



## UTTLESFORD DISTRICT COUNCIL

### Felsted & Stebbing Ward

District Councillors John Evans & Richard Silcock



### DISTRICT COUNCILLORS' REPORT: JANUARY 2025

Please find below our monthly Report to the Parish Council.

We apologise for starting the year by bringing you and Residents news of major prospective reforms to planning policy and also the way in which Local Government will likely be organised in future. Such is the fundamental and long-term nature of the reforms and other major policy changes that we dedicate this Report entirely to these subject matters, PLUS one item included at the foot which calls for an early response, namely the UDC Draft Budget 2025-2026.

There are several links to source materials included in the Report which might serve as a distraction but are included as their content and nature cannot practically be fully set out here.

### MAJOR GOVERNMENTAL POLICY CHANGES AND INTERVENTIONS

News of constitutional reform emerged in the last working week of 2024, following hard on the heels on 12 December of other major policy changes proposed by the Government in the planning and housing fields, which included (if Members would like the links to these materials to be provided, they can easily be supplied, on request) the following:

- Written Ministerial Statement – “Building the homes we need”
- Government response to proposed reforms to National Planning Policy Framework (“NPPF”)
- Revised NPPF (effective immediately – save for Local Plan transitional matters - and thus applicable to all current planning applications and appeals)
- New Standard Method for assessing local housing need (\* see also below)
- Housing Delivery Test assessment rule book (\* see also below)
- Planning Policy for traveller sites
- Three revisions to Planning Practice Guidance

This is not the all of it however, since a great deal of additional detail is to be found in the material above which will have an impact on the way in which development will come about in the District (and indeed, England as a whole) in the coming decade(s).

Additionally, further papers are expected on Strategic Planning (ahead of a Devolution Bill), use of Brownfield Land, use of Green Belt sites and their viability, the role of Local Nature Recovery Strategies in planning decisions and Policy, Compulsory Purchase and Compensation rules/process (now published for consultation), mandatory mix of housing tenures and also (very welcome) measures to “encourage” build out of permitted development (including to decline planning applications from developers who fail to build out development “at a reasonable rate”).

A consultation will take place early in 2025 on “Land Use” with a view to a framework being developed for that purpose. Planning Application fees will be increased (a very welcome measure as they are presently set too low to enable a full cost recovery by the Local Planning Authority).

As learned commentators have observed, these changes already announced, and yet whose further details are to come, represent the greatest revisions to planning law and policy since the introduction of the Town and Country Planning Act 1947; that legislation had the effect of “nationalising” the granting of planning permissions but it seems to us that future Governmental Policy will in future lead to far greater centralised control over how, where and when development (both for housing and employment use) will come about !

### **LOCAL PLAN UPDATE**

Following the Regulation 19 Local Plan consultation and consideration of the responses received, the Local Plan together with its Evidence Base was submitted, on schedule in accordance with the Local Development Scheme, on 18 December, to the Planning Inspectorate for independent Examination. For book-marking purposes, the full suite of materials submitted to PINS may be found here:

<https://www.uttlesford.gov.uk/local-plan-examination>

The timetable for the Examination has yet to be set by PINS, but is likely to commence in earnest towards the end of the Spring 2025.

It is as well that Council (despite the unfortunate and unhelpful opposition encountered at the time from opposition parties) by majority resolved on 30 July to proceed with the Regulation 19 Local Plan submission since otherwise, in light of the Government’s pronouncements on 12 December described above, there would have been a real risk of intervention by it in the Local Plan process.

As it is, under transitional arrangements, the Local Plan will be examined under the provisions of the former NPPF (not that published on 12 December) and the housing requirement figure will remain as advanced in the Regulation 19 version, namely **675** dwellings pa.

Had Council not approved, on 30 July, the Regulation submission, the housing requirement for the Local Plan would have been increased from **675** to **749** dwellings pa. However, under the new Standard Method

published on 12 December (see \* above), Uttlesford’s housing requirement shall have been increased to **804** dwellings pa (an increase of 19%), but fortunately, this is inapplicable to the PINS Examination of the Local Plan under the transitional arrangements provided for in the NPPF.

