordshire, Epping Forest, Harlow and Uttlesford Districts.

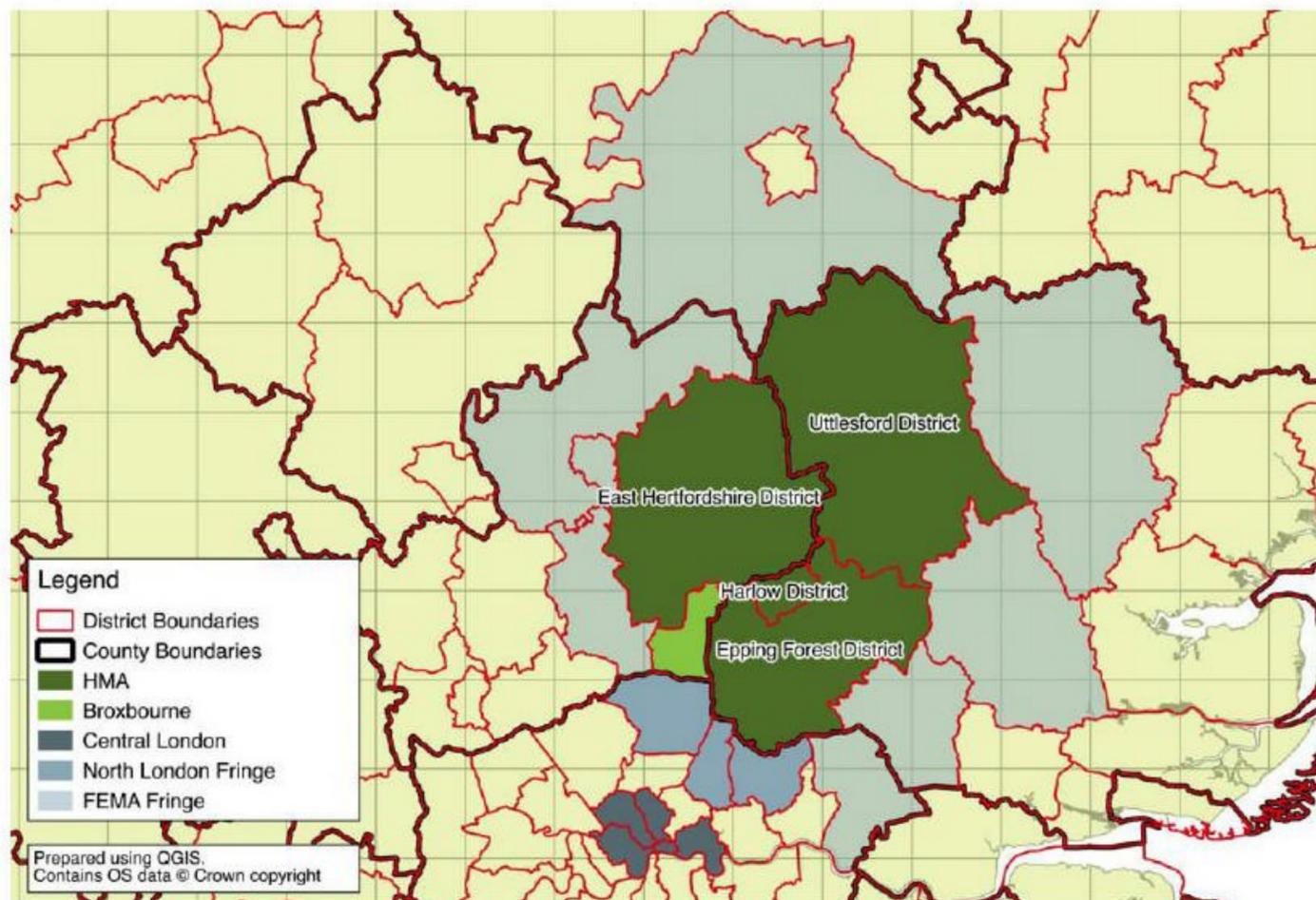
The West Essex / East Hertfordshire SHMA area is not a self-contained FEMA. Whilst the immediate boundaries of the core local authorities are porous, London is a significant economic driver that extends the FEMA beyond the four local authorities' SHMA boundary.

The FEMA could have included Broxbourne; however, the implications for the four core authority areas do not materially change whether or not the Broxbourne area were included. There is also a clear relationship with London – both the nearby north London Boroughs and central London.

The FEMA is shown in the Figure below. This shows a core area and a fringe area. The fringe area comprises all of the immediately adjacent local authorities; and a link to central London is also identified.

The core area covering the four councils formed the basis for the analysis of the FEMA reports, reflecting the close working of the four councils on cross boundary planning matters.

Figure 1.1: Functional Economic Market Area



Appendix 2 - Terms of Reference – Co-operation for Sustainable Development Board

Terms of Reference¹

Co-operation for Sustainable Development Board

June 2015

1. Aims and Objectives

(1) The Co-operation for Sustainable Development Board will support Local Plan making and delivery for sustainable communities across geographical and administrative boundaries in West Essex, East Hertfordshire and the adjoining London Boroughs. It will do this by identifying and managing spatial planning issues that impact on more than one local planning area within West Essex, East Herts and the adjoining London Boroughs.²

- 1.1 Local authorities are required by law through the Duty to Cooperate to '*engage constructively, actively and on an on-going basis*' on planning matters that impact on more than one local planning area ('strategic planning matters'). The duty is further amplified in the National Planning Policy Framework (NPPF) which sets out the key 'strategic priorities' that should be addressed jointly³.
- 1.2 The Co-operation for Sustainable Development Board ('the Board') is responsible, on behalf of the core member authorities, for identifying the sustainable development issues that impact on more than one local planning area and agreeing how these should be managed (covering the whole local plan cycle from plan-making, through to delivery and monitoring). This may include evidence gathering. It is an advisory body, and any decisions resulting from its advice remain the responsibility of its constituent councils.
- 1.3 As part of this process, the Board will review cross boundary issues (strategic planning matters) being progressed through emerging local plans and constituent Local Development Frameworks documents as appropriate, and identify issues which are likely to be vulnerable in the legal tests applied under the Duty to Cooperate. In doing so it will consider the plans of local planning authorities outside the core membership where these are likely to impact upon more than one member authority.⁴

¹ These initial terms of reference are expected to be reviewed and updated at the start of each municipal year.

² The core constituent administrative areas are identified as Epping Forest, Harlow and Uttlesford districts, Brentwood Borough and Essex County Council, East Herts and Broxbourne districts and Hertfordshire County Council, and the London Boroughs of Waltham Forest, Redbridge and Enfield.

³ 'Strategic priorities' that local planning authorities have a duty to cooperate on are defined in Paragraph 156 of the National Planning Policy Framework (NPPF).

⁴ Initial identification of cross boundary issues will arise from the NPPF, NPPG and from issues identified at member workshops in 2014, but are expected to change as new issues arise.

(2) The Board will support better integration and alignment of strategic spatial and investment priorities in West Essex, East Herts and adjoining London boroughs, ensuring that there is a clear and defined route through the statutory local planning process, where necessary.

- 1.4 In order to support the economic growth points within the area and investor confidence, recognising the different attributes and contributions made by the individual member councils, the Board will work jointly with the Local Economic Partnerships identified in Section 4 to understand long term investment priorities and ensure that these are aligned with other public and private sector investment plans.
- 1.5 Initially the Board will seek to understand work that is already underway which is relevant to the Board's strategic planning role.

