

Annual Council Meeting

**The Old Library, Town Hall, High Street,
Colchester, CO1 1PJ
Wednesday, 24 May 2023 at 10:30**

Information for Members of the Public

Access to information and meetings

You have the right to attend all meetings of the Council, its Committees and Cabinet. You also have the right to see the agenda (the list of items to be discussed at a meeting), which is usually published five working days before the meeting, and minutes once they are published.

Dates of the meetings are available here:

<https://colchester.cmis.uk.com/colchester/MeetingCalendar.aspx>.

Most meetings take place in public. This only changes when certain issues, for instance, commercially sensitive information or details concerning an individual are considered. At this point you will be told whether there are any issues to be discussed in private, if so, you will be asked to leave the meeting.

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Access

There is wheelchair access to the Town Hall from St Runwald Street and wheelchair access to the Old Library from West Stockwell Street. There is an induction loop in all the meeting rooms.

Facilities

Toilets with lift access, if required, are on each floor of the Town Hall. A water dispenser is available on the first floor.

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Colchester City Council

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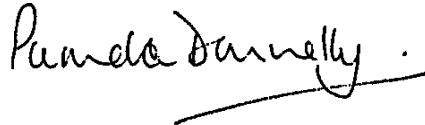
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COLCHESTER CITY COUNCIL
Council
Wednesday, 24 May 2023 at 10:30

TO ALL MEMBERS OF THE COUNCIL

Published 16/05/2023

You are hereby summoned to attend the Annual Meeting of the Council to be held on Wednesday, 24 May 2023 at 10:30 for the transaction of the business stated below.



Chief Executive

AGENDA
THE LIST OF ITEMS TO BE DISCUSSED AT THE MEETING
(Part A - open to the public)

Please note that the business will be subject to short breaks at approximately 90 minute intervals.

Live Broadcast

Please follow this link to watch the meeting live on YouTube:

[\(107\) ColchesterCBC - YouTube](#)

1 Election of the Mayor

Motion A

Motion to elect Councillor John Jowers as the Mayor of the City of Colchester for the ensuing municipal year.

The Mayor to make the declaration and take the customary oath.

The Mayor to return thanks.

2 Minutes of the Previous Meetings

Motion B

Motion that the minutes of the meeting held on 22 February 2023 and the meetings held on 23 March 2023 be confirmed as a correct record.

Council minutes 220223	7 - 14
Council minutes 230323 - TCBGC DPD	15 - 20
Council minutes 230323 - Appointment of s151 officer	21 - 22

3 **Election of the Deputy Mayor**

Motion C

Motion that Councillor Lesley Scott-Boutell be elected as Deputy Mayor of the City of Colchester for the ensuing municipal year.

The Deputy Mayor to make the declaration and return thanks.

4 **Vote of Thanks to the Retiring Mayor**

Motion D

Motion of thanks to the Retiring Mayor, Councillor Tim Young.

The Retiring Mayor to make an acknowledgement.

5 **Mayor's Chaplain and Other Announcements**

The Mayor to announce the appointment of the Mayor's Chaplain and to make other announcements.

6 **Adjournment**

Motion E

Motion to adjourn.

National Anthem (members of the public who are able to stand are asked to remain standing after the National Anthem whilst the Council Procession leaves the Old Library).

7 **Have Your Say! (Council)**

Members of the public may make representations to the meeting on any item on the agenda or any other matter relating to the business of Council. Members of the public may register their wish to address the Council by e-mailing democratic.services@colchester.gov.uk by 12.00 noon on the working day before the meeting. However, advance registration is not mandatory and members of the public may register to speak in person immediately before the meeting.

8 **Declarations of Interest**

Councillors will be asked to say if there are any items on the agenda about which they have a disclosable pecuniary interest which would prevent them from participating in any discussion of the item or participating in any vote upon the item, or any other registerable interest or non-registerable interest.

9 Delegations made by the Leader of the Council

Council to note the appointments of the Deputy Leader of the Council, the appointment of Cabinet members and the allocation of responsibility of portfolios as determined by the Leader of the Council.

10 Appointment of Panels, Committees and Sub-Committees

Motion F

(i) in accordance with the provisions of section 15 of the Local Government and Housing Act 1989 the number of seats, Group representation and membership of the Environment and Sustainability Panel, Governance and Audit Committee, Licensing Committee, Local Plan Committee, Planning Committee, Policy Panel and Scrutiny Panel (including the Crime and Disorder Committee) be as circulated at this meeting (to follow).

(ii) that the membership of the Independent Remuneration Committee be as circulated at the meeting (to follow).

11 Recommendations of the Cabinet, Panels and Committees

Council will consider the following recommendations:-

11(i) Honorary Alderman Eligibility Criteria 23 - 26

G... Motion that the recommendation contained in draft minute 335 of the Governance and Audit Committee meeting of 13 March 2023 be approved and adopted.

11(ii) Code of Conduct Complaint 27 - 40

H... Motion that the recommendations contained in draft minute 365 of the Governance and Audit Committee meeting of 30 March 2023 be approved and adopted.

12 Adoption of the Tiptree Neighbourhood Plan 41 - 108

I... Motion that the the Council makes (adopts) the Tiptree Neighbourhood Plan following its approval at referendum.

13 Authorisation of Absence from Council and Committee meetings 109 - 110

J... Motion that the recommended decision in the Monitoring Officer's report be approved and adopted.

14 **Motion of Thanks**

Motion K

Motion of thanks to former Councillors Chapman, Chuah, Coleman, Fox, Moore and Wood

The Mayor to welcome new Councillors and to invite them to briefly introduce themselves to Council.

15 **Urgent Items (Council)**

Council will consider any business not specified in the Summons which by reason of special circumstances the Mayor determines should be considered at the meeting as a matter of urgency.

16 **Exclusion of the Public (not Scrutiny or Executive)**

In accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public, including the press, from the meeting so that any items containing exempt information (for example confidential personal, financial or legal advice), in Part B of this agenda (printed on yellow paper) can be decided. (Exempt information is defined in Section 100I and Schedule 12A of the Local Government Act 1972).

Part B
(not open to the public including the press)

Council

Wednesday, 22 February 2023

Attendees:

Councillor Tracy Arnold, Councillor Lewis Barber, Councillor Lyn Barton, Councillor Kevin Bentley, Councillor Catherine Bickersteth, Councillor Molly Bloomfield, Councillor Roger Buston, Councillor Nigel Chapman, Councillor Helen Chuah, Councillor Phil Coleman, Councillor Mark Cory, Councillor Pam Cox, Councillor Robert Davidson, Councillor Andrew Ellis, Councillor Adam Fox, Councillor Mark Goacher, Councillor Martin Goss, Councillor Jeremy Hagon, Councillor Dave Harris, Councillor Mike Hogg, Councillor Alison Jay, Councillor John Jowers, Councillor David King, Councillor Richard Kirkby-Taylor, Councillor Jocelyn Law, Councillor Darius Laws, Councillor Sue Lissimore, Councillor Jackie Maclean, Councillor Sam McLean, Councillor Patricia Moore, Councillor Chris Pearson, Councillor Kayleigh Rippingale, Councillor Lesley Scott-Boutell, Councillor Paul Smith, Councillor Rhys Smithson, Councillor Michael Spindler, Councillor William Sunnucks, Councillor Leigh Tate, Councillor Martyn Warnes, Councillor Dennis Willetts, Councillor Barbara Wood, Councillor Julie Young, Councillor Tim Young

580 Apologies

Apologies were received from Councillors Burrows, Lilley, Luxford Vaughan, Mannion, McCarthy, Naylor, Nissen and Scordis.

581 Prayers

The meeting was opened with prayers from the Reverend Sue Howlett.

582 One Minute Silence

Council held a minute's silence in memory of those who had lost their lives in the recent earthquakes in Turkey and Syria.

