

**MINUTES OF THE MEETING OF THE TENDRING/COLCHESTER BORDERS
GARDEN COMMUNITY JOINT COMMITTEE,
HELD ON THURSDAY, 1ST MAY, 2025 AT 6.48 PM
IN THE ROMAN LOUNGE, COLCHESTER RUGBY CLUB, RAVEN PARK, CUCKOO
FARM WAY, COLCHESTER, CO4 5YX**

Present:	Councillors David King (Chairman) (Colchester City Council), Lee Scott (Deputy Chairman) (Essex County Council), Andy Baker (Tendring District Council), Mark Cossens (Tendring District Council), Carlo Guglielmi (Tendring District Council), Andrea Luxford-Vaughan (Colchester City Council), Mark Platt (Essex County Council) and Julie Young (Colchester City Council)
Also Present:	Councillors William Sunnucks (Colchester City Council) (except items 8 and 9) and Zoe Fairley (Tendring District Council)
In Attendance:	Lisa Hastings (Corporate Director (Law & Governance) & Monitoring Officer - TDC), Gary Guiver (Corporate Director (Planning & Community) - TDC), Andrew Weavers (Head of Governance & Monitoring Officer - CCC), Jonathan Schifferes (Head of Housing Growth and Garden Communities - ECC), Christopher Downes (Garden Communities Manager - ECC), Paul Wilkinson (Principal Transportation and Infrastructure Planner (New Communities) - ECC), Amy Lester (Garden Community Planning Manager - TDC), Ian Ford (Democratic Services Manager - TDC) and Bethany Jones (Democratic Services Officer- TDC)
Also in Attendance:	Lindsay Barker (Deputy Chief Executive - CCC), Laura Hardisty (Head of Communications - CCC), Fiona Hunter (Senior Planning Officer (TCB Garden Community) - TDC) and Catherine Gardner (Programme Support Officer - CCC)

1. ELECTION OF THE CHAIRMAN OF THE JOINT COMMITTEE

In response to a question from Councillor Luxford-Vaughan, Andrew Weavers, Colchester City Council's Head of Governance and Monitoring Officer, confirmed that there was no bar preventing a member of Essex County Council from being elected the Chairman of this Joint Committee.

It was moved by Councillor Guglielmi, seconded by Councillor King and:-

RESOLVED that Councillor Scott be elected the Chairman of the Joint Committee for the 2025/2026 Municipal Year.

2. ELECTION OF THE DEPUTY CHAIRMAN OF THE JOINT COMMITTEE

It was moved by Councillor Scott, seconded by Councillor Baker and:-

RESOLVED that Councillor Guglielmi be elected the Deputy Chairman of the Joint Committee for the 2025/2026 Municipal Year.

3. CHAIRMAN AND DEPUTY CHAIRMAN FOR THIS MEETING

Following a proposal put forward by Councillor Guglielmi, the Joint Committee:-

RESOLVED that the elections to the offices of the Chairman and Deputy Chairman of this Joint Committee made under Minutes 1 and 2 above would take effect from the end of this meeting.

Therefore, for the duration of this meeting, Councillor King occupied the chair and acted as Chairman and Councillor Scott acted as Deputy Chairman.

4. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

An apology for absence was submitted on behalf of Councillor Lesley Wagland (ECC). The County Council's designated substitute member, Councillor Mark Platt, attended in her stead.

5. MINUTES OF THE PREVIOUS MEETING OF THE JOINT COMMITTEE

It was moved by Councillor Baker, seconded by Councillor Cossens and:-

RESOLVED that the Minutes of the meeting of the Joint Committee held on Thursday 5th September 2024 be approved as a correct record and be signed by the Chairman.

6. DECLARATIONS OF INTEREST

There were no Declarations of Interest made by Members of the Joint Committee on this occasion.

7. REPORT A.1 - DEVELOPMENT PLAN DOCUMENT - ADOPTION

The Joint Committee considered a detailed report (A.1) that sought the Joint Committee's recommendation that the Tendring / Colchester Borders Garden Community (TCBGC) Development Plan Document (DPD), with specific modifications, be formally adopted by Tendring District Council and Colchester City Council ("the Councils"). This followed receipt of the Planning Inspector's final examination report.

It was reported that, following examination hearings in May 2024, and consultation on the recommended Modifications in September/October 2024, the Planning Inspector had issued his Final Report (Appendix 1) on the soundness and legal compliance of the DPD. With the incorporation of the Inspector's final set of Main Modifications (Appendix 2), the DPD had been found to be sound and legally compliant. This conclusion to the examination now gave the Councils the ability and authority to proceed to formally adopt the Plan.