However, the requirements under the new Standard Method for other adjacent Districts in Essex have also been increased very substantially indeed, as follows:

<u>District</u>	<u>Former</u>	<u>New</u>	<u>% age increase</u>
• Braintree	813	1115	37
• Brentwood	511	724	42
• Chelmsford	913	1454	59
• Epping Forest	725	1299	79
• Uttlesford	675	804	19

Such increases will have a potential impact on Uttlesford in the long term since the Government, under their new approach (see @ reference below), will be requiring “cooperation” be extended among adjacent local authorities so as to “help out” one another and enable each to meet their housing requirements in circumstances where they are otherwise currently constrained.

What that will mean in practice is not presently known, but one can imagine that there will be a call for the requirements of some, including for example of Epping Forest DC (it being substantially constrained by the large Metropolitan Green Belt area made up by the Forest itself) to be met by its less constrained (eg by Green Belt) neighbours, such as Uttlesford.

However, once the Local Plan proceeds to examination and hopefully thereafter is adopted, then Uttlesford will be in the best possible position to withstand immediate demands for the accommodation of housing need arising from other adjacent authorities, several of whom do not have up to date (ie adopted within the past 5 years) Local Plans. Only time will tell, given the circumstances further described in the following section.

### **LOCAL GOVERNMENT - CONSTITUTIONAL REFORM AND DEVOLUTION**

The proposed reforms to be introduced under a forthcoming Devolution Bill, are the greatest to affect Local Government for 50 years, namely since enactment of the Local Government Act 1974, which of course first introduced County and District Councils into being, the latter being put in the place of Rural and Borough Councils.

The present dual level of administration and representation will prospectively be scrapped so far as Essex is concerned. While it has to be said that this was not expressly provided for by the Government in its pre-Election Manifesto, some less specific references to constitutional change were included and which did anticipate in general terms the greater devolution of powers away from Westminster. It is clear however, that the Government wishes, so far as it can, the replication of mayoral control in local government affairs

and the dismantling of the separate powers and responsibilities currently held by County and District Councils.

The relevant Minister of State for Local Government and Devolution (Mr Jim McMahon) is evangelical (as may be apparent from his departmental title) in his support for not only devolution but also the establishment of mayoral authorities, being convinced of their advantage. In that, he has particular experience of the large Manchester Mayoral Authority. Mayoral authorities do exist in very many metropolitan parts of the country and there are several unitary authorities (where County and District powers and responsibilities are conjoined) in place in other non-metropolitan areas, including at Southend and Thurrock in Essex and further afield in, for example, Cornwall and Dorset.

While the level of detail required has yet to be published in a Bill, the Government is not waiting for action to be taken in this area and on 16 December, they published *The English Devolution White Paper*. For readers interested in the detail, the Government's link to its entirety is here:

[https://assets.publishing.service.gov.uk/media/676028c9cfbf84c3b2bcfa57/English\\_Devolution\\_White\\_Paper\\_Web\\_Accessible.pdf](https://assets.publishing.service.gov.uk/media/676028c9cfbf84c3b2bcfa57/English_Devolution_White_Paper_Web_Accessible.pdf)

It is now a topic which will be reviewed and discussed for the first time by Council in an Emergency Meeting to be held on 8 January, which will of course be attended by John and Richard and for which reason, they give their apologies for their absence from the January Parish Council.

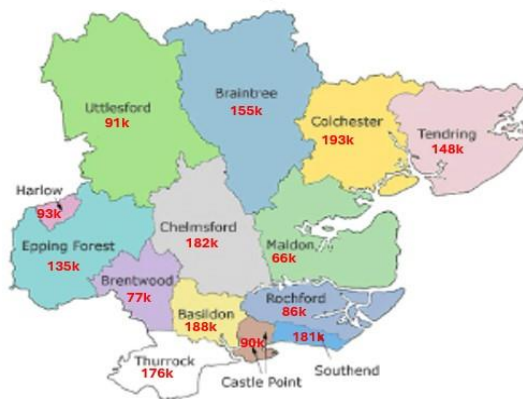
A paper has been prepared by the UDC Chief Executive and to which an amendment has been prepared by the Cabinet so as to assist Members in their consideration of the complex subject and the timetable contemplated, including, in view of the potential changes ahead, the possible cancellation of County Council elections scheduled for May 2025.

Local Government Reform (ie abolishing districts, counties and merging them into new, bigger unitary authorities) is set out in pages 95 to 102 of the White Paper and sets out clearly the scale for new unitaries on page 100. New unitary councils are required to be the right size to “achieve efficiencies, improve capacity and withstand financial shocks”.