583 Former Councillor Wyn Foster

The Mayor informed Council of the recent death of former Councillor Wyn Foster and invited Councillor Lissimore to pay tribute to her.

584 Minutes of the Previous Meeting (Council)

RESOLVED that the minutes of the meeting held on 1 December 2022 be confirmed as a correct record.

585 Have Your Say! (Council)

Paul Dundas addressed Council pursuant to the provisions of Council Procedure Rule 6(1) in respect of the electoral cycle. As a result of his service on Council, particularly as leader, his view on the electoral cycle had changed and he now favoured four yearly elections. Whilst there had been some political advantage to be gained from elections by thirds, he had experienced the detrimental effect that they had on how the Council operated. Political self interest should not come before the efficient working of the Council. Elections by thirds promoted short termism at the expense of strategic thinking. The report of the Peer Review had indicated officers and partners would welcome a move to all out elections. No other form or layer of government used elections by thirds. The report and recommendation before Council missed the point. The Boundary Commission should be asked to design a system based on four yearly elections which could then be introduced in 2026. Preconceptions about potential party advantage should be put to one side and the Council should do what was right for Colchester.

Councillor King, Leader of the Council and Portfolio Holder for Strategy, responded and acknowledged that the LGA Peer review had advised the Council to look closely at the issue. This had led to the creation of the all party Elections Working Group whose recommendation was before Council. He had sympathy with both perspectives but doubted whether there was a two thirds majority in favour of change. The way the Council worked across the Chamber was the best response to concerns about business continuity and efficiency and the executive would continue to operate and make decisions throughout the pre-election period.

Anne Reeves, Richard Aldridge and Emma Dell addressed Council pursuant to the provisions of Council Procedure Rule 6(1) about issues relating to the proposed changes to Crouch Street highlighting the following issues:-

- The level of responses to the consultation, even if all were supportive of the proposals, were not a mandate for significant change. The online nature of the consultation was not inclusive or representative, and the initial consultation had been

conducted during the school holidays in the pandemic when restrictions were still in place.

- The removal of the underpass would be detrimental to the safety of pedestrians, particularly the large numbers of school children who used this route, and the elderly. This was particularly the case as the new crossing would not have a central reservation or be dog legged. Evidence showed that subways were safer than any form of crossing.
- Increased usage of the crossing would have a detrimental impact on traffic flow leading to increased congestion and air pollution.
- The parking in Crouch Street was being changed from echelon parking to parallel parking on the basis that this was safer. Evidence showed this was not the case. The opening of car doors would pose a risk to cyclists. It would significantly reduce the amount of parking available. Parallel parking also caused more congestion as it took longer.
- The proposals would damage businesses in Crouch Street, which was a successful and thriving area with many independent businesses. It was the poster area of Colchester and the type of neighbourhood which other neighbourhoods aspired to.
- At certain points, the cycle route would run under the awning of local shops which was not safe. Building regulations and safety regulations were being ignored.
- The existing cycle lanes on Crouch Street worked well.
- Essex County Council had launched a new consultation this week on the underpass alone, suggesting that it was initially overlooked in terms of risk assessment. No survey had been undertaken of the usage of the subway or crossing.
- 96% of St Marys Residents Association objected to the proposals.
- Alternative routes suggested by residents had not been taken seriously and decision makers did not really understand the street or its character or how it would be impacted by the changes.
- The proposals did not meet the stated objective of making it easier to walk or cycle.

Councillor King, Leader of the Council and Portfolio Holder for Strategy, thanked the speakers for their comments and acknowledged the depth of feeling on the issue. This was an Essex County Council scheme, brought forward in the context of national policies to encourage cycling and walking. The consultation had generated a substantial number of responses. A Steering Group was in place which included representatives of businesses who tested the evidence and views of officers, and he considered that the processes to this point had been exhaustive and robust. Essex County Councillor Scott was leading a review of the scheme and there was also a further consultation on the issue of the closure of the subway. He was sure Councillor Scott would take account of the views of local residents and local representatives and the results of the further consultation. He would ensure that the views expressed at this meeting were represented to decision makers at Essex County Council.

Trevor Orton addressed Council pursuant to the provisions of Council Procedure Rule

6(1) to express his concern about the state of pavements in the city centre. He understood that Essex County Council's policy was to do a temporary fix with tarmac and then a full repair within 12 months. This was inefficient and wasteful of resources. It was also understood that Essex County Council Highways needed to find £9 million before it could begin any highway repairs. Funding for new cycleways should not take priority over funding for pavement repairs.

Councillor King, Leader of the Council and Portfolio Holder for Strategy, expressed his thanks for raising these concerns. Colchester City Council could not deal with issues relating to pavements without the agreement of Essex County Council, who were the responsible authority. He would present the evidence Mr Orton had given him to Councillor Scott, Essex County Council Portfolio Holder for Highways Maintenance and Sustainable Transport when he visited Colchester in March. Essex County Council was seeking to replenish the funding in the Highways budget. Colchester City Council did care about the condition of the city centre and considerable investment was being made in the city centre.

Angel Kalyan addressed Council pursuant to the provisions of Council Procedure Rule 6(1). The Monitoring Officer had confirmed to Councillors in December 2020 that the court had dealt with the devaluation of the lease of 139 Mersea Road several years earlier. However, in 2021 he contacted her attempting to settle what had previously been confirmed as already settled.

The Mayor indicated that if the query was put in writing, then it would be looked into.

Sir Bob Russell addressed Council pursuant to the provisions of Council Procedure Rule 6(1) and expressed his support for the views expressed about Crouch Street. This was not the only part of Colchester where the views and needs of cyclists were being given undue weight. The Council had not discussed these issues which had arisen during the pandemic lockdown. It appeared that most Councillors had attended the meeting by car. Cycle use generally was about 4%. In Station Way there was a purpose built bus lane which buses were prohibited to use. The number of cyclists using this had gone down over time. On Head Street the pavement would be narrowed to the detriment of pedestrians, which were the purest form of sustainable transport despite very limited usage of the route by cyclists. This was not a sensible use of public funding.

Councillor King, Leader of the Council and Portfolio Holder for Strategy, explained that a better balance between different forms of transport was being sought. Cycling could be difficult, unwelcoming and at times dangerous as Colchester only had fragments of the cycling infrastructure a modern city needed and that would encourage residents to make whole journeys by bike.

586 Mayor's Announcements

The Mayor invited Councillors to join him for a minutes silence to mark the anniversary of Russia's invasion of Ukraine at 11.00 am on 24 February 2023 on the Town Hall steps. The Mayor also announced the following events:-

- Mayor's Quiz, 3 March 2023 in the Moot Hall.
- Mayor's Varsity Night; 11 March 2023 at Colchester Arts Centre.
- Charity Golf Day, 22 March at Broxted Park Golf Club.
- Mayor's Masquerade Ball, 27 May 2023 at Colchester Arts Centre.

587 Colchester Strategic Plan 2023-26 - A City Fit for the Future

RESOLVED that the recommendation contained in draft minute 714 of the Cabinet meeting of 25 January 2023 be approved and adopted (TWENTY FIVE voted FOR, THIRTEEN voted AGAINST and FIVE ABSTAINED from voting).

588 Budget 2023-24 and Medium Term Financial Forecast 2023-24 to 2027-28

RESOLVED that the recommendations contained in draft minute 715 of the Cabinet meeting of 25 January 2023 and the recommendations in the report of the Section 151 officer entitled "Precept and Council Tax Levels 2023-24 be approved and adopted and that the contents of the report by the Section 151 Officer entitled "Budget 2023-24 and Medium Term Financial Forecast 2023-24 to 2027-28 – Supplementary Report" be noted (TWENTY SIX voted FOR, FIFTEEN voted AGAINST and TWO ABSTAINED from voting).