It was believed that the adoption of the DPD would provide an up to date, robust and sustainable basis for guiding future growth and development within the Garden Community – with future planning applications being considered and determined, by the Joint Committee, against the policies and proposals within the DPD in decision-making.

The Joint Committee was advised that the modifications required by the Inspector did not depart substantially from those that had been reported to the Joint Committee on 5th September 2024 and subsequently published for consultation. The Inspector had however highlighted four Main Modifications as being of particular significance within the summary of his report, those being:-

- *Amending GC Policy 1 to clarify that should the provision of the Park and Choose facility be located south of the A133 it should not prejudice the full and comprehensive expansion needs of the University of Essex (UoE) (MM11);*
- *Amending GC Policy 2 to ensure that the minimum requirement of 10% Biodiversity Net Gain (BNG) was met across the masterplan area as required by current legislation (MM90);*
- *Amending GC Policy 7 to ensure that the DPD carried forward the requirements of the North Essex Authorities' Shared Strategic Section 1 Plan 2021 (NEASSS1P) to secure funding and delivery of the Rapid Transit System (MM60); and*
- *Removing reference to a potential future Community Infrastructure Levy ('CIL') charging schedule, which would be subject to a separate independent examination (MM91).*

In addition, it was reported that four proposed Modifications that had been the subject of consultation, had been removed by the Inspector from his final Main Modifications namely MM14 to MM17 which related to amendments to the Policies Map. Those had been removed as the Policies Map was not defined in statute as a Development Plan Document and therefore the Inspector did not have the power to recommend Main Modifications to it. Notwithstanding this, those changes were required to correct typographical errors and ensure that the relevant policies were effective, and the Inspector had noted the need to implement those changes. The Policies Map would therefore still be updated accordingly to reflect the changes that had been published for consultation.

Members were informed that except for the above noted removal of MM14 - MM17 from the recommended Modifications relating to the Policies Map, all other Main Modifications recommended by the Inspector had remained consistent with those published for consultation. The Main Modifications ensured that the plan was positively prepared, justified, effective and consistent with national policy. The DPD had therefore been modified to reflect the Inspector's Main Modifications, and the Joint Committee was asked to recommend to Full Council at Tendring District Council and Colchester City Council its formal adoption.

The report was introduced by way of a presentation given by Amy Lester, the Garden Community Planning Manager. That presentation covered the following:-

- (1) Introduction and purpose of the report;
- (2) Inspector's Main Modifications;
- (3) The four principal highlighted modifications;
- (4) Importance of Adoption;
- (5) Risks of delay or non-adoption;
- (6) Key milestones and next steps; and
- (7) The Officers' recommendations.

The Public Speaking Scheme for the Joint Committee gave the opportunity for members of the public and other interested parties/stakeholders to speak to the Joint Committee on any specific agenda item to be considered at this meeting.

The Chairman accordingly invited the following public speakers to come to the table in turn to speak. Their comments are in precis.

Russ Edwards (Project Director for TCBGC – Latimer by Clarion Housing Group)

- *Was speaking in favour of the DPD and urged Members to support the recommendation before them.*
- *Latimer was supportive of the DPD and agreed that it provided sound and robust policies for this nationally important project.*
- *Latimer's masterplan follows the principles of the DPD and the spatial framework outlined.*
- *Latimer was currently engaged in the final pre-submission round of public engagement which was intended to demonstrate how the proposals had responded to previous rounds of engagement whilst starting to give more details on the first homes, employment spaces, community buildings and early open space.*
- *This was a key milestone. Latimer expected to submit the hybrid planning application in the summer and once the DPD was adopted they would continue to work with Officers and Members in a constructive and engaged manner to ensure that the application was in accordance with the DPD and the public's expectations of such a critical project.*

Rik Andrew

- *Wanted to raise two key issues which arose from the Inspector's report that needed to be addressed.*
- *Firstly, the Link Road which was an essential prerequisite of this development. Its main purpose was to relieve westbound congestion on the A133 as most GC commuters would travel west. The GC commuters had to be able to exit westbound on the A120 in the critical morning peak. The afternoon peak was not so critical.*
- *Secondly, the University as noted by the Inspector did have ample space for expansion within the existing site which could be seen by anyone who took a upper deck bus ride through the campus. The sports centre and any other required buildings could be accommodated on the large, mainly empty surface level car parks especially in the area of the Knowledge Gateway.*
- *However, the Inspector had failed to note that university expansion within the UK was a thing of the past. Universities all over the UK had closed courses and reduced staff as a result of UK students being unable to afford and a decline in overseas students due to difficulties in being able to bring their families with them.*
- *Some UK Universities were therefore being innovative and flexible and looking to provide new facilities in places such as India.*
- *Therefore, all references to university expansion should be deleted and this development plan should be solely concerned with this garden community.*
- *The point was that 2019 assumptions no longer applied in 2025.*
- *ECC Highways had proven to be inflexible when told that it could not have £100million to build a mile long road. They had not been prepared to consider flexible, less costly alternatives but had stuck rigidly to their original proposal.*