For most areas this will mean creating councils with a population of 500,000 or more, but there may be exceptions to ensure new structures make sense for an area, including for devolution, and decisions will be on a case-by-case basis.

In the case of Essex and Uttlesford, this could lead to three or four larger bodies and the a conjoining to achieve this scape of population for Uttlesford with (say – just for illustrative purposes) Braintree, Colchester and Tendring Councils or with Epping Forest, Harlow and Brentwood Councils. The current districts and their respective populations are shown here just by way of illustration:

## The 'building blocks'



This is the paper prepared for Council:

<https://uttlesford.moderngov.co.uk/documents/s38161/Council%20report%20-%20English%20Devolution%20White%20Paper.pdf>

This is the Cabinet amendment to the paper and which contains topics suggested by way of an aide memoire to be discussed by Members:

<https://uttlesford.moderngov.co.uk/documents/s38168/Amendment%20to%20the%20recommendation%20on%20Devolution%20White%20Paper.pdf>

As is anticipated and hoped from the latter, it will be the cross party view and aim of Uttlesford Councillors to secure, in so far as it will be possible, the best outcome for the residents and employees of the District which may arise from any “merger” of the district councils into one larger unitary authority, in disregard of any existing political make-up of the other constituent authorities.

The Government expects the local authorities to seek to agree among themselves how the new compositions might be arrived at, reserving the right, in default, to impose revised structures. From an Uttlesford perspective, we would not wish to find ourselves obliged to assume the unmitigated liabilities of other authorities; one could imagine these to include not merely “financial/balance sheet” items but also those of a social nature such as of homeless or extensive adult care provision but as described above, they will almost inevitably at some future stage extend to “assistance” towards provision regarding the housing supply/need of others.

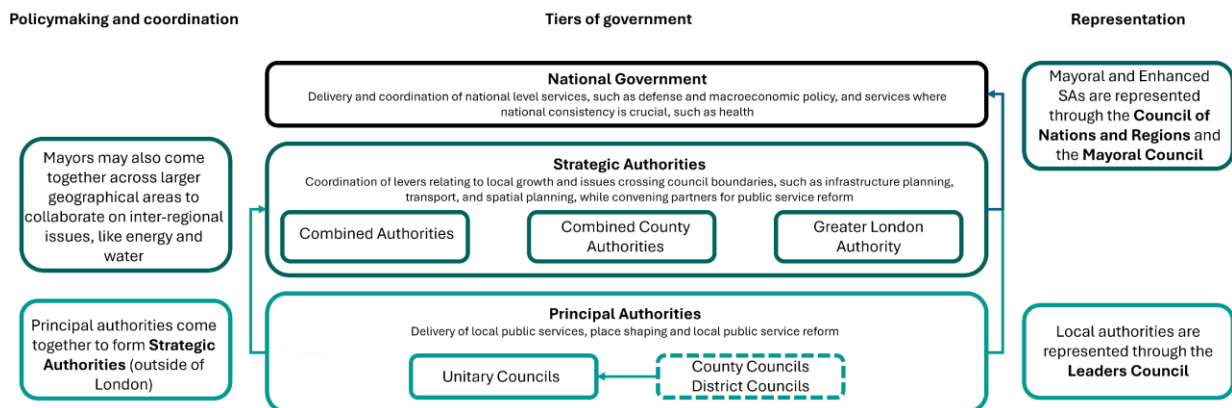
We will of course report further with the outcome of the Emergency Council Meeting but we might observe meanwhile that the winds of Government change are fully set to be imposed upon us – the days of Uttlesford District Council, and its elected members representing its 91,000 population are numbered. It is too early to anticipate what might be its successor nor the level of electoral representation put in its place. However. It is likely that instead of Uttlesford’s electorate being represented by 39 District

Councillors and 4 County Councillors, as at present, it might be represented at a replacement unitary authority by some 10 or so elected representatives. The creation of a Mayor for the larger County area of Essex would also be a matter to be decided upon. Despite the extent of these proposed reforms, we do not expect there to be significant opportunities for public consultation upon them – the Government clearly considers it to have a mandate.

