

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:



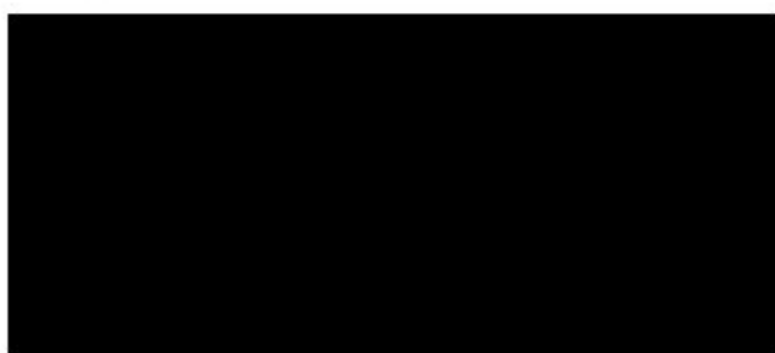
Designation: Portfolio Holder Planning and Governance

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.

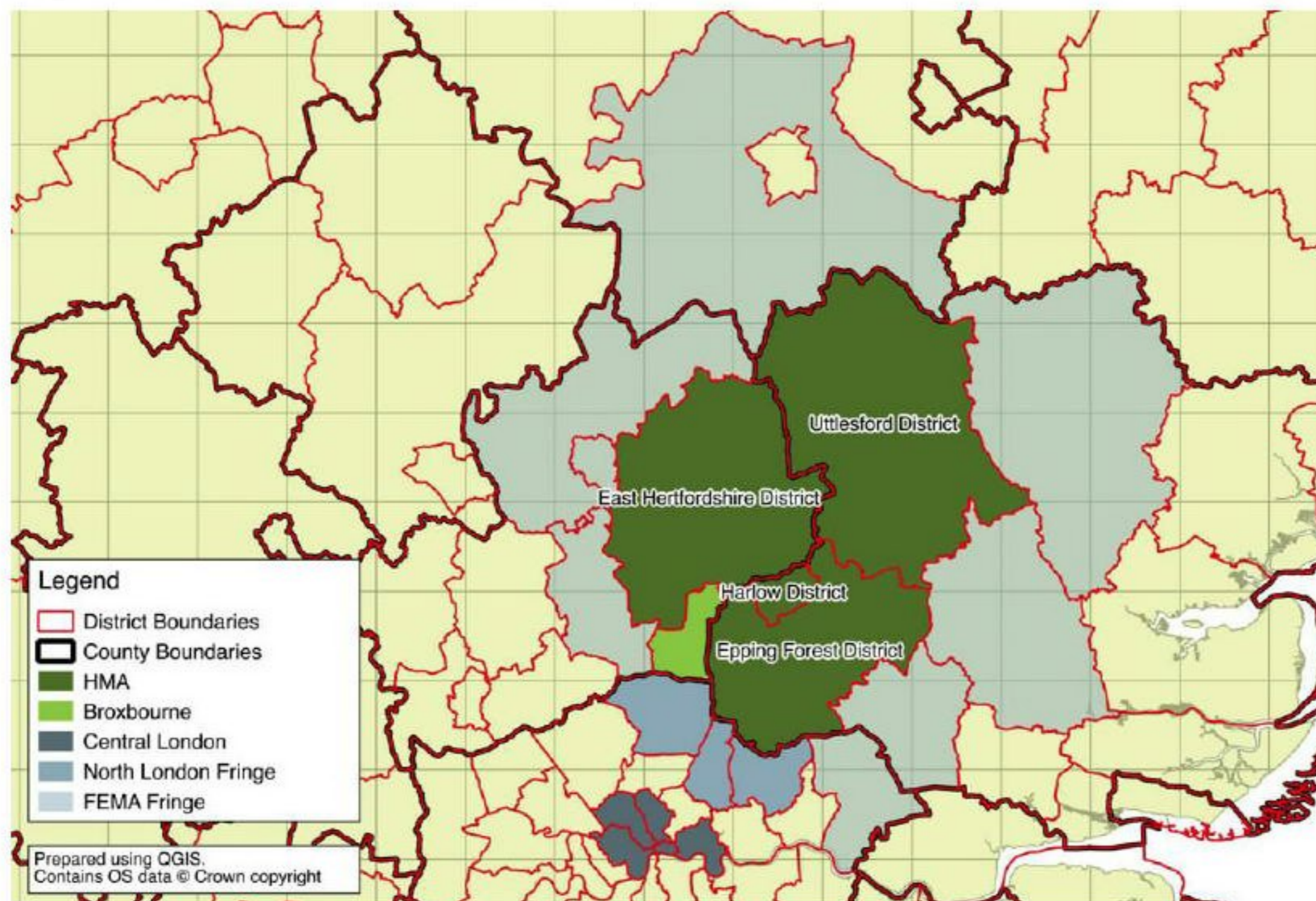
The West Essex / East Hertfordshire SHMA area is not a self-contained FEMA. Whilst the immediate boundaries of the core local authorities are porous, London is a significant economic driver that extends the FEMA beyond the four local authorities' SHMA boundary.