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- *Believed that there was an alternative, cheaper option proposed by the CLG. It would allow westbound traffic to exit via the A120 in phase one in the critical morning peak simply by opening two of the slip roads. No flyover or expensive earthworks. This would relieve the chronic congestion on the A133 in the morning peak rather than exacerbating it.*
 - *A responsible project manager would welcome that someone had come up with a reasonable, cost-effective affordable alternative to the original very expensive plan.*
 - *Further CLG's plan would be compatible with the long-term design. It would implement only those components that are actually needed in the short term.*
 - *The next step is to conclude a transport assessment which should seriously consider this alternative proposal. The assessment should be carried out by truly independent experts in this field and not by ECC Highways or Ringway Jacobs.*

Manda O'Connell (Chair, TCBGC Community Liaison Group)

- *Supported the adoption of the DPD but must have the full link road in place to meet all of the benefits and aspirational goals of the GC as was envisaged by the award of the original Housing Infrastructure grant by Homes England.*
- *Fully support the aspirational goals of active travel and employment targets within the GC but without a road link to the north eastern corner adjacent to the A120 which is designated for a business park and employment then this target is already defeated.*
- *Additionally, building only part of the link road would create a cul-de-sac which would adversely affect selling the GC houses when the A133 into Colchester is and is likely to remain severely congested and could deteriorate further despite the planned RTS. No westbound exit onto the A120 would mean GC commuters would not be able to travel easily to Ipswich, Colchester North Station, London, Stansted Airport and the logistics hub at Harwich.*
- *Welcomed the efforts of Sir Bernard Jenkin MP and Pam Cox MP to engage with Homes England and the debate secured with Housing Ministers to secure the funding shortfall for the full link road.*
- *Was aware that ECC had been invited to put in a funding application but was unaware of its progress.*
- *The full link road had to be in place prior to first building of houses.*
- *This would enable the full benefits of the GC to come into play from the start. Otherwise, this would spoil an opportunity to create a flagship development.*

Councillor William Sunnucks (Colchester City Council)

- *Was basically supportive of the GC but had some concerns around the DPD.*
- *Concerned that Latimer was of the assumption that they would not be expected to fund the link road until year 15 rather than from year one which had been a staple of all the appraisal e.g. the Infrastructure Delivery Plan. This needed to be addressed as a matter of urgency.*
- *The link road appraisals needed to be realistically re-examined with a view to implementation on a phased basis and this needed to happen sooner rather than later.*

Jonathan Schifferes, Head of Housing Growth and Garden Communities (Essex County Council) responded to the public statements as follows:-

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- *In the DPD there is a safeguard around the way in which the planning application will be determined. Policy GC7 – before any planning permission is granted for any element of the GC the full delivery of the A120 – A133 link road must have both secured planning consent and a commitment to full funding must be demonstrated at the point of determining the GC planning application. That policy was altered and strengthened during the examination process and policy development over the last twelve months.*
 - *We do have the benefit of a link road scheme that has full planning permission granted in 2021. There is also approval to deliver that link road scheme in phases.*
 - *On the A133 the junction for the link road scheme and two other junctions for future phases of the GC are under construction under contract between the County Council and Octavious funded from the secured HIF monies. The HIF monies will also fund the RTS in three sections across Colchester.*
 - *The planning permission also provides for an “all directions” ‘dumbbell style’ junction at the north end of the A1331 (the link road) with the A120. Officers remain of the strong view that this was the best infrastructure for the long-term in that area especially in the light of Section 1 of the Local Plan requirements to bring forward a development in the form of a garden community.*
 - *Remain open and interested in third party ideas and concepts and investment in time and technical effort in any A120 junction that would avoid unnecessary or overblown specification or costs. The councils, Homes England and Latimer would be interested in any cost-efficient scheme.*
 - *Must be noted that the A120 itself is part of the national strategic road network and therefore is a National Highways asset and not an ECC Highways asset. National Highways are protective and have high standards regarding any alteration of their network especially around safety and congestion that would factor into the proposed ‘dumbbell’ junction.*
 - *Nothing to preclude any party from seeking planning permission for a smaller, cheaper scheme. However, Officers remain of the view that the “dumbbell” connection would be the best option for the long-term interests of the GC development.*
 - *ECC has been asked by Government to provide an information pack around what Phase 2 needs and what would it do for the Government and locality? How much would it cost? How quickly would it be delivered? That work remains ongoing to make it as robust and with technical analysis in support as possible in order to make the best possible pitch to the Government for the further funding to support the delivery of the full link road as soon as possible.*