However, apart from and in addition to anticipating the very significant local government reorganisation and the devolution of power to sub-national levels described above, the White Paper also contains significant changes (see @ reference above) in the area of strategic planning, including the introduction of the following concepts/provisions:

- a universal system of strategic planning (along the lines of a Spatial Development Strategy similar to that in place in London)
- a Strategic Authority for every area which will produce its own Spatial Development Strategy
- local plans will be produced by Local Planning Authorities which will be required to conform to the Spatial Development Strategy
- the apportionment of housing need (made up by the new Standard Method) within the Strategic Authority area across its constituent Local Planning Authority members – pooling of resources and prioritising of efforts will be mandated
- intervention from Government will result in the event of timetables not being met
- Mayors will be able to intervene with applications of potential strategic importance and have power to levy a Mayoral CIL to support such projects
- in place of a “right to bid” in the context of Assets of Community Value, there will be introduced a “right to buy”
- “land value capture” in the case of Green Belt release/development

Several of these proposals are radical and no doubt it will be said come under the Government’s far-ranging concept of “change” covered by their electoral mandate, which they foresee and depict in this graphic:



The Secretary of State (Mrs Angela Rayner) has stated that the Government:

“..... wants to see stronger community arrangements, with reorganisation of the way councils engage at a neighbourhood or area level. It also wants to rewire the relationship between town and parish councils and principal Local Authorities, strengthening expectations on engagement and community voice.”

What such generalities mean is yet to be revealed in detail, but if carried forward, it may be that the future role of town and parish councils will indeed be enhanced but we would be sceptical as to the practicalities and any likely effectiveness in the absence of both enhanced funding for such bodies – perhaps by the grant of unfettered freedom to levy meaningful precepts – and express powers and duties, to include perhaps the obligation to take over public/open spaces in new developments in order to overcome difficulties arising out of management costs and the like (so called “fleecehold” charges).

It may in conclusion safely be anticipated, it seems to us, that the governance as well as the landscape and spatial/development concepts historically assumed to apply to this rural corner of north west Essex will in the medium and long term be changed radically. However, we further believe that it is more likely than not, on the basis of what is presently assumed, that the upshot will be that our residents’ Council Tax will likely increase.

#### **UDC DRAFT BUDGET 2025 - 2026**

By way of an important final item, we draw to your attention a Consultation upon the draft UDC Budget with responses due by 12 January. Its preparation was delayed pending receipt of the Government’s funding proposals and yet again, the Government published its reform objectives and principles very late in the day, ie on 18 December, with (as stated in the Ministerial foreword) “a vision for change with local government at its very heart”.

So, this is the first opportunity available for the launch of the budget consultation for Uttlesford's 2025/26 financial year and the Medium-Term Financial Plan covering the years 2025/26 through to 2029/30. This will be a year of unprecedented uncertainty for local government, especially for district councils, like Uttlesford, as are expecting a large reduction of funding due to government shifting resources away from districts towards urban and other areas of greater deprivation. This is also happening at a time when there are the major changes described above in terms of local government responsibilities.

As such, this draft budget is provisional and has been prepared as prudently as was feasible to protect core local services. Nonetheless, further changes are expected with new and further funding announcements from the Government over the coming weeks.

<https://uttlesford.moderngov.co.uk/documents/s38069/Draft%20Budget%20202526.pdf>

Responses can be submitted on line:

[https://forms.office.com/Pages/ResponsePage.aspx?id=PwjxROzyvEm5E5wmaKm6Zi6\\_eizubdFlp\\_iltk-v-To1UMDE4UUUVYUzdTVkdGT0E2UjZNTjhCUTRYWi4u](https://forms.office.com/Pages/ResponsePage.aspx?id=PwjxROzyvEm5E5wmaKm6Zi6_eizubdFlp_iltk-v-To1UMDE4UUUVYUzdTVkdGT0E2UjZNTjhCUTRYWi4u)

### **DISTRICT COUNCILLORS' AND CONSTITUENTS' SURGERY**

We will not be holding our usual monthly surgery this month, given that the PC Meeting is being held remotely and in view of our attendance at the Extraordinary Council Meeting that evening, described above.

We are always, of course, pleased to meet up, by appointment as required, with any resident who wishes to discuss a matter of concern or indeed anything we have commented upon in our Monthly Reports.

If any resident would like to receive a personal copy of our Monthly Reports, we shall be pleased to send one directly to them by e mail.

Finally, we remain very happy to consider requests for financial support, utilising our Members' Initiative Grant as appropriate and which can be made available to community groups for suitable purposes.

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