2. Membership and Accountabilities

- 2.1 The Board provides a forum for local authorities to manage issues that impact on more than one local planning area, developing the necessary evidence base and ensuring wider corporate and other relevant matters are fully taken into account. Although there is a clear emphasis on reaching a common approach on key strategic approaches, the Board is an advisory body only. Any decisions on taking forward outputs from its meetings and work programme (e.g. shared views, policy approaches, evidence or research) will be the responsibility of individual local authorities and the statutory planning process.
- 2.2 Core membership of the Board will comprise representatives from Epping Forest, Harlow and Uttlesford districts, Brentwood Borough, Chelmsford City and Essex County Council, East Herts and Broxbourne districts and Hertfordshire County Council, and the London Boroughs of Waltham Forest, Redbridge and Enfield. The GLA will be given Observer status and will be sent minutes of meetings and invited to engage at appropriate times.

Each core member authority will be invited to contribute to the work programme and to consider strategic planning issues that impact on the wider area. Other authorities may be invited to attend on an occasional basis if an issue being considered is likely to have a significant impact on the authority's planning area. Each core member authority will be represented on the Board by the relevant holder of the Planning portfolio or Leader as appropriate, to ensure confidence of authority and commitment to resources.⁵ Officers may attend meetings in support of members.
- 2.3 Regular feedback and briefing to the constituent members' political and corporate leadership is the responsibility of member representatives, and should be used as a way of ensuring wider ownership and support for the Board's work as it progresses. There should also be appropriate liaison between the local authority representatives of both the Board and the South East, Hertfordshire, Greater Cambridge and Greater Peterborough Local Economic Partnerships, and London Enterprise Panel
- 2.4 The Chairman of the Board will be appointed on a rotating basis which should be reviewed annually to ensure fair and equal opportunities amongst the constituent member authorities. Officers of the Chairman's authority will provide administrative and clerical support to meetings.

⁵ Councils will identify their lead member

3. Ways of Working

- 3.1 Refer to Diagram in Annex 1 for details of initial working arrangements. The Board will agree a work programme, including steering and management arrangements for each project, on an annual basis. This could include setting up 'task and finish' groups for specific projects, either reporting directly to the Board or on a shared basis with other bodies. The Board will meet regularly, as required and its meetings will rotate between Harlow, Epping Forest DC and East Herts Councils as the most convenient locations for all. In the interests of transparency, notes of the Board's meetings will be publicly available once they have been agreed.
- 3.2 The Co-operation for Sustainable Development Officer Group will provide either direct advice or support, and/or deliver agreed projects.
- 3.3 Once the work programme has been established, good project management principles should be applied, such as risk management, particularly around political sensitivities and funding, and keeping the work programme under review to ensure that it is meeting the agreed objectives and the identified priorities remain relevant.

4. Key relationships

- 4.1 **South East Local Economic Partnership:** The Board will work closely with SELEP to ensure the long term integration of strategic planning and investment priorities. The LEP plays a key support role on economic development and regeneration and is responsible for major funding streams. It is also identified in Local Planning Regulations as a body that local authorities need to take account of in meeting its 'duty to cooperate' obligations.
- 4.2 **Hertfordshire LEP:** The Board will work closely with Hertfordshire LEP to ensure the long term integration of strategic planning and investment priorities. The LEP plays a key support role on economic development and regeneration and is responsible for major funding streams. It is also identified in Local Planning Regulations as a body that local authorities need to take account of in meeting its 'duty to cooperate' obligations.
- 4.3 **Greater Cambridge and Greater Peterborough LEP:** The Board will work closely with GCGP LEP to ensure the long term integration of strategic planning and investment priorities. The LEP plays a key support role on economic development and regeneration and is responsible for major funding streams. It is also identified in Local Planning Regulations as a body that local authorities need to take account of in meeting its 'duty to cooperate' obligations.
- 4.4 **London Enterprise Panel** – this acts as the Local Economic Partnership for London.
- 4.5 **East Herts West Essex Border Liaison Group:** this is an established forum for members from many of the core Board authorities to come together and discuss issues of common interest several times a year. Its terms of reference specifically include reference to the duty to co-operate. Its wide membership (in terms of the number of elected members invited from the constituent authorities) means that it provides a useful forum for the Board to communicate on its activities, and receive updates on issues. The Chairman of the Board or an agreed member should report to each meeting of the EHWEBLG.

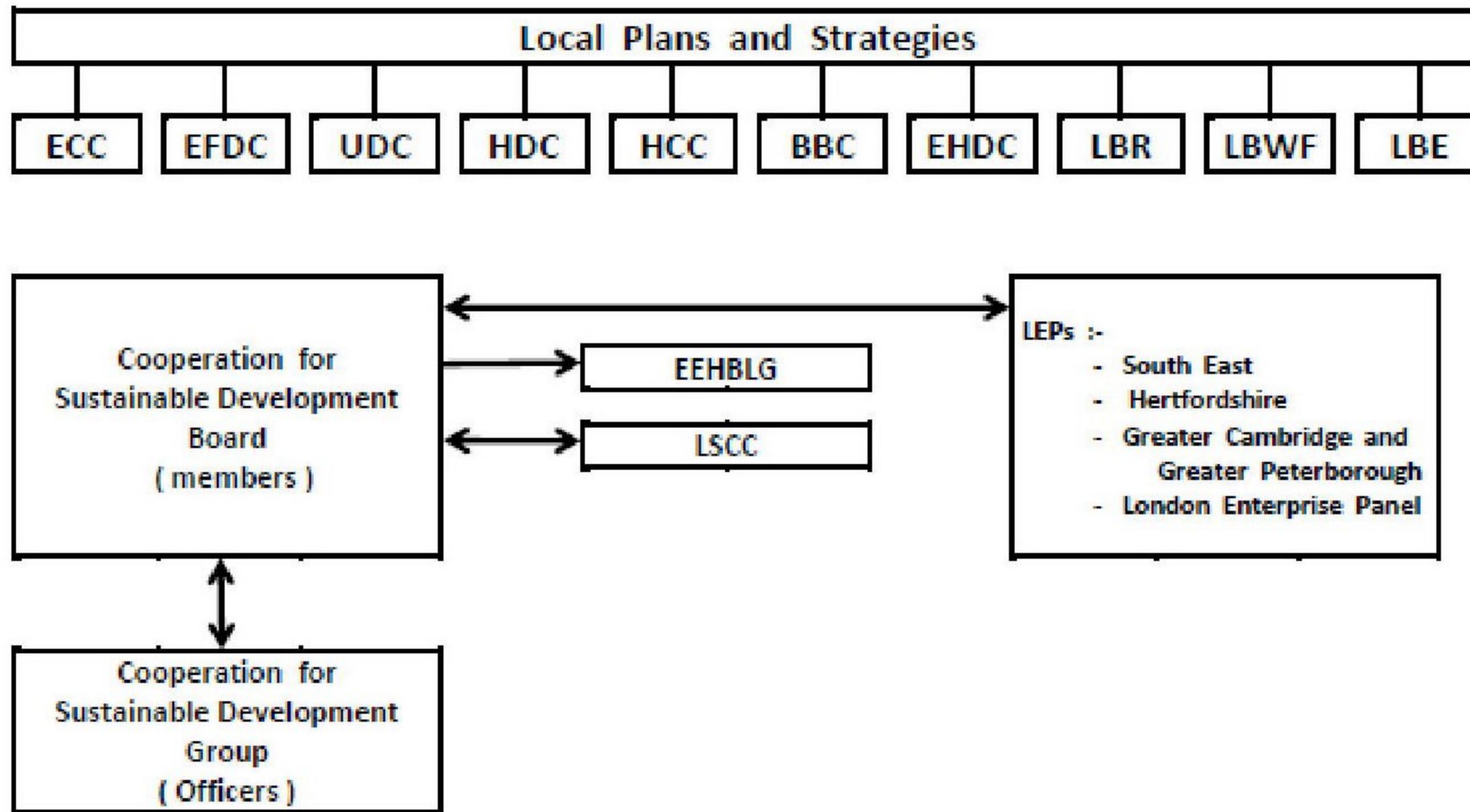
- 4.6 **London Stansted Cambridge Consortium:** This is an established partnership of public and private sector organisations, including councils, which covers the area from Tech City, the City Fringe, Kings Cross, and the Olympic Park, up through the Lee Valley and M11/A10 and West Anglia Rail corridors to Harlow and Stansted, and through to Cambridge. **The principal objective of the consortium is to drive economic development and enhance quality of life in the north London – Stansted – Cambridge corridor. This means not only driving job growth through productivity and investment, but more importantly increasing economic activity, by ensuring local communities access employment opportunities.**
- 4.7 **Other Key Partners:** A number of key bodies and organisations will be necessary to support the work of the Board either through direct support/advice or through joint projects. Most of these will be subject to the legal requirements of the 'duty to cooperate' and may well already be involved in the other partnerships mentioned above. Key bodies include the Lee Valley Regional Park, the Corporation of the City of London (responsible for Epping Forest), the Environment Agency, Highways Agency, and Homes and Communities Agency. Private sector infrastructure providers, particularly utility companies, will also be key partners particularly in terms of ensuring alignment between investment plans and priorities.