Further to the provisions of Council Procedure Rule 15(3) a named vote was taken and the voting was as follows:-

FOR: Councillors Arnold, Barton, Bickersteth, Bloomfield, Chuah, Coleman, Cory, Cox, Fox, Goacher, Goss, Harris, Hogg, Jay, King, Kirkby-Taylor, Law, McLean, Pearson, Rippingale, Scott-Boutell, Smith, Spindler, Warnes, J. Young and the Mayor (T. Young).

AGAINST: Councillors Barber, Bentley, Buston, Chapman, Ellis, Hagon, Laws, Lissimore, Maclean, Moore, Smithson, Sunnucks, Tate, Willetts and Wood.

ABSTAINED: Davidson, the Deputy Mayor (Jowers).

589 Colchester's New Economic Strategy 2022-25

RESOLVED that the recommendation contained in draft minute 722 of the Cabinet meeting of 25 January 2023 be approved and adopted (TWENTY FIVE voted FOR, NINE voted AGAINST and NINE ABSTAINED from voting).

590 Local Council Tax Support Scheme 2023-24

RESOLVED that the recommendation contained in draft minute 720 of the Cabinet meeting of 25 January 2023 be approved and adopted (TWENTY EIGHT voted FOR, ONE voted AGAINST and FOURTEEN ABSTAINED from voting).

591 Electoral Cycle

RESOLVED that the recommendation contained in the draft minute of the meeting of the Elections Working Group of 9 February 2023 be approved and adopted (TWENTY SIX voted FOR, FOURTEEN voted AGAINST and THREE ABSTAINED from voting).

592 Questions to Cabinet Members and Committee Chairs pursuant to Council Procedure Rule 10

Questioner	Subject	Response
Oral questions		
Councillor Barber	Whether an Action Plan for enforcement action against drivers who dropped litter on the A12 and it's slip roads could be developed?	Councillor Goss, Portfolio Holder for Neighbourhood Services and Waste, explained that the A12 was the responsibility of National Highways, but litter clearing was delegated to the relevant city or borough Council. This was dangerous work and was the lowest priority in the hierarchy of road

		<p>cleaning. Consequently, the situation had deteriorated over the course of the pandemic as scarce resources were concentrated elsewhere.</p> <p>The Council was collaborating with other authorities, under the lead of Braintree Council, to commission a company to be responsible for clearing the length of the A12. This would allow specialist equipment and staff to be deployed and a uniform approach to be taken. There was also scope to work more closely with National Highways so litter picking could be undertaken when lanes were closed for roadworks.</p> <p>It was not possible to use speed cameras to enforce littering offences, but</p> <p>Councillors were reminded that if they saw littering they could report it to the Neighbourhoods Team, who could issue a Fixed Penalty Notice on the basis of the information they provided.</p>
Councillor Barton	<p>Could an update be provided on the proposals for Eudo Road Tennis Courts as she had been contacted by Lexden Hill Tennis Club who were seeking to organise their summer programme. They had contacted Colchester Amphora but had received no response.</p>	<p>Councillor Goss, Portfolio Holder for Neighbourhood Services and Waste, explained that the proposal was that Lexden Hills would be granted a licence to use the courts to the rear, and would also have rights under the lease to use the courts to the front until they were needed for the extension to the paddle courts. Heads of terms had been drafted and it was proposed to meet with Lexden Hills to take matters forward. He would</p>

		ensure that Lexden Hills Tennis Club were informed of the latest position.
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593 Schedule of Portfolio Holder Decisions

RESOLVED that the schedule of Portfolio Holder decisions covering the period 19 November 2022 -9 February 2023 be noted.

Council

Thursday, 23 March 2023

Attendees:

Councillor Lyn Barton, Councillor Catherine Bickersteth, Councillor Molly Bloomfield, Councillor Michelle Burrows, Councillor Nigel Chapman, Councillor Helen Chuah, Councillor Mark Cory, Councillor Pam Cox, Councillor Robert Davidson, Councillor Andrew Ellis, Councillor Adam Fox, Councillor Mark Goacher, Councillor Martin Goss, Councillor Jeremy Hagon, Councillor Dave Harris, Councillor Mike Hogg, Councillor John Jowers, Councillor David King, Councillor Jocelyn Law, Councillor Darius Laws, Councillor Michael Lilley, Councillor Andrea Luxford Vaughan, Councillor Jackie Maclean, Councillor Roger Mannion, Councillor Sam McCarthy, Councillor Sam McLean, Councillor Patricia Moore, Councillor Chris Pearson, Councillor Kayleigh Ripplingale, Councillor Lee Scordis, Councillor Lesley Scott-Boutell, Councillor Paul Smith, Councillor Rhys Smithson, Councillor Michael Spindler, Councillor William Sunnucks, Councillor Dennis Willetts, Councillor Barbara Wood, Councillor Julie Young, Councillor Tim Young

594 Prayers

The meeting was opened with prayers from the Reverend Sue Howlett.

595 Apologies

Apologies were received from Councillors Arnold, Barber, Bentley, Buston, Coleman, Jay, Kirkby-Taylor, Lissimore, Naylor, Nissen, Tate and Warnes.

596 One Minute Silence

Council stood for a minute's silence in tribute to Lawrence Walker, Chair of Colchester Black History Month. Council also remembered former Councillor Eugene Kraft.

597 Have Your Say! (Council)

Jane Black addressed Council pursuant to the provisions of Council Procedure Rule 6(1). If the Council wished to approve the Development Plan Document (DPD) for public

consultation, it needed to be brought up to date. The draft did not reflect the intention that the link road be built in two phases. The number of buildings that could be built before the link to the A120 was complete should be specified. There was no mention of partial build out in the Transport Base Evidence documents. The original traffic modelling in the Local Plan was based on the link road being in place. Clingoe Hill and the A133 junction were already subject to congestion and delay. The transport base evidence documents focused largely on providing sustainable transport options. Whilst these were welcome the proposed pedestrian crossings on the A133 would impact on traffic flow. To allow residents to comment adequately, the evidence base should clearly set out proposed journey times and frequency of delays on the A133 and surrounding roads. These representations had been endorsed by the Wivenhoe Society Committee.

Sir Bob Russell addressed Council pursuant to the provisions of Council Procedure Rule 6(1). Whilst the threat of large scale development on the eastern side of Salary Brook had been resolved some years ago, there had been still been concern about possible intrusion from expansion of the University across the A133. Thanks were due to the Mayor, other ward councillors and the Tendring Colchester Borders Garden Community Liaison Group in ensuring this threat had been removed and that none of the eastern slopes of Salary Brook would be built on. A tree belt should also be included to ensure residents on Longridge did not see any new buildings. Given the levels of food imports, building houses on prime agricultural land was odd. Fifty years ago, the Council had faced similar issues around the development of Highwoods, but Councillors had intervened to remedy the situation, as was the case with Salary Brook. Councillors should also act in this fashion in respect of Middlewick.

Russ Edwards, Latimer's Project Director for the Tendring Colchester Borders Garden Community, addressed the Council pursuant to the provisions of Council Procedure Rule 6(1). Congratulations were offered to the officers of Essex, Tendring and Colchester in preparing the draft DPD. Latimer were encouraged by the progress made since the regulation 18 draft version. Latimer were extremely supportive of the vision and ambitions in the DPD and were fully committed to delivering these aspirations. They looked forward to continued engagement with councillors and officers in delivering the DPD and in respect of design activity leading to the hybrid planning application.

It was appreciated that there were concerns about the full delivery of the link road. Latimer was entirely committed to the full delivery of the link road. It was supporting Essex County Council in its discussions with government. This commitment was set out in a Memorandum of Understanding which had been signed by Latimer and the respective Councils. The urgency of the issue for councillors and residents was understood. Latimer supported the conclusion of the work by Gerald Eve on viability which formed part of the evidence base. This found that the project was viable and deliverable. Latimer were committed to working proactively and in partnership with the Councils to ensure the delivery of the full package of infrastructure. Viability was a key element of this work. Latimer expected to deliver approximately two thirds of the

housing in the new community throughout the 25 year development life cycle. Latimer's housing association would own and operate all the affordable homes in the new community.