The Joint Committee then proceeded to discuss, and debate matters pertaining to the Officers’ report as follows:-

Councillor Andrea Luxford-Vaughan (CCC)

- *The provision of a full link road and the RTS before any house building was a pre-condition of a sustainable GC development not an aspiration and Section 1 of the Local Plan stipulated that.*
- *The DPD had been improved in its level of detail and the policy in general through the post-consultation process.*
- *Personally, had 18 points of concern around the DPD which included:-*
- *MM37 – contradicted Section 1 of the Local Plan and the principle of soundness in that there would be a socio-economic benefit for the community and the local area in*

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- that it promised 30 acres of employment land. Clear from the consultations that Latimer had carried out that this provision would not be part of Latimer's hybrid planning application which covered the entire site and therefore there would be no such socio-economic benefit forthcoming.*
- *MM51 and MM64 offered a "get out" clause in relation to the provision of a full link road by the provision of a further traffic assessment. This was alarming.*
 - *Shared others' concerns that Latimer believed it could wait for 4,000 homes and 15 years before it needed to fund the link road. That could be 2043.*
 - *The A133 was already at gridlock now.*
 - *The Infrastructure and Funding Plan required the link road to be provided in full in phase one. So why would a condition be put in that could change that? This was the public's expectation i.e. the link road in place before the housing was built.*
 - *Left in a dilemma – wants to support the DPD if it enabled this joint committee to get on with its job at hand but feels that too much is being "kicked down the road".*
 - *No guarantee that Government would provide the extra funding.*
 - *Noted Latimer's admission that it would cost three times what was in their viability assessment which meant it was unviable for them to do it.*
 - *Concerned too if construction traffic was not required to come off the A120.*

Amy Lester, the Garden Community Planning Manager (TDC), responded to Councillor Luxford-Vaughan's statement as follows:-

- *MM64 is a direct carry across from Section 1 of the Local Plan i.e. Policy SP6. The link road must be fully funded but it does not say that it had to have been constructed.*
- *The MoU and the IDP assumes funding coming forward within the first phase which is a period of seven years. It is subject to further evidence and further viability work.*
- *The MoU with Latimer states that phase two will be provided "as soon as practically and financially viable to do so". This will also be subject to further viability work as to precise timescales and trigger points which will be covered by the Heads of Terms of the Section 106 Agreement and that detail will come forward as part of the planning application.*

Councillor Carlo Guglielmi (Tendring District Council)

- *Concerned that Members were still challenging and arguing with the Inspector's decision even after the due process of the Inquiry. All of the arguments put forward tonight were gone through at the Inquiry. This was not the purpose of this meeting.*
- *Congratulated Officers for their sterling work in getting the DPD finally to the point where it had the blessing of a Planning Inspector. It had been a 14-year process to get to this point.*
- *The four main modifications to the plan would ensure that the document was positively prepared, justified and effective and consistent with national planning policies especially when housing growth was one of the main priorities of the current Government*
- *Despite others' doubts and disagreements over the Inspector's decision, this was a momentous occasion – the Joint Committee could now look forward to getting into the details of the actual housing and landscaping and solar panels on roofs et cetera once the planning application was submitted.*

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- *We have a sound plan to work with and excellent Officers to guide us through the process and Latimer, the development arm of the Clarion Group, the largest and most experienced provider of affordable housing in the UK we can progress to the next stage of the project.*
 - *There would be time for such arguments when the planning application was considered for example around the link road.*
 - *There would be challenges ahead e.g. around the provision of health facilities.*
 - *If the Government was serious about housing provision, then it would have to fund the link road shortfall.*
 - *The application would be accompanied by a health strategy which was being worked on.*