5 Technical Support

- 5.1 The Board will be supported by an officer group, known as the Co-operation for Sustainable Development Group, with representatives from each of the constituent authorities. The group will advise the Board on technical issues, and act as a steering group for any identified project, establishing suitable technical support and project management arrangements for each. This may involve the use of 'task and finish' groups and could include the use of external expertise e.g. from key statutory bodies identified in Section 4 above or the use of consultants. The group will therefore also be responsible for any necessary joint procurement arrangements.
- 5.2 A representative of the officer group (the chairman or a suitable substitute) will attend the Board meetings and provide regular progress updates on the work programme to the Chairman.

6. Review

- 6.1 These are initial terms of reference, and will be formally reviewed before May 2015. It is important to keep arrangements flexible to respond to changes in planning policy, priorities and work programmes and to move forward from plan policy development stages to implementation. It is therefore anticipated that the terms of reference will continue to be reviewed annually.



Appendix 3 - Harlow & Gilston Garden Town Governance Arrangements

Harlow and Gilston Garden Town – Project Planning, Management and Delivery Support Update

Report to the Cooperation for Sustainable Development Board 26 June 2017

Recommendations/Decisions Required:

- (1) That the proposed Harlow and Gilston Garden Town interim governance arrangements are endorsed and**
- (2) That other update matters are noted.**

Executive Summary:

This report seeks:

- (a) To update members of the progress of the Harlow and Gilston Garden Town project planning, programme management and project delivery support activities undertaken by Arup since their appointment in June 2017.**

Arup has provided recommendations (see Section 2) on the setting up of a Garden Town Member Board, a Garden Town Officer Steering Group and a Garden Town Project Team. The Member and Officer Boards would be ‘sub-groups’ to the existing Co-Operation for Sustainable Development Boards and would meet on a monthly basis. The existing Co-Operation for Sustainable Development Boards would then move to meet on a two-monthly cycle. A Garden Town Developer Forum is also proposed.

Other updates to note are also set out in relation to:

- Project programming;**
- The preparation of a Sustainable Transport Corridor Concept and Feasibility Study Brief and**
- Establishing a Design Review Panel**

1. Introduction

- 1.1 As Members will be aware, on 2 January 2017 the Government announced its support for the Expression of Interest submitted to the Government's locally – led Garden Towns prospectus on behalf of East Herts Council, Epping Forest District Council (EFDC) and Harlow Council. Epping Forest District is acting as lead authority.
- 1.2 The Harlow and Gilston Garden Town Project recently tendered for consultancy support to assist in putting in place suitable and appropriate governance and project management arrangements for the Councils to work together efficiently and effectively and to continue to build relationships with external organisations, including infrastructure providers, and local communities.
- 1.3 Arup was appointed in June 2017 to take forward these workstreams and an Inception Meeting was held with the Garden Town Officer Steering Group on 07 June 2017.
- 1.4 The key priorities identified to progress were:
 - a) Development of Interim Governance Arrangements
 - b) Preparation of a project programme
 - c) Preparation of a Sustainable Transport Corridor Concept and Feasibility Study Brief
 - d) Establishing a Design Review Panel
- 1.5 This report provides an update to Members on progress on the above workstreams and seeks approval to move forwards with the proposed interim governance arrangements.

2. Interim Governance Arrangements

- 2.1 Arup is tasked with identifying and considering potential models for the delivery of strategic growth around Harlow drawing on knowledge and experience of recent best practice examples. Arup is drawing from recent experiences in establishing similar joint working and governance arrangements elsewhere in order to deliver cross-boundary strategic growth and is having regard to the outcomes and proposals put forward by ATLAS at the Joint Officer Workshop held on 08 February 2017.

2.2 An initial assessment by Arup of various case study examples of existing or emerging Garden Towns has shown a number of common threads:

- a) **Three tiered approach to governance:** the majority of existing/emerging Garden Towns have three levels of governance – a member advisory board, an officers steering group and a project team led by representatives of the Council or a specially appointed team. In some cases, the member board has decision making powers, but in the majority of cases it is the Executive Board which should act as decision maker.
- b) **Stakeholder engagement and involvement:** the case studies have shown the importance of integrating inputs from the range of stakeholders which have a part to play in development of a Garden Town through community groups, developer forums, and integrated approach with infrastructure providers and others etc.
- c) **Utilising existing networks:** many emerging Garden Towns propose to use existing bodies initially before expanding or developing these bodies and groups to meet the needs of the Garden Town. This provides a more efficient approach than establishing wholly new bodies and needing to find availability for these.

2.3 Building on the above, and an understanding of existing governance arrangement within and between the three districts of EFDC, EHDC and Harlow, a governance structure is proposed below. It is recognised that the proposed arrangements may flex as the Project progresses.

2.4 Mirroring the common three tiered approach to governance, it is proposed that the Harlow and Gilston Garden Town would be governed by:

- a) The Garden Town Member Board – Acting as a Sub-Group to the principal Co-Operation for Sustainable Development Member Group it is proposed that the Garden Town Member Board would meet monthly with the principal Board meeting every other month immediately after the Garden Town Member Board meeting
- b) The Garden Town Officer Steering Group - Acting as a Sub-Group to the principal Co-Operation for Sustainable Development Officer Group it is proposed that the Garden Town Officer Steering Group would meet monthly (or more often as required) with the principal Co-Op Officer continuing to also meet monthly given, amongst other matters, the Local Plan progress of the three District Councils
- c) The Garden Town Project Team – this team would be responsible for setting, managing and delivering the workstreams required to facilitate the development of Harlow and Gilston Garden Town.

2.5 Sitting alongside and underneath these groups would be a series of forums and groups who will feed into the development and growth of the Garden Town, as follows:

- a) The Garden Town Developer Forum – the existing EFDC Local Plan Developer Forum for strategic sites around Harlow was established (together with its Terms of Reference) alongside the progression of the Epping Forest District Council Local Plan, to provide a basis for ongoing discussions with relevant landowners, site promoters and stakeholders. (Note there is a separate forum for other sites in the rest of the District). The Developer Forum provides a basis for the long term planning and implementation of sites identified for allocation in the Local Plan and provides a basis for the coordination and management of Strategic Masterplans and planning proposals associated with the sites. The Forum could also usefully provide the appropriate mechanism to discuss the spatial visioning/design charter and sustainable transport corridor workstreams with these stakeholders.