Councillor Tom Kane, Mayor of Wivenhoe, addressed the Council pursuant to the provisions of Council Procedure Rule 6(1). The Town Council and residents of Wivenhoe had several concerns with the DPD as currently drafted. Wivenhoe must have an adequate green buffer from the new community to preserve its identity as a separate community. No development south of the A133 was key to securing this and this had been the key point made in responses to every consultation. The current plan included University development south of the A133. The access arrangements for this development would add significantly to exiting congestion. The small remaining buffer could be swallowed up by allotments and cemeteries. In respect of transport issues, traffic on Clingoe Hill was already horrendous. The link road could have alleviated some of this but there were still significant problems with the delivery of the link road including staged development, funding shortfalls, landowners reluctant to sell unless massively compensated and unresolved safety issues on the A120 junction. Additional traffic from the Knowledge Gateway and the first phase of housing would exacerbate the problem. The proposed Rapid Transit System was a bus service with limited priority and would be wholly inadequate. Current access to Bromley Road across the site had been removed.

Councillor Shaun Boughton, Wivenhoe Town Council, addressed the Council pursuant to the provisions of Council Procedure Rule 6(1). The concerns about the link road were not just the spiralling costs, but also safety concerns about the junction on the A120, which Highways England had not yet approved. The proposed site's land ownership was extremely complex and no landowner had yet signed the heads of terms. It was understood that one landowner in particular was unlikely to agree to sell. The assembly of the land would have a huge impact on the viability of the scheme. The Garden Community principles were a good framework for place making. However, their assessment of the proposed Garden Community development was that it did not comply with some of the significant principles, including the principle of infrastructure first. To approve the DPD before section 106 agreements were signed went against this principle and this was effectively the same development model that blighted other areas of Colchester. Experience elsewhere had shown that garden communities became car dependent and increased traffic. The Council needed to take control now, otherwise the development would lead to massive congestion. Triggers for infrastructure development needed to be enshrined in policy.

Manda O'Connell on behalf of the Tendring Colchester Borders Garden Community Liaison Group, addressed the Council pursuant to the provisions of Council Procedure Rule 6(1) to urge Councillors to vote to adopt the Regulation 18 draft of the Development Plan Document. Not only would it provide excellent features and amenities to new and existing communities, despite the shortfall in link road funding, but also because the

alternative was much worse. It provided green buffers, a country park, specially tailored University expansion plans together with a commitment to green energy. Infrastructure would be provided alongside homes with a three neighbourhoods approach, with an emphasis on the development of community and not just housing. The Group were satisfied that the measures to secure the shortfall in funding for the link road were robust. If the DPD was not adopted there was a serious risk that the funding could be lost and the Local Plan put back by years. This would increase the risk of speculative development. It was the Group's view therefore that it was not ideal that the Garden Community may have to rely on obtaining the shortfall for the Link Road from the developers. However, with the safeguards in place, this was the best that could be done to secure a Local Plan with a visionary community for the future rather than piecemeal speculative development without regard to the needs of new and existing communities.

598 Tendring Colchester Borders Garden Community - Submission Version of the Development Plan Document - Regulation 19

Councillor King, Leader of the Council and Portfolio Holder for Strategy proposed that the recommended decision set out in the report of the Executive Director, Place, be approved and adopted.

Councillor Sunnucks moved a main amendment that the recommended decision set out in the report of the Executive Director, Place, be approved and adopted subject to the addition of the following further paragraphs at the end of the motion:

This Council:

(1) will seek to work in collaboration with Tendring District Council and Essex County Council to agree a further Memorandum of Understanding with Latimer in relation to the delivery of infrastructure across the whole development with a focus on phase 1, ideally before the consultation period starts. This is intended to agree an open book appraisal methodology, acknowledge a phase 1 appraisal to be prepared and agree the principles for delivery of all infrastructure. The Council will also request the appointment of an independent consultant to commence initial negotiations in respect of draft heads of terms for any future S106 agreement.

(2) expresses its strong concerns about the risk of congestion should phase 2 of the A120/A133 Link Road be delayed.

Councillor King indicated that the main amendment was accepted and the motion was deemed amended accordingly. The revised wording of the recommended decision was

therefore as follows:-

That Full Council, having taken into account the information contained in this report and appendices in making its decision on the Submission Version of the Development Plan Document, associated Sustainability Appraisal and other related evidence, in particular the decision made the Tendring and Colchester Borders Garden Community Joint Committee at its meeting held on 27 February 2023, resolves that –

- (a) the Submission Version of the Plan for the Tendring Colchester Borders Garden Community (otherwise known as the 'Development Plan Document' or DPD) (Appendix 1) and associated Sustainability Appraisal (Appendix 2) along with the Strategic Masterplan and other related evidence listed as background documents which together address the legal requirements of the planning system and the tests of soundness set out in the National Planning Policy Framework, having regard to the comments received in response to the 2022 Regulation 18 public consultation exercise, be published for six weeks' public consultation in line with Regulation 19 of the Town and Country Planning (Local Planning) (England) regulations 2012 (as amended) and Regulation 13 of the Environmental Assessment of Plans and Programme Regulations and thereafter submitted to the Secretary of State in line with Regulation 21 of the Town and Country Planning (Local Planning) (England) regulations 2012 to begin the process of independent examination;*
- (b) the Garden Community Planning Manager, in consultation with Tendring District Council's Director of Planning, Colchester City Council's Executive Director of Place and the Chairman and the Vice-Chairman of the Tendring Colchester Borders Garden Community Joint Committee, be authorised to make any minor editorial changes to the text and maps in the Submission Version of the DPD and to make necessary updates and additions to the evidence base ahead of their publication for public consultation;*
- (c) welcomes the completion of a Memorandum of Understanding which is intended to govern the relationship, collaboration and co-operation between the Councils and Latimer in relation to the delivery of both phases, at the earliest opportunity, of the A120-A133 Link Road which will support the development of the Garden Community; and*
- (d) endorses the recommendation that Officers from the Councils work with Latimer to explore the possibility of entering into an agreement which would detail how the parties would work collaboratively for the duration of the project, delivering the vision for the future of the garden community.*

This Council:

- (1) will seek to work in collaboration with Tendring District Council and Essex County Council to agree a further Memorandum of Understanding with Latimer in relation to the delivery of infrastructure across the whole development with a focus on phase 1, ideally*

before the consultation period starts. This is intended to agree an open book appraisal methodology, acknowledge a phase 1 appraisal to be prepared and agree the principles for delivery of all infrastructure. The Council will also request the appointment of an independent consultant to commence initial negotiations in respect of draft heads of terms for any future S106 agreement.

(2) expresses its strong concerns about the risk of congestion should phase 2 of the A120/A133 Link Road be delayed.