The Chairman (Councillor King) responded to the debate so far as follows:-

- *Have to accept that the challenge and debate won't stop even though we have reached a really good place. We could all look back at previous Inspector's decisions and the reality is that we are on a long and bumpy road and that we are not yet where we would have to get to. Our collective signals had to indicate both to the Government and to Latimer that for this project to be successful the viability has to be restored i.e. the link road has to be delivered. So does not want to go around again what has been said but it had to be said.*

Councillor Andy Baker (Tendring District Council)

- *Believed that Members have strayed away from what they needed to be deciding at this meeting. Understood the concerns raised about the link road and certain of the modifications but it had to be realised that the Inspector has examined this and had stated that these were the modifications that were required. They went out to consultation they went back to the Inspector, and he has stated that the DPD is sound and can be adopted.*
- *That was a milestone. Echoed the comments about the Officers who had worked very hard to get the project to this point and there was much more still to come.*

Councillor Julie Young (Colchester City Council)

- *Thanked Members and Officers for their hard work over a long period of time to get the GC to this point in the process.*
- *Thanked Manda O'Connell and the CLG for their practical approach to this project as had similarly the Ward Members for Greenstead.*
- *Recognised the need for extra housing given the current levels of homelessness in Colchester.*
- *Had borne in mind local government reorganisation and the "call for sites" in Colchester for the revised Local Plan process.*
- *Had been lobbied about Bromley Road which factored into the argument around the link road. So, if were to have 2,000 houses in the St. John's area that would heavily affect Bromley Road which would become critical bearing in mind the existing Gladman development that Tendring District Council had refused and had been won on appeal.*
- *So, as well as looking at this GC project we also had to have an eye on developments with the revised Local Plan process for both Colchester and Tendring.*

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- *Felt that this was a fantastic document notwithstanding that the link road was still not finalised.*
 - *Absolutely demonstrates how planning should be carried out i.e. not piecemeal but large scale and with the infrastructure provided.*
 - *Believed that Latimer would work in partnership with the Councils to create a best possible development.*
 - *The Councils had a framework to judge the planning applications as they came forward.*
 - *Happy to support the DPD which had been improved as the process went along and the critical voices had helped to shape the final project.*
 - *This was an accelerator site so if the Government was ambitious about growth and development then it should enable this development to come forward so hoped that negotiations with the Government were successful as the link road had to be completed and was pleased that there had been some strengthening of the wording in the DPD as a result of the modifications put forward by the Inspector.*

Councillor Lee Scott (Essex County Council)

- *The protections for the planning stage were in place but was not the focus of tonight's decision.*
- *Believed that the Government Spending Review in June would see the decision made on the funding shortfall for the link road.*
- *There would be many trials and tribulations ahead but tonight was about adopting the DPD which had been found to be sound.*

Councillor David King (Colchester City Council)

- *This DPD was a result of fantastic and difficult work and set a standard that all could take pride in.*
- *The strengthening of the DPD was the result of the reality of working with the Inspector and not letting him carry out his work in isolation.*
- *There was a long way to go but real progress had now been made.*

It was thereupon moved by Councillor Guglielmi, seconded by Councillor Baker and:-

RESOLVED that the Tendring Colchester Borders Garden Community Joint Committee

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- a) notes the outcome of the examination of the Tendring Colchester Borders Garden Community Development Plan Document (DPD), as set out within the Inspector's final report (attached as Appendix 1), and the final schedule of Main Modifications (attached as Appendix 2) and notes to the conclusion that the DPD, with the Main Modifications, is legally compliant, meets the Government's tests of soundness and can proceed to formal adoption; and
- b) formally recommends to both Tendring District Council's and Colchester City Council's respective Full Councils that the modified version of the Development Plan Document (DPD) and the accompanying Policies Map, as attached at Appendix 3 and Appendix 4 to this report (A.1), be formally adopted.

8. **REPORT A.2 - PATHWAY TO STEWARDSHIP REPORT - APPROVAL OF GUIDANCE**

The Joint Committee considered a report (A.2) which sought its approval of the Pathway to Stewardship as forming part of the planning guidance for determining planning applications at Tendring Colchester Borders Garden Community in respect of stewardship matters.

Members were reminded that, as part of the partner Councils' commitment to comprehensively plan for the delivery of the Tendring Colchester Borders Garden Community (TCBGC), specialist consultants (Community Stewardship Solutions (CSS)) had been commissioned, following a competitive tendering exercise, to prepare guidance on future stewardship requirements at the Garden Community.

The Joint Committee recalled that the aim of that commission had been to enable the Councils to be better informed and more prepared for the consideration of stewardship proposals as they came forward through the planning process. Stewardship was an integral part of the planning requirements for the TCBGC, as set out in the adopted Section 1 Local Plan and the Development Plan Document.