The core membership of the existing Developer Forum comprises

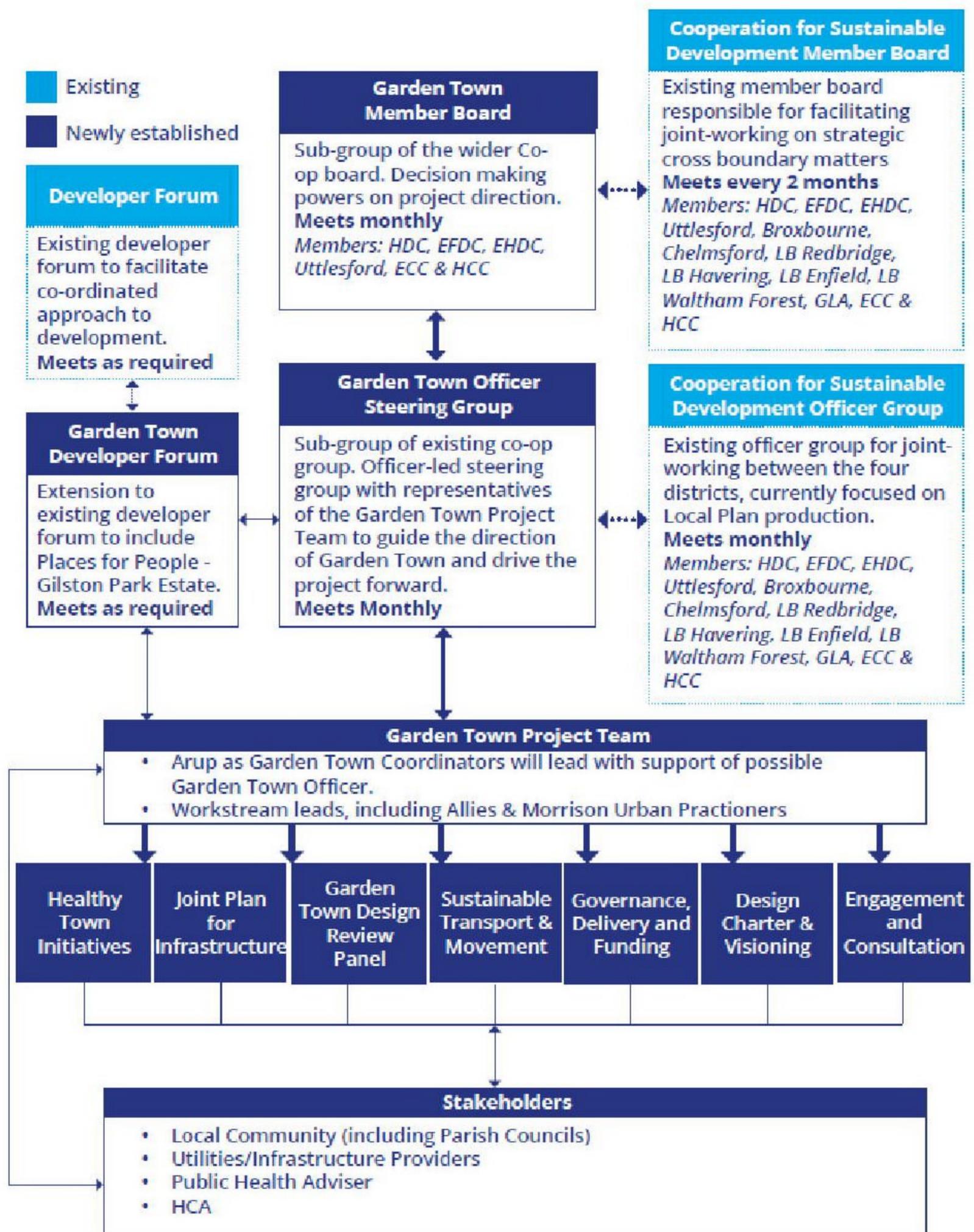
- Promoters / landowners / planning agents of strategic sites around Harlow
- EFDC Officers – including Planning Policy, Development Management, Conservation, Housing, Environmental Health and others as required
- Essex County Council Officers – including Planning, Transport, Education and others as required
- Harlow District Council Officers and;
- East Herts District Council Officers

In addition to EFDC, as noted above, officers from East Herts and Harlow District Councils also attend so to, in part, ensure a basis for the consideration and consistent implementation of utilities and statutory providers' approaches across the Districts.

It is recommended that representatives from 'Places for People' (re: Gilston Park Estate in East Herts) be invited to the existing EFDC Developer Forum (note: the East Harlow site is already represented as the same promoter/landowner already attends for that part of the site within EFDC) and to attend meetings as appropriate to ensure joint planning of the Garden Town

- b) Workstreams of the Garden Town Project Team (with associated consultant leads)
- c) Stakeholder fora and/or groups

2.6 Figure 1, below shows the interaction between these groups. The remainder of this section summarises the role of each group, and their interactions with each other in further detail.



Garden Town Co-op Member Board

- 2.7 The existing Co-operation for Sustainable Development board (the Co-op board), is a joint member body established in 2014 with elected members from EFDC, EHDC, HDC, Uttlesford District Council, Brentwood Borough Council, Broxbourne Council, Chelmsford City Council, LB Redbridge, LB Havering, Enfield Council, Waltham Forest Council and the GLA. Other key bodies and organisations necessary to support the work of the Board, such as Lee Valley Regional Park Authority, City of London (Conservators) and Natural England, the Environment Agency, Highways England, either through direct support/advice or through joint projects are also involved. This body currently has responsibility for administering and facilitating joint-working on strategic cross boundary matters affecting the area. The Chair of the existing Co-op board is rotated, and the Leader of East Herts District Council is the current chair. From July 2017 the Board will be Chaired by Harlow District Council.
- 2.8 It is proposed that a sub-group of the Co-op board be established to consider issues specifically associated with the Harlow and Gilston Garden Town - the Garden Town Member Board. It is recommended that this should consist of members from East Herts, Harlow, EFDC, Essex County Council, Herts County Council and Uttlesford (noting that Uttlesford would attend in an 'observation non-voting' capacity and that whilst Uttlesford do not have sites in the Garden Town much of the work that will be undertaken relates to Uttlesford e.g transport, FEMA, SHMA etc). The Garden Town Co-op Board would meet monthly, and as far as possible on the same dates as Co-op Board meetings, to ensure efficiency and maximise availability of members. On the month that the main Coop Board meetings also take place it is recommended that the Garden Town meeting takes place first for an hour and is then followed by the main meeting.
- 2.9 The Garden Town Co-op Board will be responsible for ensuring co-operation between the three Districts and two Counties (with Uttlesford) on the growth of Harlow and Gilston Garden Town. In addition, it is envisaged that the body would have decision making powers over the Garden Town project, allowing them to provide strategic project direction, guided by the Garden Town Officer Steering Group and Project Team (see below).