On being put to the vote the motion was approved and adopted (thirty five voted for, two voted against and two abstained from voting),

A named vote pursuant to Council Procedure Rule 15(2) was requested by Councillor Fox, supported by Councillors J. Young and Lilley, and the voting was as follows:-

FOR:- Councillors Barton, Bickersteth, Bloomfield, Chapman, Chuah, Cox, Davidson, Ellis, Fox, Goss, Hagon, Harris, Hogg, King, Law, Laws, Lilley, Maclean, Mannion, McCarthy, McLean, Moore, Pearson, Ripplingale, Scordis, Scott-Boutell, Smith, Smithson, Spindler, Sunnucks, Willetts, Wood, J. Young, the Deputy Mayor (Jowers) and the Mayor (T. Young)

AGAINST:- Councillors Burrows, Cory

ABSTAINED FROM VOTING:- Councillors Goacher, Luxford Vaughan

Council

Thursday, 23 March 2023

Attendees:

Councillor Lyn Barton, Councillor Catherine Bickersteth, Councillor Molly Bloomfield, Councillor Michelle Burrows, Councillor Nigel Chapman, Councillor Helen Chuah, Councillor Mark Cory, Councillor Pam Cox, Councillor Robert Davidson, Councillor Andrew Ellis, Councillor Adam Fox, Councillor Mark Goacher, Councillor Martin Goss, Councillor Jeremy Hagon, Councillor Dave Harris, Councillor Mike Hogg, Councillor John Jowers, Councillor David King, Councillor Jocelyn Law, Councillor Darius Laws, Councillor Michael Lilley, Councillor Andrea Luxford Vaughan, Councillor Jackie Maclean, Councillor Roger Mannion, Councillor Sam McCarthy, Councillor Sam McLean, Councillor Patricia Moore, Councillor Chris Pearson, Councillor Kayleigh Rippingale, Councillor Lee Scordis, Councillor Lesley Scott-Boutell, Councillor Paul Smith, Councillor Rhys Smithson, Councillor Michael Spindler, Councillor William Sunnucks, Councillor Dennis Willetts, Councillor Barbara Wood, Councillor Julie Young, Councillor Tim Young

599 Apologies

Apologies were received from Councillors Arnold, Barber, Bentley, Buston, Coleman, Jay, Kirkby-Taylor, Lissimore, Naylor, Nissen, Tate and Warnes.

600 Designation of Interim Section 151 Officer

RESOLVED (UNANIMOUS) that the recommended decision in the Chief Operating Officer's report be approved and adopted and accordingly Andrew Small be designated as the Council's Section 151 Officer with effect from 1 April 2023.

Extract from the draft minutes of the Governance and Audit Committee meeting of 13 March 2023

355. Honorary Alderman Eligibility Criteria

The Committee considered a report asking that it consider a proposal to amend the eligibility criteria for the conferment of the title of Honorary Aldermen of the City of Colchester on former Councillors.

Andrew Weavers, Monitoring Officer, attended the meeting to introduce the report and assist the Committee with its enquiries. The Committee was advised that there had been a typographical error in the paragraph 4.4 of the report, which stated that “the proposal was full discussed”, when it should have stated “the proposal was fully discussed”.

Alderman Bober, the Chair of the Honorary Alderman Group, attended the meeting and addressed the Committee in accordance with the Council’s Have Your Say! provisions. The Committee heard that the proposals which were contained within the report had come as a bolt out of the blue to existing Aldermen, as they had spent some time reviewing the Aldermanic Criteria themselves and believed that their approved criteria had been signed off by the Portfolio Holder. The current criteria worked well, were tried and tested, and there was no reason to alter them. Addressing the suggested alterations to the criteria, Alderman Bober considered that the position of Leader of the Council was a political appointment by a ruling group whereas the appointment of Aldermen was linked to civic endeavour and service and not political affiliation. Although in some areas of professional or military life it was possible to make posthumous awards, it was not considered that this approach was necessary or appropriate for Aldermen who had carried out a civic duty. Alderman Bober considered that the current length of service criteria were correct, as they established the criteria for exceptional service and created a uniqueness which was special to Colchester. The changes which had been proposed to the Committee, in the view of the current Aldermen, undermined that status, and were being proposed to pacify ex-Councillors who did not meet the current criteria, which was inappropriate.

Alderman Sir Bob Russell attended the meeting and addressed the Committee in accordance with the Council’s Have Your Say! provisions. He endorsed all the points which had been made by Alderman Bober, and further considered that the proposals should not have been brought before the Committee as the views of the current Honorary Aldermen had not been sought, which was discourteous and disrespectful. The Local Government Act 1972 enabled Councils to appoint Honorary Alderman in recognition of their service, and Colchester Council had taken the view that this appointment would be given only to those who had served as Mayor, before the criteria were relaxed to allow Councillors with at least 20 years’ service, which was

exceptional service, to be appointed as Aldermen. Both of these criteria were non-political, whereas the Leader of the Council was a political appointment. Alderman Sir Bob Russell also queried the source of the proposals, noting that the Committee had been advised that the 4 Group Leaders of the Council had approved the proposals, but when he had spoken to members of the Green and Liberal Democrat Groups, they had not been aware of the proposals. He called on the Committee to reject the proposals which had been placed before it.

Alderman Sonia Lewis attended the meeting and addressed the Committee in accordance with the Council's Have Your Say! provisions. She requested that the Committee consider the implications of what was being proposed, and advised the Committee that she had confirmation from the Leader of the Conservative Group at the Council that this Group was due to discuss the proposals at its meeting on 20 March 2023, and had not yet agreed them. This was at odds with the suggestion that the Aldermen had been told that Group Leaders were supportive of the proposed changes. Her personal opinion was that the requirement for 20 years' of service was perhaps slightly too long, however, at a recent Aldermen meeting, 10 Aldermen of the 11 who were present had voted against the proposals, with only 1 vote in favour of them.

Alderman Theresa Higgins attended the meeting and addressed the Committee in accordance with the Council's Have Your Say! provisions. She explained to the Committee that at the recent Aldermen, hers had been the vote in favour of the proposals. She explained to the Committee that she was also an Alderman of Essex County Council, and this title was bestowed on Councillors after 16 years, or 4 full terms of service. She considered that the proposals which were now before the Committee were as a result of some current Councillors feeling that 20 years' service was far too long, and some members of the Council would relish being an Alderman if they retired after 16 or 17 years' service. The title was a very honourable one, however, Alderman Higgins did not consider that in the future there would be many Councillors who would serve the full 5 terms of office that were currently required, and thought that the minimum length of service should be reduced to 16 years in line with the requirements of Essex County Council. She was not against giving the title of Honorary Alderman posthumously, however, she would not support awarding the title to past Leaders of the Council.

Councillor Smith, as Chair of the Committee, welcomed the comments that had been made by the Honorary Aldermen at the meeting, considering that the effort that had been made in attending the meeting to address the Committee was a very favourable reflection on the esteem in which the title of Honorary Alderman was held. He clarified that the matter had been brought before the Committee as the result of a request that he had made when he had assumed the role of the Chair of the Committee, as he was conscious that the rules had not been reviewed for a considerable period of time. It was right that the rules were periodically reviewed, particularly in the light of the reduction in the number of City Councillors which had occurred, to ensure that the rules remained relevant and met the needs of the

Council. His personal view was that the length of service should be reduced in line with the reduction in the number of Councillors. He further believed that since the introduction of the Cabinet system, the role of elected Leader had been a very demanding one, and wondered whether it was appropriate to reflect that route of service as well?

A Committee member confirmed that there had been some discussion among the Labour Group about the proposed changes to the eligibility criteria at its most recent meeting, but that a clear consensus had not been reached in the Group.

The Committee noted and welcomed the comments which had been made by visiting Aldermen, and careful consideration was given to the points which had been made. In discussion, the Committee accepted that the eligibility criteria for Aldermen had been changed in the past, and it was recognised that there was no consensus among other Local Authorities, with the length of service being required by some being as short as 8 years. Given the changes which had been made to the number of Councillors who were elected each year, and potential future changes which could be made, for example in relation to ward boundaries, the Committee was satisfied that it was appropriate to recommend that the length of service required be reduced to 16 years.

The Committee expressed reservations with regard to the suggestion that former Leaders of the Council be automatically considered for eligibility, and it was suggested as a compromise that the highly demanding nature of the role of Leader be recognised in some form. It was therefore proposed that the criteria be amended to state that any Councillor who had held the role of Leader of the Council for a total combined period of at least 4 years, be considered eligible, provided that they had also served as a Councillors for a minimum of 8 years. It was not necessary for the years of service to be consecutive.

No support was offered by the Committee for the suggestion that the title of Honorary Alderman should be bestowed on qualifying Councillors posthumously.