It was reported that throughout 2024, CSS had undertaken a series of meetings and interviews with local stakeholders and interested parties to gather views on potential community governance solutions at TCBGC. CSS had also been able to draw upon its considerable experience of planning stewardship arrangements at strategic developments and apply it to the TCBGC.

Members were advised that the commission had culminated in the Pathway to Stewardship and Placemaking document which was attached to the report (A.2). The document included commentary and bespoke recommendations related to a number of areas that CSS considered to be intrinsic to progressive and effective stewardship arrangements, including accountable governance, financial sustainability and community enablement.

The Joint Committee was made aware that the Pathway to Stewardship and Placemaking document, if approved by the Joint Committee, would form part of the partner authorities' planning guidance that would be applied in the determination of relevant planning applications at TCBGC, particularly in relation to the future Stewardship Strategy to be submitted with the planning application.

In respect of the reference to the characteristics of TCBGC in that the development sat across both the Parishes of Ardleigh and Elmstead, as well as an area of unparished land, it was noted that the Pathway document had been finalised prior to Essex being included within the Government's Priority Programme for Devolution and Local Government Reorganisation (LGR). Therefore, any decision to commence a Community Governance Review to explore a change to the existing boundaries of the two Parishes within the Tendring District, would be undertaken at the appropriate time. The second recommendation of the report (A.2) requested Tendring District Council to give consideration to this in the light of LGR.

The Joint Committee had had circulated to it prior to the commencement of the meeting a copy of page 36 of the CSS document "Pathway to Stewardship and Placemaking at

Tendring / Colchester Borders Garden Community” which had been inadvertently omitted from the originally published version of that document.

The report was introduced by way of a presentation by Christopher Downes, Essex County Council’s Garden Communities Manager. That presentation covered the following:-

- (1) Summary of the TCBGC Stewardship work to date;
- (2) The Pathway to Stewardship guidance; and
- (3) Pathway to Stewardship recommendations.

The Public Speaking Scheme for the Joint Committee gave the opportunity for members of the public and other interested parties/stakeholders to speak to the Joint Committee on any specific agenda item to be considered at this meeting.

The Chairman accordingly invited the following public speakers to come to the table in turn to speak. Their comments are in precis.

Russ Edwards (Project Director for TCBGC – Latimer by Clarion Housing Group)

- *Latimer actively sought proactive engagement on the estates management and stewardship strategy drafting process to provide useful challenge and support throughout the process so far;*
- *Latimer supported the CSS pathway to stewardship and placemaking report and looked forward to progressing the principles established into a comprehensive strategy as part of the planning application documentation.*
- *Latimer had appointed the same consultant CSS to assist Latimer thereby ensuring continuity and consistency with the work already commissioned by the Councils.*
- *Clarion Housing Group was the largest housing association in the UK and now 125 years old.*
- *They would retain all of the affordable housing in the community in perpetuity.*
- *Therefore, Latimer supported the recommendation to approve the CSS report.*

Rachel Fletcher (Clerk to Ardleigh Parish Council)

- *Noted and supported the aspirational wish of Crockleford Heath residents to remain part of the Parish of Ardleigh.*
- *Hoped that Parish Councils would be valued and consulted in a collaborative and innovative fashion within the mix of local organisations and not merely “talked at”.*
- *Would support a full CGR process.*
- *Would advocate the retention of the GC residents within the Parish Council’s area as is but perhaps Warded. This would enable new residents of the GC to have their say. Parish Councils worked to enable and build community cohesion and be a voice for their residents. Feared that Clarion might go down a Residents’ Association route for the GC.*
- *Did not feel that the Parish Council had been adequately engaged so far in this process.*
- *The Parish Council had an opportunity to grow as a result of the GC and to develop and support additional services to its existing residents as well as the new residents arising from the GC. Local Government Reorganisation offered an opportunity to pass down more service provision to parish councils and get economies of scale*

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- *Parish Councils were democratically elected bodies and therefore should be treated as partners who were engaged and involved rather than treated as consultees.*
 - *Pointed out that significant Community Funds could come to Ardleigh as a result of the several national infrastructure projects affecting the parish.*

At the behest of the Chairman, Mr. Hall, a member of the Crockleford Heath and Elmstead Action Group (CEAG) read out the following written statement that had been prepared by Professor Anthony Vickers, the spokesperson for CEAG:-

“The spokesperson for the Crockleford Heath and Elmstead Action Group (CEAG) cannot attend this meeting as no notification was sent directly to CEAG, even though they are the only residents group within the GC broad area. We are saddened by this lack of consideration for residents. We have the following statement in relation to this meeting.