Garden Town Officer Steering Group

- 2.10 In line with the existing Co-op board, an Officer working group also exists, chaired by the Chief Executive of Epping Forest District Council. This working group deals largely with topics relating to the preparation of the Councils' respective new Local Plans, ensuring that cross boundary strategic planning matters are discussed and prepares papers for the Coop Board meeting.
- 2.11 It is proposed that a new, Garden Town Officer Steering Group is established to provide Officer direction for the Harlow and Gilston Garden Town. This would include Senior Officer representatives from each of the three Districts and two Counties (with Uttlesford to have a watching brief), as well as a representative of the Garden Town project Team (see below). The Garden Town Steering Group would co-ordinate its programme to ensure meetings take place prior to the Garden Town Co-op Board to allow for the outcomes to feed through efficiently to the elected members and decision makers.
- 2.12 The Garden Town Officer Steering Group would have responsibility for guiding the direction of the Garden Town and driving the project forward. In co-operation with the Project Team, they would guide the objectives and vision for the Garden Town; prepare, agree and coordinate the Garden Town work programme; review the outcomes of the individual workstreams; and manage and review positive engagement with developers and communities, including pre-application engagement on strategic planning applications.

Garden Town project Team

- 2.13 The Garden Town Project team would be responsible for setting, managing and delivering the workstreams required to facilitate the development of Harlow and Gilston Garden Town. This team is currently led by Paul Jarvis supported by a team from Ove Arup and Partners. The workstreams shown in the Figure one reflect the priority areas identified at the Joint Officer Workshop held in February 2017 - it is recognised that other important themes such as strategic infrastructure (physical, social and community), education and green infrastructure will also be progressed in parallel as the Project moves forward.

Garden Town Developer Forum

2.14 As set out in paragraph 2.5 above, an existing EFDC Local Plan Developer Forum is already established for the purposes of Local Plan making, which crosses all three districts and includes 'strategic sites' within its remit for discussion. The proposal is to utilise this forum, and to develop a sub-group – to include 'Places for People' - Gilston Park Estate - for discussion on the Harlow and Gilston Garden Town 'strategic sites'. This would include representatives of developers and other delivery partners for the Garden Town, including utilities and infrastructure providers, and County Council's (especially education and health).

2.15 It will also be necessary, as the project develops, to establish strong one-on-one relationships with developers and other delivery partners to ensure they and the Garden Town are working together towards common goals. These individual meetings are to commence shortly.

Stakeholder Groups

2.16 As identified from a case study review, the engagement of the wide range of relevant stakeholders will be central to successful delivery of the Harlow and Gilston Garden Town.

2.17 The range of stakeholders, includes the following:

- a) Local Community
- b) Parish Councils
- c) HCA

2.18 Arup is undertaking a wider stakeholder review with the Garden Town District Councils to ensure that any Garden Town-focused stakeholder engagement does not add to further 'consultation fatigue'. The range of stakeholders is evidently much wider than the non-exhaustive list noted above and it will be important to ensure that any Garden Town consultation where possible feeds into existing Local Plan and Neighbourhood Planning exercises.

2.19 It is not proposed that a separate community forum is established, but rather that a programme of community and stakeholder engagement is established to ensure the

community feel included in the development of the Garden Town. This may include presentations to Parish Councils, liaison with Neighbourhood Plan groups, drop-in sessions for local residents and the setting up of a website, and possibly newsletter and email list. Community engagement will be particularly important at the early stage for the Spatial Vision and Design Charter workstream, and as the strategic Masterplans are developed.

3. Project Programme

3.1 Having regard to the various project workstreams, Arup has prepared an interim project programme. This is a live document that will be regularly updated with progress report to each Co-operation for Sustainable Development Garden Town Member and Officer Group meetings.

3.2 A summary of key dates / workstreams is as follows:

a) *Interim Governance and Delivery Structure:*

- i. Proposal for Initial Sub-Group arrangement(s) presented to Board **26 June**
- ii. Subject to Member approval, the preparation of Terms of Reference and detail on meeting arrangements to be completed by **07 July**
- iii. Harlow and Gilston Garden Town Officer comments and amendments by **12 July**
- iv. Reporting to Officer Sub-Group **20 July**
- v. Reporting to Member Sub-Group **31 July**

b) *Establishing Quality Review Panel:*

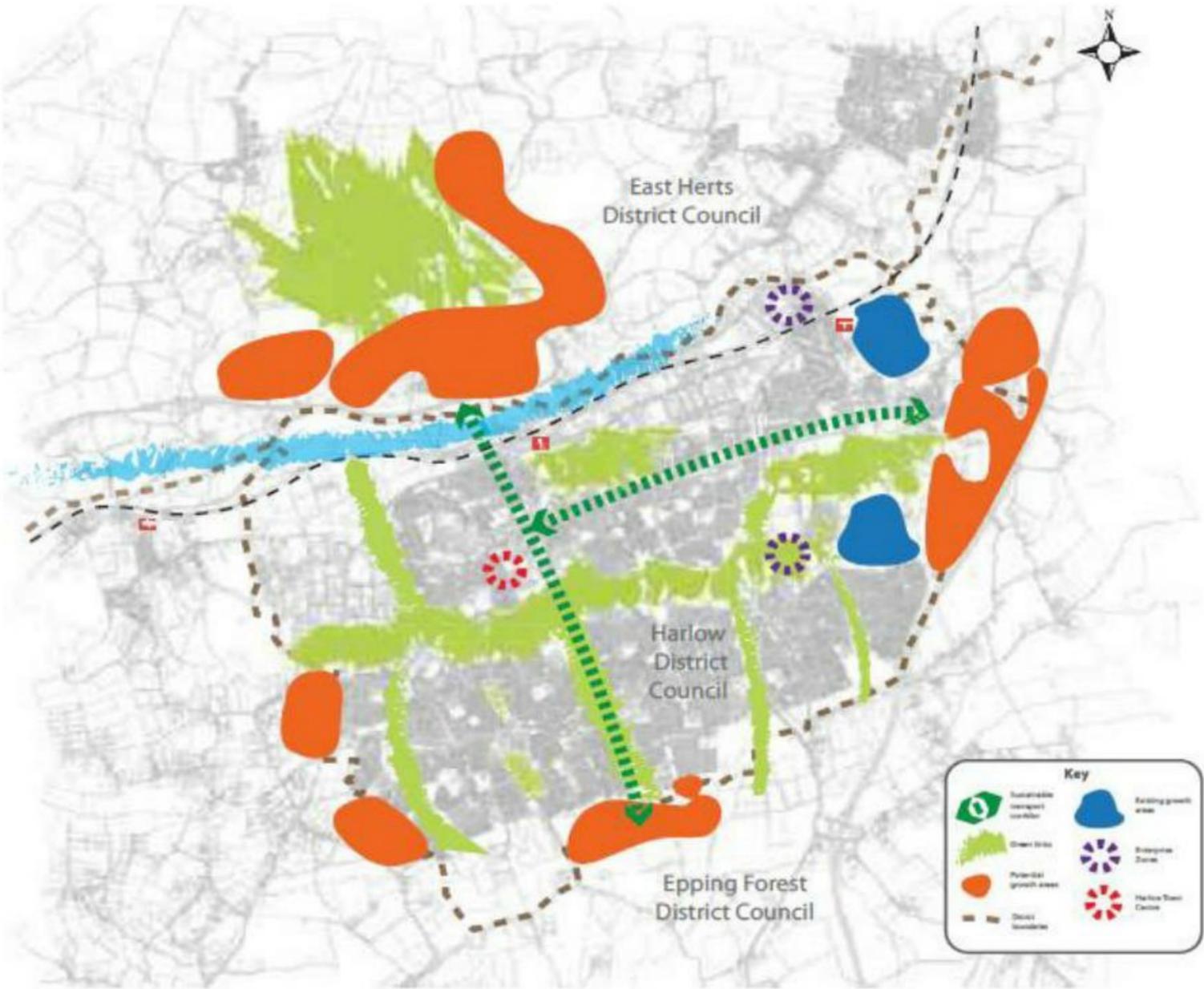
- i. Briefing Note to Officer Sub-Group **20 July**
- ii. Reporting to Member Sub-Group **31 July**
- iii. Advertise for supplier to manage panel process – complete by **14 August**
- iv. Interviews by **22 August**