RECOMMENDED TO COUNCIL that:

The eligibility criteria for Honorary Aldermen be amended to be:-

Former Councillors who have either:-

- i) Acquired at least 16 years' service as Members of the Council; or
- ii) Who have held the office of Mayor of the City; or
- iii) Who have held the office of Leader of the Council for a combined period of at least 4 years, and who have additionally acquired a minimum of 8 years' service as a Member of the Council.

A link to the report considered by the Governance and Audit Committee when making this recommendation can be accessed via the link below:-

[Honorary Alderman Eligibility Criteria](#)

Extract from the draft minutes of the Governance and Audit Committee Sub-Committee meeting of 30 March 2023

365. Code of Conduct Complaint

The Sub-Committee considered a report requesting that it determine a Code of Conduct complaint.

Andrew Weavers, Monitoring Officer, attended the meeting to present the report and assist the Sub-Committee with its enquiries. The Sub-Committee was requested to determine whether or not the complaints that had been received in respect of the conduct of Councillor Moore were sufficiently serious to have been deemed to have breached Colchester City Council's (the Council) Members Code of Conduct. The Sub-Committee was requested to carefully consider the report which had been provided by the Monitoring Officer, together with the report which had been provided by the independent Investigating Officer, the supplementary information which had been provided by Councillor Moore, the defence case and evidence bundle which had been submitted by Councillor Moore's representative and the representations which were to be made at the meeting.

Councillor Laws attended the meeting, and with the permission of the Chair, addressed the Sub-Committee. He spoke highly of Councillor Moore, who was well respected in within the Conservative Group, and was diligent and professional in the way that she conducted herself. As the Conservative Group Leader on the Council, it was his responsibility to not only consider the welfare of individual Councillors, but also the welfare of the image of the Conservative Party as a whole, and it was within his powers to withdraw the party whip from Councillors if he considered it was necessary to do so. Having taken a close interest in the progress of the complaints he confirmed to the Sub-Committee that at no point had he considered that it was necessary or appropriate to withdraw the whip from Councillor Moore, and he was happy to continue to support her.

Councillor Moore was invited to make comments on the contents of the report which had been presented by the Monitoring Officer, and she advised the Sub-Committee that she had not been appraised of the contents of the third and fourth complaints which had been made against her, and felt that she was therefore hampered from addressing these properly. She asserted that she was not guilty of breaching the Members Code of Conduct.

Councillor Smith, in his role as Chair of the Sub-Committee, reminded all parties that the Sub-Committee was in no sense a Court of Law, but was meeting as a Council body.

Nick MacBeath, the independent Investigating Officer, attended the meeting remotely to present his report and assist the Sub-Committee with any enquiries. The Sub-Committee heard that Mr MacBeath had been commissioned to undertake an independent review of 4 complaints which had been received on behalf of the Council, after these complaints had been considered by the Monitoring Officer and the appointed Independent Person as warranting further investigation. Mr MacBeath advised the Sub-Committee that he was an impartial person, not from the area who had not worked for the Council before, and he was qualified to undertake the investigation. Mr MacBeath's report set out his understanding of the facts which had been presented to him, and the conclusion that he had drawn, and his conclusion had been that the Code of Conduct had been breached. In response to an enquiry from a Member of the Sub-Committee, Mr MacBeath confirmed that he had been employed by TIAA for 24 years, and was a senior manager. He had carried out various roles during this time across numerous sectors including local government, housing, the National Health Service and was suitably qualified to undertake these reviews.

Councillor Moore introduced Dr Martin Parsons to the Sub-Committee, who was to represent her during the hearing. Dr Parsons requested that it be minuted that it was contended that a significant portion of Councillor Moore's defence was that it was not handled properly by the Monitoring Officer, and it was therefore not appropriate that the Monitoring Officer should be in the room during the hearing, or give advice to the Sub-Committee. Dr Parsons acknowledged that the Chief Executive had disagreed with this contention and he had accepted this.

The Sub-Committee heard that the complaints received concerned muppets, which were endearing children's television characters, comments made by Councillor Moore in relation to her fellow Councillors, and to questions asked of a Town Councillor at a Town Council meeting as to whether complaints had been made on behalf of a political organisation, or in a personal capacity.

The Sub-Committee was also asked to bear in mind that Councillor Moore was an opposition politician, and it was the job of opposition politicians to scrutinise, criticise and challenge members of the party in power, which was what she had done. Anything which undermined the constitutional role of opposition politicians was damaging to democracy. At no time had Councillor Moore breached any of the Nolan Principles which underpinned the Council's Code of Conduct.

The Sub-Committee was advised that it was required to decide 3 things:

1. Did Councillor Moore actually breach the Council's Code of Conduct?
2. Was it lawful for the Council to accept and investigate the complaints which had been made?

3. Did the Council investigation fully follow its own procedures and fully follow the requirements set down by United Kingdom Law and international Human Rights Conventions?

If the answer to any one of these questions was 'no' that it was suggested that the case against Councillor Moore had to be dismissed. It was the contention of Dr Parsons that the answer to all 3 questions was 'no'.

According to the Council's own arrangement for dealing with complaints, a complaint which was trivial in nature should not be investigated further, and Dr Parsons considered that the use of the term 'muppets' was commensurate with comments made by national politicians when in opposition which were considered to be wholly acceptable.

The Sub-Committee heard that it was considered that the complaints which had been made were vexatious, in that they had been made by a Town Councillor who led a local campaign group and who had opposing political views to Councillor Moore. The language of the complaints was vexatious and, at times, very insulting to Councillor Moore. A member of the Sub-Committee clarified that although the complainant was a Town Councillor, it was clear from the report that the complaint had been made in a personal capacity, and this was noted by the Sub-Committee.

Dr Parsons considered that the complaint was also clearly politically motivated, and that it should have been clear to the Monitoring Officer that the complaint had been made by a Councillor, as the Monitoring Officer was under a duty to maintain a register of all elected Councillors within their district, and should therefore have known this. The Sub-Committee was careful to draw the distinction between what an Officer should have known, and what they were able to discover, and reminded Dr Parsons that care was to be taken when discussing Officers, who were not able to defend themselves.

Dr Parsons considered that the Code of Conduct had to be interpreted in two ways; firstly the Localism Act 2011 set out the 7 principles of good governance on which the Code of Conduct states it is based. And not one of these principles had been breached by what Councillor Moore had been accused of. Secondly, S.6 of the Human Rights Act stated that every public authority must act in a way that is consistent with the Human Rights Act 1998, which incorporated the European Convention on Human Rights. Therefore, nothing within the Code of Conduct could conflict with the European Convention on Human Rights. The Comments which Councillor Moore made were legally protected by Article 10 of the Human Rights Act, which stated that everyone had freedom of expression, subject to some limited legal restrictions. In Dr Parsons's opinion, the only one of these restrictions which could be relevant to the complaints was the requirement to protect the rights and reputations of others. There was no suggestion that Mr Wood's rights had been breached, and Dr Parsons argued that in accordance with the Defamation Act 2013, his, or anyone

else's, reputation had not been either.

Prior to the hearing, the Monitoring Officer had distributed a stated case to all parties to the hearing; R (on the application of) Benjamin Dennehy v London Borough of Ealing. Referring to the judgement in this case, Dr Parsons advised the Sub-Committee that political expression attracted a higher degree of protection than expressions made in a personal capacity, as politicians laid themselves open to close scrutiny of their words and deeds. The Sub-Committee further heard that the blog which had been the subject of the stated case which had been referenced, was racist in its nature and content and was clearly reprehensible, whereas the comments made by Councillor Moore bore no relationship to them.

The Sub-Committee noted the points made by Dr Parsons and sought clarification on whether or not Councillor Moore had been acting in a personal capacity or as part of her role as a Councillor, as it had been consistently stated in the defence bundle produced that she had been acting in a personal capacity. Councillor Moore confirmed that she had written her articles as a Councillor, however, she considered that it was clear that the articles contained her personal comments on events at the Council as she saw them.