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.

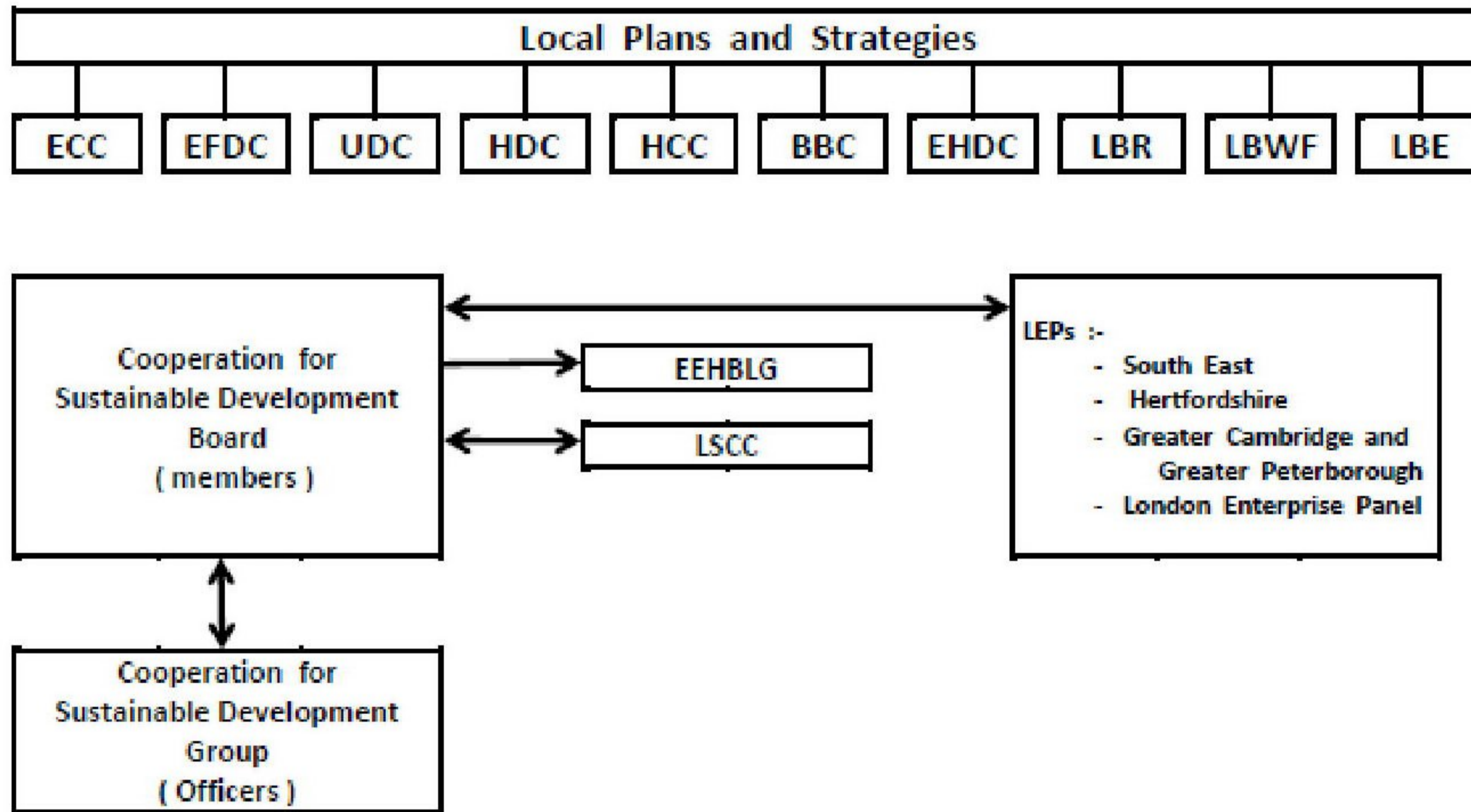
- 4.6 **London Stansted Cambridge Consortium:** This is an established partnership of public and private sector organisations, including councils, which covers the area from Tech City, the City Fringe, Kings Cross, and the Olympic Park, up through the Lee Valley and M11/A10 and West Anglia Rail corridors 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