- v. Appointment by **29 August**
 - vi. Further report to Member Sub-Group **16 October**
- c) *Brief for Sustainable Transport Corridor*
- i. Update for the Co-Op for Sustainable Development Member Group **26 June**
 - ii. Tender period complete **28 July**
 - iii. Interviews by **07 August**
 - iv. Appointment **10 August**
- d) *Website Templating*
- i. Officer Sub-Group review of briefing note complete by **10 August**
 - ii. Tender period for suppliers complete by **26 September**
 - iii. Appointment **by 31 October**

4. Preparation of a Sustainable Transport Corridor Concept and Feasibility Study Brief

- 4.1 All three Districts consider transport, and sustainable transport measures (including walking, cycling and public transport) as central to the successful growth of the Harlow and Gilston Garden Town. The Councils share an ambition to create sustainable transport corridors as part of managing overall travel demand and linking new communities and Enterprise Zones through a choice of transport modes.
- 4.2 As part of this vision, the Councils recognise it is essential to provide a robust and deliverable policy framework to promote and deliver a step change in sustainable travel, and to manage overall travel demand. For example, early delivery of a second River Stort crossing is essential to facilitate a north-south sustainable travel corridor, significant modal shift and wider network benefits to Harlow and Gilston Garden Town.
- 4.3 Two indicative Sustainable Transport Corridors are already identified in emerging Local Plans – these run North-South and East-West through Harlow to provide the

connectivity required to support growth of the Garden Town. It is expected that these will form the starting point for the consideration of sustainable transport in the area – see the indicative pan below:



- 4.4 Arup is preparing a brief for the undertaking of a Sustainable Transport Corridor Concept and Feasibility Study for the Harlow and Gilston Garden Town and is liaising with Allies and Morrison Urban Practitioners to ensure the Spatial Vision and Design Charter workstream ties in with this Brief. The purpose is to provide recommendations for an integrated package of sustainable travel infrastructure improvements (and traffic management) in and around the Harlow and Gilston Garden Town area.

- 4.5 The study outputs should help to inform an integrated and accessible transport strategy, in line with Garden City principles, with walking, cycling and public transport designed to be the most attractive forms of local transport. It is envisaged that the study will also help to unlock additional transport capacity, which would otherwise prevent economic growth and development. The development of sustainable

transport corridors must also be underpinned by consideration of the strategic network of green wedges and green fingers which are set out in Gibberd's original vision for Harlow.

5. Establishing a Design Review Panel

- 5.1 Arup is also tasked with a review of options for the establishment of a Quality Review Panel with the objective of embedding high quality design into emerging proposals in a consistent way across the Garden Town. If, as expected, the Design Review Panel process is successful in raising the quality of design in the planning process and secures development of the highest quality then it is envisaged that the Harlow and Gilston Garden Town model could be adopted across the three Districts as a tool for early engagement as part of the planning process masterplanning and pre-application stages. By engaging at an early stage, design teams and applicants can help to reduce the uncertainty and therefore risk at the decision making stage.
- 5.2 In order to ensure 'placemaking' and a consistent design message across the Garden Town, Arup will be coordinating the Quality Review Panel workstream alongside the preparation of the Spatial Vision and Design Charter that is being progressed by Allies and Morrison Urban Practitioners. Design panels are already well established across England at national, regional and local levels and provide an independent, expert assessment of architectural proposals and are now an essential part of the planning process.
- 5.3 Arup is reviewing a number of models and will be reporting on their recommendations in July 2017.

Terms of Reference¹

Co-operation for Sustainable Development Board

October 2014

1. Aims and Objectives

(1) The Co-operation for Sustainable Development Board will support Local Plan making and delivery for sustainable communities across geographical and administrative boundaries in West Essex, East Hertfordshire and the adjoining London Boroughs. It will do this by identifying and managing spatial planning issues that impact on more than one local planning area within West Essex, East Herts and the adjoining London Boroughs.²

- 1.1 Local authorities are required by law through the Duty to Cooperate to ‘*engage constructively, actively and on an on-going basis*’ on planning matters that impact on more than one local planning area (‘strategic planning matters’). The duty is further amplified in the National Planning Policy Framework (NPPF) which sets out the key ‘strategic priorities’ that should be addressed jointly³.
- 1.2 The Co-operation for Sustainable Development Board (‘the Board’) is responsible, on behalf of the core member authorities, for identifying the sustainable development issues that impact on more than one local planning area and agreeing how these should be managed (covering the whole local plan cycle from plan-making, through to delivery and monitoring). This may include evidence gathering. It is an advisory body, and any decisions resulting from its advice remain the responsibility of its constituent councils.
- 1.3 As part of this process, the Board will review cross boundary issues (strategic planning matters) being progressed through emerging local plans and constituent Local Development Frameworks documents as appropriate, and identify issues which are likely to be vulnerable in the legal tests applied under the Duty to Cooperate. In doing so it will consider the plans of local planning authorities outside the core membership where these are likely to impact upon more than one member authority.⁴

¹ These initial terms of reference are expected to be reviewed and updated at the start of each municipal year.

² The core constituent administrative areas are identified as Epping Forest, Harlow and Uttlesford districts, Brentwood Borough, Chelmsford City and Essex County Council, East Herts and Broxbourne districts and Hertfordshire County Council, and the London Boroughs of Waltham Forest, Redbridge and Enfield.

³ ‘Strategic priorities’ that local planning authorities have a duty to cooperate on are defined in Paragraph 156 of the National Planning Policy Framework (NPPF).

⁴ Initial identification of cross boundary issues will arise from the NPPF, NPPG and from issues identified at member workshops in 2014, but are expected to change as new issues arise.

(2) The Board will support better integration and alignment of strategic spatial and investment priorities in West Essex, East Herts and adjoining London boroughs, ensuring that there is a clear and defined route through the statutory local planning process, where necessary.

- 1.4 In order to support the economic growth points within the area and investor confidence, recognising the different attributes and contributions made by the individual member councils, the Board will work jointly with the Local Economic Partnerships identified in Section 4 to understand long term investment priorities and ensure that these are aligned with other public and private sector investment plans.
- 1.5 Initially the Board will seek to understand work that is already underway which is relevant to the Board's strategic planning role.

2. Membership and Accountabilities

- 2.1 The Board provides a forum for local authorities to manage issues that impact on more than one local planning area, developing the necessary evidence base and ensuring wider corporate and other relevant matters are fully taken into account. Although there is a clear emphasis on reaching a common approach on key strategic approaches, the Board is an advisory body only. Any decisions on taking forward outputs from its meetings and work programme (e.g. shared views, policy approaches, evidence or research) will be the responsibility of individual local authorities and the statutory planning process.
- 2.2 Core membership of the Board will comprise representatives from Epping Forest, Harlow and Uttlesford districts, Brentwood Borough, Chelmsford City and Essex County Council, East Herts and Broxbourne districts and Hertfordshire County Council, and the London Boroughs of Waltham Forest, Redbridge and Enfield. The GLA will be given Observer status and will be sent minutes of meetings and invited to engage at appropriate times.