Dr Parsons advised the Committee that a general principle in English law in determining what constituted an offence to do with speech, was that intention had to be proven in any regulation of speech.

The Sub-Committee heard that one of the most important Supreme Court cases in the previous few years was the Director of Public Prosecutions v Zeigler and others, and this case specifically concerned Article 10 of the European Convention on Human Rights. The Court ruled that when a public authority was seeking to restrict or place a sanction on someone's freedom of speech, a very specific proportionality assessment was required to be carried out, and this assessment had been produced in the defence bundle in order to assist the Sub-Committee. As far as Dr Parsons could tell, the Council had not undertaken this assessment, and in his opinion the failure to carry out this assessment made the continuance of the complaint unlawful.

Dr Parsons also considered that there had been a number of other failures on the part of the Council to follow specific procedures:

1. The Code of Conduct defined complaints in a number of ways, including distinguishing whether or not a complaint had been made by a Councillor, Officer or member of the public. It was contended that this distinction was significant, and was made to assist Officers in determining whether or not a complaint was politically motivated and should therefore be treated as vexatious. It was considered that the assertion contained within the Officer's report that the complaint was made in a private capacity even though the complainant was a Town Councillor was a misuse of the Code of Conduct. At the least, a Councillor making a complaint in a personal capacity needed to declare the fact that they were a Councillor to avoid a potential

conflict of interest.

2. A failure to assess whether it could be reasonably predicted by the Councillor that what had been complained about could actually be a breach of the Code of Conduct. The Sub-Committee considered whether the use of the term 'muppets' used in the article written by Councillor Moore had been intended to refer to lovable television characters, or had been used to infer that the person or persons referred to as muppets were ignorant and stupid. Councillor Moore stated that the fact that she had written "elect muppets, get a comedy show" demonstrated that she had intended to refer to the television characters in a humorous manner, and was not aware of an alternate, more insulting, meaning of the word muppets. She considered that use of words in the English language changed so frequently that it was difficult to keep abreast of their changing meanings, and she had not intended to cause offence. Councillor Moore accepted that it may be interpreted that she had intended to refer to others as stupid and ignorant, but that this needed to be proven. A member of the Sub-Committee considered that in their opinion, given the tone of the rest of the article, they considered that on balance it was possible to believe that Councillors Moore's intention had been to refer to others as ignorant and stupid, although a different interpretation was possible. Dr Parsons drew the attention of the Sub-Committee to remarks which had been by Sir Kier Starmer, Leader of the Opposition, when he likened Boris Johnson and Liz Truss to comedians, and considered that as no censure would be expected in this example of normal political discourse, none was appropriate here.

3. A repeated failure to weigh up the evidence. It was suggested to the Sub-Committee that as soon as it became evident that Mr Wood was also a Town Councillor, the complaint should have been re-assessed. Although the Officers' report state that Mr Wood had made his complaint in a private capacity, there was no evidence to support that contention, or that this had been considered. It was suggested to the Sub-Committee that it was evident from the content of the complaints that they were politically motivated.

4. A failure to include in the Monitoring Officer's report a list of the agreed and not agreed facts and the corresponding evidence, which was required by the Code of Conduct.

5. A failure to ensure that the independent Investigating Officer was suitably qualified to deal with these complaints and political matters. Given the nature of the complaints, it was suggested that significant experience of high levels of local government would have been required to properly assess the complaints.

At the request of Councillor Moore, and with the consent of the Chair, Matthew Evans, Democratic Services Officer, read 3 letters to the Sub-Committee, which had been submitted as part of the defence bundle. Although the identity of the writer of the first of the letters had been withheld due to their fear of intimidation from the complainant, the Sub-Committee was assured that this identity was known and the

letter was not from an anonymous source. The second letter was from Councillor Kevin Bentley who offered his strong support for Councillor Moore, considering that she acted with integrity and respect at all times. The third letter was from Peter Clements, a resident of Mersey who was supportive of Councillor Moore and requested that the Sub-Committee dismiss the complaints.

Councillor Jowers attended the meeting, and, with the Consent of the Chair, addressed the Sub-Committee. He advised the Sub-Committee that West Mersea Town Council was not a political Council in the way that some Parish Councils were, but rather was made up of strong minded local people such as Councillor Moore and Councillor Wood, and that sometimes debate could become robust. He questioned where the line for unacceptable behaviour lay, and wondered whether this was down to the individual as to whether offence was taken, suggesting that he could have taken offence on a number of occasions over the years if he had so wished. He believed that there had to be an element of knockabout in interactions between Councillors, and while he would not personally have used the term 'muppets', he did not believe that this had been intended to cause offence, and had been intemperate as opposed to insulting. Councillor Moore was an excellent Councillor and in the opinion of Councillor Jowers, the last thing that she would do would be to use offensive language, and the use of the term 'muppets' had been in a humorous manner, albeit with a slight edge. He reminded the Sub-Committee that Councillor Moore had already apologised for her remarks and did not consider that it was appropriate that matters had reached this stage in proceedings. Following questioning from the Sub-Committee, Councillor Jowers confirmed that Mersea Town Council was political, but not on traditional party lines, and that anyone standing for election as an independent or local party was acting in the political arena.

In response to an enquiry from the Sub-Committee, Councillor Moore clarified that she had apologised to all Colchester City Councillors by way of an email which had been sent to them all, and this would have included Councillors that she was supposed to have been rude about.

6. Dr Parsons made reference to the Investigating Officer's report, and considered that it had made repeated, and unsubstantiated, assertions that the complaints had been 'clearly made in a private capacity', and this claim was not accepted by Councillor Moore. There had been a failure of the Independent Investigator to consider the impact on democracy of his recommendations, and Dr Parsons considered that it was not appropriate to censure opposition politicians for criticising the ruling party in a democratic county. The Investigating Officers report had treated the Code of Conduct complaint as though it had been an employment matter, when Councillor Moore had not been acting in a professional capacity but rather in a political capacity, which allowed her greater freedom of expression than someone acting in the course of their profession.

7. Dr Parsons advised the Sub-Committee that he considered that there were specific issues with all of the complaints which had been received. With regard to the

first complaint, it was suggested that the heading for the article which made reference to Colchester Borough Council, had in fact been inserted by the magazine editor, and not by Councillor Moore, and this was therefore not evidence that she was writing in an official capacity as the complainant suggested. It was suggested in the Investigating Officer's report that there could be a perception that the article was written in an official capacity, but the Code of Conduct made no reference to the element of 'perception'. With regard to the second complaint, Dr Parsons considered that the Council's complaint procedure provided for details of the complaint to be disclosed to the press on enquiry, and therefore the complaint could not be regarded as confidential. The Investigating Officer's report acknowledged that there was nothing in the Code of Conduct which required a complaint to be treated in confidence, and it was not considered that Councillor Moore had therefore breached the Code of Conduct in this regard. In respect of the third complaint, it was suggested to the Sub-Committee that Councillor Moore's conduct at the meeting of West Mersea Town Council could only be counted as intimidation if there was clear evidence that it had been intimidating, and there had been no mention of intimidation in any of the complaints that had been made. It was Dr Parson's contention that all the complaints which had been made were political in nature, and Councillor Moore's questions at the Town Council meeting had been entirely in accordance with the Nolan Principles. Moreover, Councillor Moore had felt that she had to ask questions in public as she had been afraid of approaching Mr Wood in private.