1. *Regarding the approval by the Inspector we are aghast that this was granted given the 'cul-de-sac' nature of the A1331. We do not use the word 'link' to great purpose.*
2. *In relation to advice given to this Committee from professional consultants the residents of the Crockleford Heath community reject any notion of their governance being removed from Ardleigh Parish Council. The residents of Crockleford Heath wish to remain part of a 'rural' parish council and do not wish to be included in any new governance body representing the garden community as a whole. if necessary residents will envoke a community governance review, separate from any plans to do so by TDC.”*

Manda O'Connell (Chair of the Community Liaison Group)

- *CLG commends the stewardship and placemaking report and the work of the consultant in working with a wide range of organisations and stakeholders, including faith groups, to produce it.*
- *Recognised that the report outlines principles under a framework rather than how specific implementation will take place and welcomed the opportunity that this would provide for the involvement of interested community groups from non TCBGC settlements such as those consulted by the Consultant to bring this about by contributing their time and energies volunteering to strengthen community ties.*
- *This would enrich and support the fledgling community in its placemaking needs and help them achieve their full potential as a community and as a great place to live.*
- *Restated CLG's continued willingness to support and participate in any stewardship body until such time as it can be fully populated by GC residents.*

Lisa Hastings, Tendring District Council's Corporate Director (Law and Governance) & Monitoring Officer, addressed the Joint Committee as follows:-

- *The only way forward for a CGR was for a recommendation to be put forward to Tendring District Council (TDC) which was the principal authority for the area to give its consideration as to whether a CGR should commence and if so when and how.*
- *There were a number of factors to be taken into account e.g. local government reorganisation (LGR).*

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- *The recommendation in the report is an administrative requirement to get the recommendation from this Joint Committee to TDC as the principal authority to make a decision on it.*
 - *Wanted to reassure the Parish Council and CEAG that TDC is due to commence a planned CGR in relation to the unparished areas within the District. This has not been rushed into. Following a decision by Full Council, Officers went away to produce terms of reference of what that CGR could cover. Powers had also been given to one of TDC's overview and scrutiny committees to oversee the process.*
 - *Reason for pointing out the above was to point out that there was plenty of scope for engagement in what the terms of reference for any CGR could cover including opposing views.*
 - *There would be a consultation process and the national guidance on CGRs was to follow the outcome of consultation.*
 - *There were arguments to say that the CGR should be done pre-LGR and there were also arguments to say that it should be done post LGR by the Shadow Unitary Authority. That would need to be taken into account as well.*

The Joint Committee then proceeded to discuss, and debate matters pertaining to the Officers' report as follows:-

Councillor Carlo Guglielmi (Tendring District Council)

- *Supported the comments from Ardleigh Parish Council that its area had been the focus of several national strategic infrastructure projects and had their work cut out and therefore needed more of a focus.*
- *Recognised that Latimer were champions of stewardships and had seen excellent examples of what they had done elsewhere. Had noted that they were not here for the short-term but for the long ride. Was sure that Latimer would be keen to ensure that whatever strategies came forward with their planning application(s) that they were sound and had been properly consulted upon with Ardleigh Parish Council and with Elmstead Parish Council as well. More engagement and more consultation with those two parish councils would be required going forward.*
- *The CSS report was very good and sound and had captured everything that needed to be captured.*
- *In relation to the membership figures for a TCBGC Trust Board and the TCB Community Forum he felt that they were too high especially for the beginning of the GC. It would be good to understand the timeframe for this which could perhaps be demonstrated by a flowchart.*
- *Also requested Officers to set out in due course a very clear understanding of the charging regime as he did want a scenario of residents moving into the GC and finding out that there were "hidden costs" to their residencies.*

Councillor Andy Baker (Tendring District Council)

- *Queried whether recommendation (a) would need to be amended to take into account the omitted page 36 of the CSS document.*
- *Queried also whether recommendation (b) would need to be amended to take into account any successor authority to Tendring District Council (TDC).*

Lisa Hastings, Tendring District Council's Corporate Director (Law and Governance) & Monitoring Officer, responded to Councillor Baker as follows:-

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- *If the Joint Committee approved recommendation (b) then it would be TDC's responsibility to have that recommendation before its Full Council as soon as possible for that Council to make a decision as to the timing of the CGR having considered the arguments for doing it pre-LGR or post-LGR.*

Councillor Andrea Luxford-Vaughan (Colchester City Council)