Each core member authority will be invited to contribute to the work programme and to consider strategic planning issues that impact on the wider area. Other authorities may be invited to attend on an occasional basis if an issue being considered is likely to have a significant impact on the authority's planning area. Each core member authority will be represented on the Board by the relevant holder of the Planning portfolio or Leader as appropriate, to ensure confidence of authority and commitment to resources.⁵ Officers may attend meetings in support of members.
- 2.3 Regular feedback and briefing to the constituent members' political and corporate leadership is the responsibility of member representatives, and should be used as a way of ensuring wider ownership and support for the Board's work as it progresses. There should also be appropriate liaison between the local authority representatives of both the Board and the South East, Hertfordshire, Greater Cambridge and Greater Peterborough Local Economic Partnerships, and London Enterprise Panel

⁵ Councils will identify their lead member

- 2.4 The Chairman of the Board will be appointed on a rotating basis which should be reviewed at least annually to ensure fair and equal opportunities amongst the constituent member authorities. Officers of the Chairman's authority will provide administrative and clerical support to meetings.

3. Ways of Working

- 3.1 Refer to Diagram in Annex 1 for details of initial working arrangements. The Board will agree a work programme, including steering and management arrangements for each project, on an annual basis. This could include setting up 'task and finish' groups for specific projects, either reporting directly to the Board or on a shared basis with other bodies. The Board will meet regularly, as required and its meetings will rotate between Harlow, Epping Forest DC and East Herts Councils as the most convenient locations for all. In the interests of transparency, notes of the Board's meetings will be publicly available once they have been agreed.
- 3.2 The Co-operation for Sustainable Development Officer Group will provide either direct advice or support, and/or deliver agreed projects.
- 3.3 Once the work programme has been established, good project management principles should be applied, such as risk management, particularly around political sensitivities and funding, and keeping the work programme under review to ensure that it is meeting the agreed objectives and the identified priorities remain relevant.

4. Key relationships

- 4.1 **South East Local Economic Partnership:** The Board will work closely with SELEP to ensure the long term integration of strategic planning and investment priorities. The LEP plays a key support role on economic development and regeneration and is responsible for major funding streams. It is also identified in Local Planning Regulations as a body that local authorities need to take account of in meeting its 'duty to cooperate' obligations.
- 4.2 **Hertfordshire LEP:** The Board will work closely with Hertfordshire LEP to ensure the long term integration of strategic planning and investment priorities. The LEP plays a key support role on economic development and regeneration and is responsible for major funding streams. It is also identified in Local Planning Regulations as a body that local authorities need to take account of in meeting its 'duty to cooperate' obligations.
- 4.3 **Greater Cambridge and Greater Peterborough LEP:** The Board will work closely with GCGP LEP to ensure the long term integration of strategic planning and investment priorities. The LEP plays a key support role on economic development and regeneration and is responsible for major funding streams. It is also identified in Local Planning Regulations as a body that local authorities need to take account of in meeting its 'duty to cooperate' obligations.
- 4.4 **London Enterprise Panel** – this acts as the Local Economic Partnership for London.
- 4.5 **East Herts West Essex Border Liaison Group:** this is an established forum for members from many of the core Board authorities to come together and

discuss issues of common interest several times a year. Its terms of reference specifically include reference to the duty to co-operate. Its wide membership (in terms of the number of elected members invited from the constituent authorities) means that it provides a useful forum for the Board to communicate on its activities, and receive updates on issues. The Chairman of the Board or an agreed member should report to each meeting of the EHWEBLG.

- 4.6 **London Stansted Cambridge Consortium:** this is an established partnership of public and private sector organisations, including councils, which covers the area from Tech City, the City Fringe, Kings Cross, and the Olympic Park, up through the Lee Valley and M11/A10 and West Anglia Rail corridors to Harlow and Stansted, and through to Cambridge. The principal objective of the consortium is to drive economic development and enhance quality of life in the north London – Stansted – Cambridge corridor. This means not only driving job growth through productivity and investment, but more importantly increasing economic activity, by ensuring local communities access employment opportunities.
- 4.7 **Other Key Partners:** A number of key bodies and organisations will be necessary to support the work of the Board either through direct support/advice or through joint projects. Most of these will be subject to the legal requirements of the ‘duty to cooperate’ and may well already be involved in the other partnerships mentioned above. Key bodies include the Lee Valley Regional Park, the Corporation of the City of London (responsible for Epping Forest), the Environment Agency, Highways Agency, and Homes and Communities Agency. Private sector infrastructure providers, particularly utility companies, will also be key partners particularly in terms of ensuring alignment between investment plans and priorities.

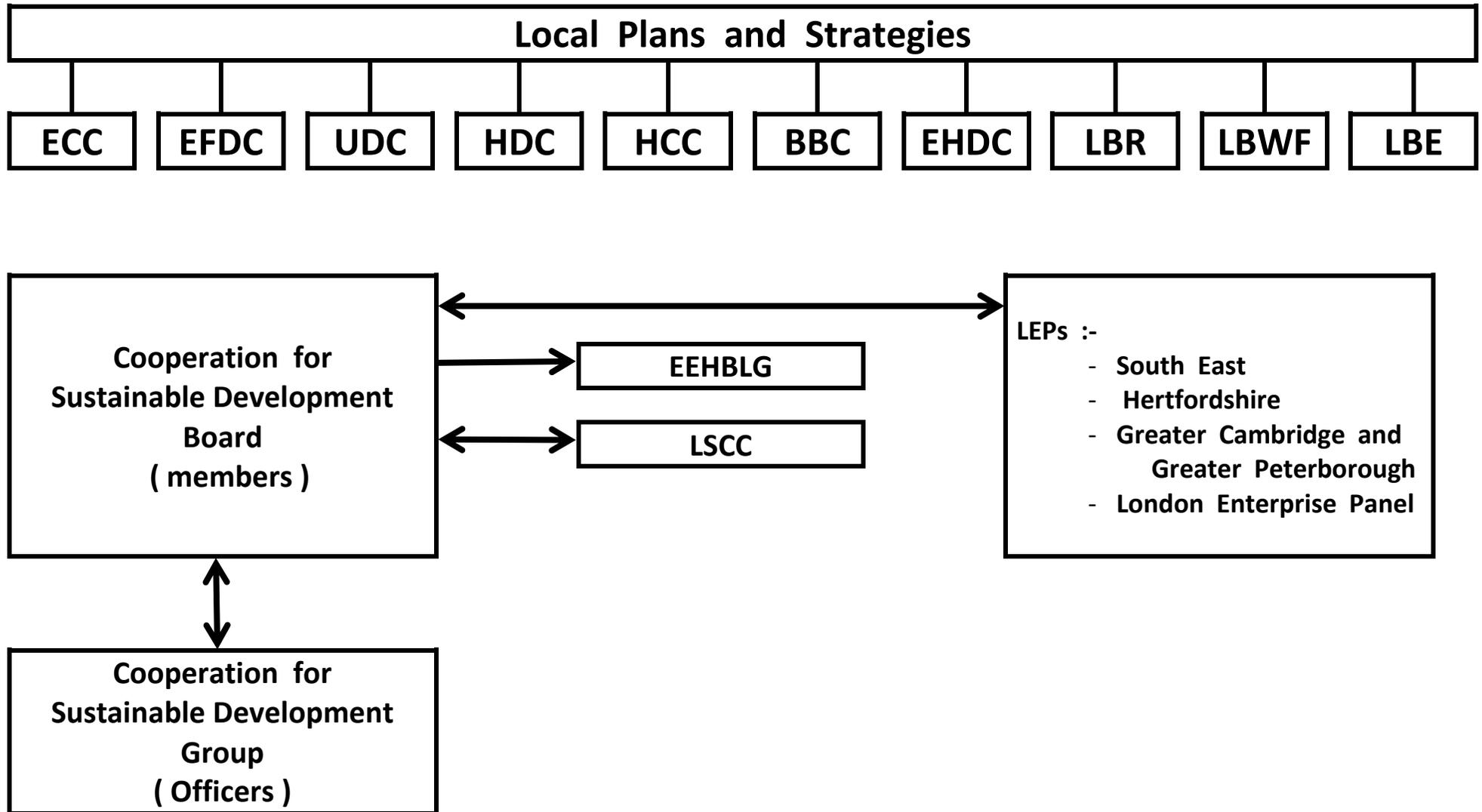
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- 5.2 A representative of the officer group (the chairman or a suitable substitute) will attend the Board meetings and provide regular progress updates on the work programme to the Chairman.

