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| <b>Key Decision Required:</b> | <b>No</b> | <b>In the Forward Plan:</b> | <b>No</b> |
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## CABINET

17 FEBRUARY 2017

### REPORT OF LEADER OF THE COUNCIL

#### **A.1 NORTH ESSEX GARDEN COMMUNITIES PEER REVIEW**

(Report prepared by Martyn Knappett)

#### **PART 1 – KEY INFORMATION**

##### **PURPOSE OF THE REPORT**

To provide Cabinet with information on the outcome of the Peer Review of the Garden Communities project led by Lord Kerslake, and to note the partnership's public response and the next steps in responding to the recommendations of the Review.

##### **EXECUTIVE SUMMARY**

In October 2016 the Leaders and Chief Executives of Tendring District, Colchester Borough, Braintree District and Essex County Councils asked Lord Kerslake to lead a Peer Review to look at the local authorities approach to delivering Garden Communities in North Essex.

The Brief was agreed by the North Essex Garden Communities Shadow Delivery Board at its meeting on 3<sup>rd</sup> November 2016 and included the following:-

- Are we ambitious enough (place shaping)
- How do we maintain quality and pace of build development
- Are we maximising our position with Government in terms of support and funding
- Are we positioned to exploit any commercial income streams which could come from the development
- What's the best vehicle for managing the opportunity
- Do we have the capacity and capability to oversee the developments effectively

The members of the review team were selected on the basis of their relevant experience and expertise. The Members included:

- **Lord Bob Kerslake**, Chairman of Peabody, Chairman of the IPPR London Housing Commission and Chairman of King's College Hospital NHS Foundation Trust
- **Lord Jamie Borwick**: Chairman of Countryside Properties (Bicester) Ltd, developer of the Kinsmere scheme of 2,600 houses in Bicester and an investor in property in the UK.
- **Trudi Elliott CBE**, Chief Executive of the Royal Town Planning Institute
- **Eugene Dreyer**: founder of ystudio ltd, masterplan and design consultancy.
- **Malcolm Sharp MBE**, Planning and Local Government consultant advising on all aspects of delivering planning services
- **Graham Hughes**, Executive Director of Economy, Transport and Environment at Cambridgeshire County Council

The Review Team reviewed a range of background documents provided by the Garden

Communities project team and visited the proposed locations. They met with the lead Directors of the four Councils who explained the background and the reasoning behind the approach the Councils are taking towards the proposals. The Directors also submitted a self-assessment against the six questions. The Review Team subsequently spoke with the Councils' planning teams, key advisors, landowners, developers and officials at the Department for Communities and Local Government (DCLG) to clarify and explore specific areas of interest in more depth. The review was able to take account of evidence submitted by local groups, including CAUSE, although in the time available it was not possible for the Review Team to engage directly with local communities.

The Review Team presented its findings to the Leaders and Chief Executives of the four Councils in early December 2016. In late January 2017 the report of the Peer Review was published. The partnership of the four Councils has also produced a response to the Peer Review report and recommendations and both documents have been published on the Council's website.

An Action Plan is also being developed by the Garden Communities Project Team.

#### **RECOMMENDATION(S)**

It is recommended that Cabinet notes:-

- a) the outcomes of the North Essex Garden Communities Peer Review Report;
- b) the key points of the North Essex Garden Communities' partnership public response; and
- c) that both documents have been published in full on the Council's website and can be accessed via the following links:

[North Essex Garden Communities Peer Review](#)  
[Councils Response to Peer Review](#)

## **PART 2 – IMPLICATIONS OF THE DECISION**

#### **DELIVERING PRIORITIES**

The proposed Garden Community project is consistent with the overall approach behind the Corporate Plan. It is community leadership on a very significant scale which involves the Council (with its partners) intervening in the development of entire new communities in a way which will secure infrastructure early in the development, high quality and environmentally friendly development and the prospect of a financial return to the Council and the community in the long term.

#### **FINANCE, OTHER RESOURCES AND RISK**

The Peer Review was undertaken at no cost to the local authorities. There are no direct financial implications related to this report.