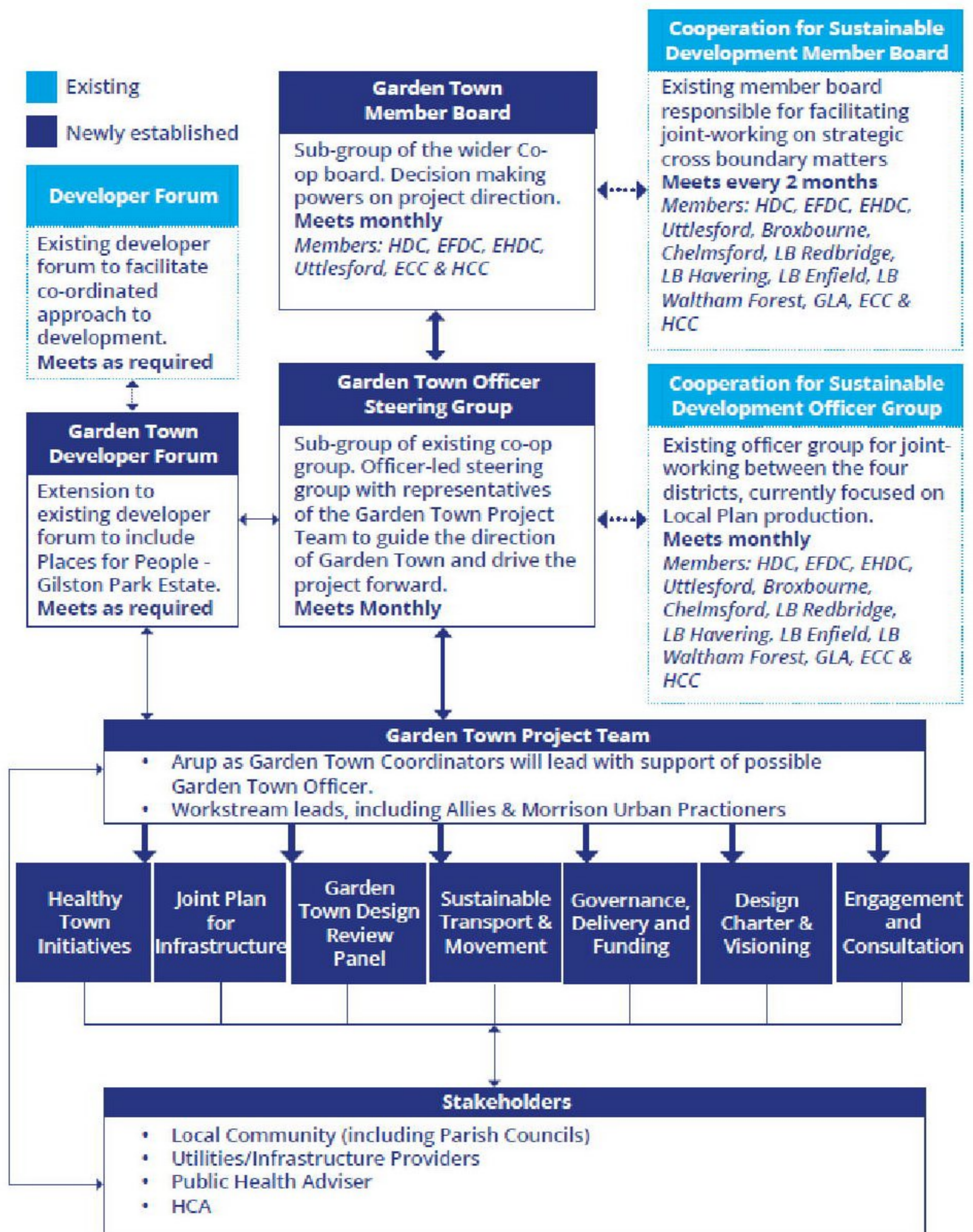
- Promoters / landowners / planning agents of strategic sites around Harlow
- EFDC Officers – including Planning Policy, Development Management, Conservation, Housing, Environmental Health and others as required
- Essex County Council Officers – including Planning, Transport, Education and others as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