- *It's an impressive document and well overdue. Delighted and reassured that Latimer had now taken on CSS as their consultants on this work moving forward.*
- *Regarding CGR her understanding of that was that the existing residents were consulted and whatever their desired outcome was nobody else could contradict that. Grateful that that point had been restated.*
- *Pointed out that this report focused entirely on Tendring and not on Colchester. Though aware there were discussions within Colchester as a result of LGR. Many factors to be considered as to whether to proceed with a CGR. Meanwhile, the Parish of Wivenhoe would be left in a "no man's land" in that though there were no houses in the GC area there was a significant part of the Parish of Wivenhoe that overlapped the Knowledge Gateway. Even though that the University of Essex were putting businesses in that location they were of the view that they did not need to make any Section 106 contributions which she felt needed to be questioned. There had been a big sacrifice to give land to the University therefore there should be a payback to the local communities. Would make that point that if you are building the Knowledge Gateway within the Parish of Wivenhoe then Wivenhoe should see some planning gain from it.*
- *Reminded the Joint Committee that there was a statement of common ground between the two councils that the affordable housing would be split between Colchester and Tendring on a 50 – 50 basis and that this must be maintained even after LGR goes ahead.*

Lisa Hastings, Tendring District Council's Corporate Director (Law and Governance) & Monitoring Officer, responded to Councillor Luxford-Vaughan as follows:-

- *Reminded Members that when this document was produced LGR was not on the table. There was a border between the two Councils and the majority of the land was within the District of Tendring and you could see why the consultants focused on Tendring within their report and recommendations. Also, that part within Colchester's area is unparished. If LGR does go ahead and both Colchester and Tendring end up within the same Unitary Council, then the Shadow Authority will have the legal ability to initiate a CGR for the whole area and not just focus on Tendring's part. That would be an advantage of waiting for LGR to take place and the border had disappeared.*

Councillor Mark Cossens (Tendring District Council)

- *Pointed out inconsistencies in how Crockleford Heath was referred to. In the DPD it was described as Crockleford North and South and in the stewardship report it is described as Crockleford Central and South.*
- *Referred to his experience as Mayor of Frinton and Walton Town Council. This parish covered the two towns of Frinton and Walton and three villages and trying to lead that parish in its entirety was difficult due to the differing viewpoints on the Town Council.*

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- *Believed that it would be better to look at a single parish council for the GC area because if we were going to place shape then we would need someone who was going to drive the project forward as otherwise there could be a lot of people doing a lot of talking but who would force the thing forwards.*
 - *The stewardship document was good but maybe did not take into account human nature and that therefore this could be a time-consuming challenge going forward.*

Councillor Julie Young (Colchester City Council)

- *Naturally we are spending a lot of time puzzling over how the jigsaw of LGR would eventually fit together. Timing would be everything. Indeed, it might be wise to wait until the Shadow Authority was in place. But, regarding Colchester it was parished to the west but to the east e.g. St. Anne's and St. Johns' and Greenstead it was not parished even though there was a lot in the stewardship document that related to Salary Brook and the 'Friends of Salary Brook'. So, how all of that would fit together would be very important. Great that the CLG want to be involved until the GC residents could take on the mantle themselves. But we really have to think about the timing of this and the synergy between any CGR reviews by Tendring and Colchester.*

It was thereupon moved by Councillor Guglielmi, seconded by Councillor Baker and:-

RESOLVED that the Tendring Colchester Borders Garden Community Joint Committee:

- (a) approves the Pathway to Stewardship report (including, for the avoidance of any doubt, the omitted page 36) as planning guidance for future decision making in relation to stewardship and related matters at Tendring Colchester Borders Garden Community; and
- (b) recommends to Tendring District Council that a Community Governance Review be undertaken, at the appropriate time, to look at the current parish boundaries within the area for the Garden Community and to consider whether there is potential to create a new parish for the Garden Community or un-parish the existing area in readiness for the development of the Garden Community and Local Government Reorganisation.

9. TRIBUTE TO COUNCILLOR DAVID KING

Councillor Lee Scott led members of the Joint Committee, in paying tribute to Councillor King's excellent chairmanship of the Joint Committee and he stated that he was honoured to be taking over as chairman. He acknowledged a debt of gratitude and thanked Councillor King for all he had done and for what he would continue to do for the Garden Community project. Councillor Scott also commended the Officers for all their hard work into getting the GC project to where it was today. There was a lot more to do but the project was heading in the right direction.

The meeting was declared closed at 8.46 pm

Chairman