6. Review

- 6.1 These are initial terms of reference, and will be formally reviewed before May 2015. It is important to keep arrangements flexible to respond to changes in planning policy, priorities and work programmes and to move forward from plan policy development stages to implementation. It is therefore anticipated that the terms of reference will continue to be reviewed annually.

ANNEX 1



Appendix F: Cooperation for Sustainable Development Board – List of Meetings and key matters considered:

- [27 January 2015 - Key matters: Further Alterations to London Plan, SHMA](#)
- [16 March 2015 - Key matters: SHMA update](#)
- [3 June 2015 - Key matters: ToR, SHMA update, Economic matters](#)
- [22 September 2015 - Key matters: SHMA and joint economic work, LSCC](#)
- [26 October 2015 - Key matters: Joint strategic growth options, Junction 7a funding](#)
- [4 December 2015 - Key matters: Highway issues considered, Crossrail 2](#)
- [7 March 2016 - Key matters: Strategic Site options, Transport update, Developing MOU's](#)
- [19 April 2016 - Key matters: PAH briefing, update on strategic sites](#)
- [6 June 2016 - Key matters: Consideration of 3 MOU's, Garden Town expressions of interest](#)
- [18 July 2016 - Key matters: Strategic sites presentation, MOU's update](#)
- [12 September 2016 - Key matters: Agreement of MOU's, Strategic options testing](#)
- [19 December 2016 - Key matters: J7a update, PAH updates, signing of MOU's](#)
- [23 January 2017 - Key matters: Garden Town bid, affordable housing across area](#)
- [27 February 2017 - Key matters: Distribution of OAHN MOU, Garden Town Officer post](#)
- [20 March 2017 - Key matters: MOU update, FEMA MOU work](#)
- [24 April 2017 - Key matters: Garden Town update, Broxbourne LP, Water capacity](#)
- [22 May 2017 - Key matters: MOU update, Water Cycle Study update](#)
- [26 June 2017 - Key matters: FEMA update, EA response on water capacity, Garden Town governance arrangements](#)
- [31 July 2017 - Key matters: update on London Plan, Harlow and Gilston Garden Town](#)
- [18 September 2017 - Key matters: Community led housing](#)
- [9 October 2017 - Key matters: HIF bid, Strategic site east of Harlow, E Herts Examination](#)

Harlow and Gilston Garden Town Board

Terms of Reference

Agreed 23rd July 2018

1. The Board is called the **Harlow and Gilston Garden Town Board**.
2. Its purpose is to:
 - to provide strategic leadership and oversight to the Garden Town project
 - to set and steer the project's direction and to monitor progress
 - to review the project's direction and objectives on an annual basis
 - to have responsibility and authority for the overall delivery of the project through the workstreams
 - to ensure there is effective community and stakeholder engagement in accordance with the consultation framework
 - to resolve issues and enable progress to be made
 - to agree proposals and make the decisions needed to progress the project
 - to make recommendations through the formal decision-making process of the various organisations represented on the Board
 - to ensure that appropriate resources are in place to deliver against the plan, programme and priorities and to co-ordinate the public-sector contribution to the delivery of key elements of the programme including the use of available GT capacity, or other relevant funding.
 - to provide a co-ordinated position/response to consultations and policy announcements that impact on the effective delivery of the GT vision and principles and to co-ordinate and ensure 'upwards' high level GT input into existing and/or emerging sub-regional/regional forums.
 - to champion the Harlow and Gilston Garden Town proposals and lobby for the required funding (both capacity funding and infrastructure funding) to deliver the project.
3. The Board will have an independent Chair for a 3-year tenure.
4. Board membership will be comprised as follows:
 - One Councillor from each authority (East Herts, Epping Forest, Harlow District Councils, Essex and Herts Counties) – (with voting and decision-making capacity)
 - One Chief Exec or senior manager from each authority (advisory capacity)
 - One health workstream representative (with voting and decision-making capacity)

- One representative from the business community - identified through the economic development workstream (with voting and decision-making capacity)
- One skills and education representative - identified through the economic development workstream (with voting and decision-making capacity)
- One representative from Homes England (advisory capacity)

5 The meeting will also be attended by the following people, but they will not be formal members of the Board:

- One Councillor from Uttlesford Council with officer support (advisory status)
- One Councillor from Broxbourne Council with office support (advisory status)
- Deputy Councillor representatives from East Herts, Epping and Harlow District Councils and Essex and Hertfordshire County Councils (observer status)
- The Garden Town Director, Project Planner and Project assistant (advisory capacity)

6 Other people may attend the meetings where appropriate:

- Up to two technical advisors from each authority (advisory capacity)
- Consultants may also be invited to attend meetings to present reports/studies to the Board and to provide technical advice
- Community representatives may be invited to attend meetings when relevant items are being considered
- Ward Councillors will be invited to attend meetings when specific masterplans are being considered
- Developer representatives may be invited to attend the meetings to present their masterplans to the Board as necessary
- Representatives from the Herts and SE LEPs and the LSCC will be invited to attend as observers/advisors
- There will be an open invitation to the local MPs

7 The Board will have no formal decision-making powers but will make recommendations back to the members' parent organisations. A schedule of Board decisions required will be developed, along with an indication of when formal Council or partner organisation decisions are needed.

- 8 Voting rights at meetings – Board members with voting rights will be the three District Cllrs and two County Cllrs as well as the health, business and skills and education representatives. Officers will not have voting rights.

Cllr deputies will have voting rights if they are substituting for their lead Cllr in his/her absence.

If no Cllrs are present from an Authority at any meeting, that Authority will not have voting rights at the meeting.
- 9 Board agendas, minutes and papers will be published on the Garden Town website. Confidential papers will be exempt from publication.
- 10 The Board will meet bi-monthly and that meetings commence at 6.30pm and finish at 8.30pm.
- 11 Informal seminars and workshops may be arranged in between the formal bi-monthly meetings.
- 12 Should urgent issues arise; the Chair can call an urgent Board meeting and the Board can also meet virtually.
- 13 The meetings will be held at venues within the Garden Town area.
- 14 The Board will be supported by the Garden Town team.

Training and development and Team building

A programme of informal training seminars/workshops will be put together to help members to understand the technical details of the project and to support them to make decisions. These seminars will be aligned to the decisions set out in the forward plan and members can also suggest subjects for training seminars or workshops.

An independently facilitated team building away day session will be held on an annual basis to help the Board members to develop their team working skills and to facilitate collaborative work on key project issues.

Garden Town Member Board- List of Meetings

10 September 2018

23 July 2018

18 June 2018

30 April 2018

26 March 2018

19 February 2018

22 January 2018

11 December 2017

13 November 2017

9 October 2017

18 September 2017