The NEGC Programme Team maintains a Risk Register. The recommendations of the Peer Review, along with those set out in the public response and the proposed Acton Plan will be added to the register. Risk management will continue to be considered by the

partnership as the programme is developed.

## **LEGAL**

Areas of search for three new garden communities were contained within the Local Plan Preferred Options consultations of all three local planning authorities in 2016. Specific sites and boundaries have not yet been determined but will be refined through the Local Plan decision-making process.

## **OTHER IMPLICATIONS**

There are no specific implications from this report in relation to safeguarding, equalities, or diversity.

A press release regarding the high level outcomes of the Peer Review was issued before Christmas.

## **PART 3 – SUPPORTING INFORMATION**

### **BACKGROUND**

#### **1. Background**

1.1. A Peer Review process was supported by the North Essex Garden Communities (NEGC) Shadow Delivery Board in November 2016. This review was led by Lord Kerslake. Lord Kerslake is the Chair of Peabody, Chair of the IPPR London Housing Commission and Chairman of King's College Hospital NHS Foundation Trust. He was formerly Chief Executive of Sheffield City Council and Head of the Civil Service.

1.2. In addition to Lord Kerslake, the review team comprised the following members:-

- Lord Jamie Borwick, Chairman of Countryside Properties (Bicester) Ltd, developer of the Kinsmere scheme of 2,600 houses in Bicester and an investor in property in the UK;
- Trudi Elliott CBE, Chief Executive of the Royal Town Planning Institute;
- Eugene Dreyer: founder of ystudio ltd, masterplan and design consultancy;
- Malcolm Sharp MBE, Planning and Local Government consultant advising on all aspects of delivering planning services; and
- Graham Hughes, Executive Director of Economy, Transport and Environment at Cambridgeshire County Council.

#### **2. The Brief**

2.1. The Review Brief agreed by the Shadow Delivery Board at its meeting on 3<sup>rd</sup> November included the following:-

- Are we ambitious enough (place shaping);
- How do we maintain quality and pace of build development;
- Are we maximising our position with Government in terms of support and funding;

- Are we positioned to exploit any commercial income streams which could come from the development;
  - What's the best vehicle for managing the opportunity; and
  - Do we have the capacity and capability to oversee the developments effectively?
- 2.2. A Self-Assessment was undertaken by the lead Directors from the partnership in advance of the review commencing.

### **3. Review Process**

- 3.1. Members of the Review Team met with the lead Directors from the partnership on 9<sup>th</sup> November 2016. This meeting involved a tour of the three Garden Community proposed locations and a presentation. Lord Kerlake then met with the four authorities' Leaders and Chief Executives on 10<sup>th</sup> November 2016.
- 3.2. Following these initial meetings, follow up sessions were held between members of the Review Team and various members of the project team to discuss specific issues including Local Plan process and infrastructure.

### **4. Review Report**

- 4.1. A copy of the final report prepared by Lord Kerlake has been published on the Council's website.
- 4.2. In summary, the report commended the partnership on the following:-
- The Councils' ambition for this project is impressive;
  - This is an excellent example of co-operation between Councils;
  - Considerable progress has been made; and
  - The initiative could be of strategic national importance.
- 4.3. In terms of the key challenges, the report recommends the following items for action:-
- There are significant differences between the three sites which have implications for the pace of delivery. So the councils should look at the phasing of the development and be prepared to differentiate their strategy for each site.
  - The timetable for the Local Plan is ambitious given the scale and complexity of the garden communities. The Councils should take action to ensure local plans can have the best chance of being found 'sound' in an appropriate timescale.
  - The project team needs to build capacity and increase its development expertise in order to deliver the Councils' ambitions.
  - The Councils are committing to a significant level of exposure and should explore ways to spread their risk that do not sacrifice their ambitions for these communities.
  - The Councils should maintain some flexibility on the delivery model for each site.
  - The three sites for these communities are dependent on some major infrastructure commitments. It is important to be very clear about these dependencies.
  - The Councils will need to raise the profile of North Essex Garden Communities with government - and be clear what they need from government - to deliver development on this scale. Councils acknowledge the project has not been sufficiently on the radar of senior government officials

and ministers.