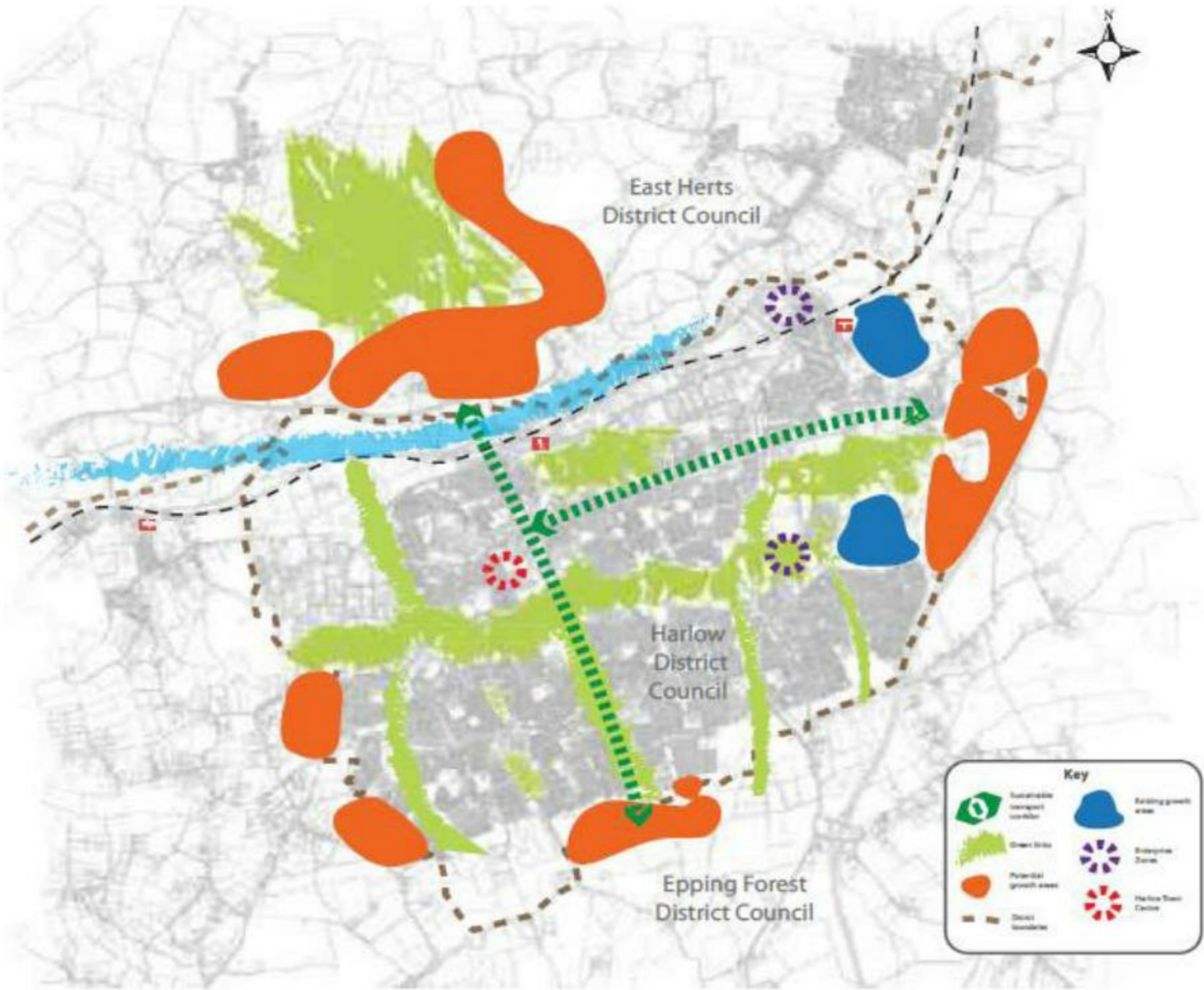
- i. Briefing Note to Officer Sub-Group **20 July**
- ii. Reporting to Member Sub-Group **31 July**
- iii. Advertise for supplier to manage panel process – complete by **14 August**
- iv. Interviews by **22 August**

- 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.