- The Councils need to be able to articulate a strong strategic narrative for these developments.

4.4. The report concludes with the following recommendations:-

- Develop a clear, differentiated strategy for each site.
- Resource up accordingly. You need a full time Director and a dedicated project team.
- Explore development partners and finance partners.
- Build a much stronger, high level conversation with government.
- Revisit the delivery timetable.
- Revisit the Local Plans timetables with the aid of the 'PAS toolkit' to ensure the Plans are likely to be found 'sound' and discuss implications with The Planning Inspectorate and Highways Agency.
- Clarify the position on local plan timetabling with DCLG.

## 5. Partnership Response

5.1. The Review Report has been placed on each of the partner Council's websites. To accompany the review, the partnership has prepared a response, which, in summary, sets out the following in relation to the recommendations:-

- **Develop a clear, differentiated strategy for each site** - Work is already underway on individual 'concept framework' for each of the potential new communities, and we will continue to engage with local bodies and various groups and residents to bring out the individual characteristics of each proposed location. This initial stage is expected to be complete by the end of March and will be followed by further consultation on the ideas. We recognise there is a need to strengthen the narrative across North Essex within which this Garden Communities programme would fit. We welcome the initial exploration by the review team of an example of how such a strategic narrative could be framed. We will be looking to advance this work over the early part of this year.
- **Resource up accordingly. You need a full time director and a dedicated project team** - We have secured substantial funding from Government for this project and have each added additional sums. While recognising the substantial cost of developing this programme it is paramount that we apply the right resources at each stage to deliver quality schemes. It is recognised that at this next stage a dedicated director and more resource within the programme team is likely to be required and this is being taken forward.
- **Explore development and finance partners** - There have been initial conversations with a range of partners and it is envisaged that the Local Delivery Vehicles, who will be responsible for developing the plans for the individual communities, will want to continue these with a view to identifying the right partners which share the long term buy-in and are committed to achieving our shared vision. While the current delivery strategy involves a Local Delivery Vehicle structure for each community, there is flexibility within this approach to allow different delivery strategies should they be considered appropriate. In addition, and in part due to the unique nature of each of the negotiations with the respective landowners, the programme team representing each of the council partners are open to other delivery strategies and opportunities across the three communities.
- **Build a much stronger, high level conversation with government** – We welcome

the acknowledgement that the project is potentially of national significance and recognise that success depends upon the delivery of Page 11 of 37 timely infrastructure. This is something we have committed to, and the recognition that we should be doing more to engage Government at the highest levels in order to get government resources to help deliver on a significant part of their national housing strategy is supported.

- **Revisit the delivery timetable** - It is recognised that individual schemes will deliver at a different pace over time, although one advantage of this work is it should allow 'smoothing' of delivery rates across North Essex over coming years. The North Essex Garden Communities (NEGC) body has been set up specifically to monitor delivery and ensure that action is taken by the Delivery Vehicles to achieve their timetables.
- **Revisit the Local Plans timetables to ensure the Plans are likely to be found 'sound' and discuss implications with The Planning Inspectorate** - We have quickly moved to review Local Plan timetables as suggested by the review, and rescheduled the timetables to allow more time to collect the appropriate evidence and to carry out the necessary analysis. We are committed to ensuring the best position is presented at Inquiry to enable the Planning Inspector to find our Local Plans sound. We have formally now scheduled respective Local Plans so that consultation on the Submission Draft Local Plans will be in June 2017.
- **Clarify the position on local plan timetabling with DCLG** - Conversations have been held with DCLG and the Planning Inspectorate and these will continue over coming months. Focused discussions with the DCLG Local Plans team will continue to ensure that both the Planning Inspector and DCLG are aware and supportive of the proposed Local Plan timings.

## 6. Action Plan

- 6.1. In addition to the public response, a more detailed Action Plan is being prepared by the partnership.

## 7. Next Steps

- 7.1. Following further consideration of the final Peer Review report and the Action Plan, the partnership will prepare an Annual Plan setting out key deliverables and milestone dates.

## APPENDICES

### Background Papers:

- The Department for Communities and Local Government (DCLG) prospectus entitled "Locally-led Garden Cities".