Councillor Moore addressed the Sub-Committee, and made reference to the fact that she was dyslexic and, as such, tended to think in word metaphors and often created amusing images. She had not been shown copies of the third and fourth complaints which had been received before being interviewed by the Independent Investigator, and therefore was not in a position to properly respond to these. This was a serious lapse on behalf of the Council, and anything contained in these complaints should therefore not be considered. The 4 complaints were motivated by a combination of hatred and politics and should be dismissed on these grounds alone. At the meeting of Mersea Town Council, she had been the subject of such disparaging comments that a member of the public who had been present took the time to call at her home later that evening to check whether she was alright. Her use of the phrase 'honest and true' had been questioned, however, this was a quotation from a poem entitled 'The Honest and True Boys', which was about keeping up best standards in life. The depiction of life at the Council and her reference to the 'Camp Grenada' song had been in no way insulting, which would be apparent to anyone familiar with the music. It was always her intention to entertain and inform when writing articles for Mersea Life, which was circulated to 10,000 people, and in 8 years the complainant had been the only person to ever object to her humour; it had never been her intention to offend her fellow Councillors. No mention had been made of the hate filled, misogynistic and ageist language which had been directed against her by the complainant, and about which she had made a complaint. As a practising Christian, she was not in the habit of trying to intimidate people, and did not consider that asking a question in a public forum in order to establish the truth was attempting

intimidation.

In response to a question from the Sub-Committee, Councillor Moore confirmed that her use of the phrase 'murkier goings on' had simply mean cloudy and unclear as opposed to bad. She was unable to account for the interpretations which were placed upon her words, but had always written her articles as a Councillor who was expressing her own personal view. Councillor Moore had used the term 'squeamish' after hearing several opposition Councillors say that they did not have the stomach for voting for the proposed Local Plan, and considered that this meant that they had been squeamish, and did not consider that this term was offensive. She had been advised that some Councillors had indicated that they had found the article amusing. The Sub-Committee considered that the element of perception of the meaning and use of language was important, as well as the intention behind the use of language. Councillor Moore confirmed that her articles were always intended to be a humorous look at elements of Council life with the aim of encouraging people to read them as part of a public service, and considered that the nature of humour was that it was always open to interpretation.

Turning to the expression of 'honest and true' that had been used by Councillor Moore, the Sub-Committee considered that there could be an existing public perception that Councillors could be open to bribery, particularly when it came to planning matters; was Councillor Moore aware of this perception? Councillor Moore again explained that the words had come from a poem encouraging high standards in life, although she conceded that her use of the phrase 'enough honest and true' Councillor's could generate the perception that there were some Councillors who were not honest and true. A member of the Sub-Committee confirmed that when they had read the article, their perception had been that Councillor Moore was implying that some Councillors were not honest and true, which could be damaging to the Council as a whole as it referenced a negative public perception of Councillors.

The Sub-Committee considered the events which had taken place at the meeting of Mersea Town Council, and Councillor Moore explained that she had simply asked questions of Councillor Wood at that meeting to attempt to understand the motive behind the complaints which had been made against her. Her language had not been intimidating, and she was under no obligation to keep the details of the complaints confidential. At no point had the meeting of the Town Council been suspended by its Chair due to disorderly conduct. Councillor Moore confirmed that she believed that she had, at all times, acted in accordance with the Nolan Principles, and had accounted for her actions to the public. She considered that the making of 4 Code of Conduct complaints against her in the space of 6 weeks was vexatious.

A member of the Sub-Committee enquired whether Councillor Moore felt that she had treated other members of the Council with respect through her articles and her comments, and Councillor Moore stated that her comments had been humorous but

not disrespectful.

The Sub-Committee invited Nick MacBeath to provide any additional comments on his report, and he gave his opinion that the debate of the evening had illustrated that different people interpreted things differently, and that the complainant had been offended by the content of Councillor Moore's articles, which had given rise to the investigation.

On behalf of Councillor Moore, Dr Parsons gave a summing up of the defence to the Sub-Committee. He considered that what was of importance when the Sub-Committee was making its deliberations was consideration of the bigger picture.

The supposed breaches of the Code of Conduct which Councillor Moore was accused of had arisen because she had used the term 'muppets' to refer to unnamed members of her political opponents, she had referred to Councillors who had avoided voting on a particularly important and potentially controversial issue as 'squeamish', and she had asked questions in a public meeting which were in accordance with the Nolan Principles. It had been demonstrated that West Mersea Town Council was political, although not along traditional party lines, Councillor Moore had used humour to deal with difficult topics, and as an opposition Councillor it had been appropriate for her to make the comments that she had. The Sub-Committee was warned against setting a precedent which would stifle proper democratic debate in the future.

The Sub-Committee heard that Councillor Moore had not been made aware of the third and fourth complaints, and there was a clear principle set out in Article 6 of the European Convention on Human Rights which required that someone facing an accusation must be told promptly and given time to prepare their defence. This opportunity had been denied to Councillor Moore, who had still not received the full text of the third complaint, and on those grounds alone this complaint should be dismissed.

There had been no identifiable victim of the complaints, and Councillor Moore had apologised to all City Councillors for any offence which she may have caused. She had at no time acted in contravention of the Nolan Principles, and had merely used humour to soften political observations which she had made. Freedom of speech was protected as a fundamental human right, and could only be restricted by the protection of the rights and reputations of others, however, no victim had been identified and no criteria for defamation in English law had been reached.

It was Dr Parson's contention that the complaints which had been made were clearly politically motivated, and had to a situation in which Councillor Moore had felt that she had suffered harassment, ill treatment and victimisation to the extent that she had decided to step down from her role as a City Councillor.

If Councillor Moore was not able to clear her name tonight she would be forced to consider applying for a Judicial Review on the grounds that:

- The Council did not follow corporate procedure
- The Council did not follow an interpretation which was compatible with European Convention on Human Rights
- The Council did not undertake the proportionality assessment that was required to restrict freedom of speech

Dr Parsons advised the Sub-Committee that in his view the costs of a Judicial Review would not be awarded to a public body even if it were to win, and he estimated that forcing Councillor Moore to go down this route would therefore cost the Council approximately £500,000 of public money, and generate significant negative publicity for the authority.

Councillor Moore could also consider suing the Council in the County Court for harassment and the distress that this had caused her, as since July procedure had repeatedly failed to be complied with and it was considered that on this basis she would have a strong case to apply for significant damages and costs.

The Sub-Committee was asked to consider 3 questions:

1. Did Councillor Moore trivial and minor actions actually breach the Council's Code of Conduct?
2. Was it lawful for the Council to accept and investigate the complaints which had been made?
3. Did the Council investigation fully follow its own procedures and fully follow the requirements set down by United Kingdom Law and international Human Rights Conventions?

If the answer to any one of these questions was 'no', then Dr Parson's contended that the complaints must be dismissed. He exhorted the Sub-Committee not to force Councillor Moore to make an application to the High Court, and he could envisage headlines in the Daily Mail criticising the Council for wasting money on defending the decision taken by the Sub-Committee, if it were to find that Councillor Moore had indeed breached the Code of Conduct.

As required by the Hearing Sub -Committee Procedure Rules the Sub-Committee announced its preliminary findings to the hearing:

Following careful deliberations, the Governance and Audit Hearings Sub-Committee has carefully considered the alleged breaches of the Council's Code of Conduct which were contained in the Investigating Officer's report, and considered that the Member's Code of conduct has been breached in respect of:

Section 3(1), not treating others with respect,
Section 4(a), by disclosing confidential information relating to the complaints which was known or reasonably ought to have been known to be confidential.

It was considered that the Code of Conduct had not been breached in respect of:

Section 3(3)(c) attempting to intimidate the complainant.

In reaching its decision, the Hearings Sub-Committee has given careful consideration to the proportionality test provided for in Article 10 of the European Convention on Human Rights.

It is considered that the language used by Councillor Moore in her articles could reasonably be considered to be sufficient to cause offence, and that Councillor Moore should have reasonably been aware that the disclosure of the details of the complainant in a public forum were contrary to the provisions of the Code.

Before considering what actions, if any, the Sub-Committee would recommend that Full Council consider taking, Councillor Moore was invited to make representations as to whether action should be taken or what form any action should take. Councillor Moore commented that as she had already apologised to any Councillors who may have been offended, she did not see that any other course of action was necessary.

Following further deliberation, and having taken consideration of the representations made by Councillor Moore, the Sub-Committee has decided that it will:

1. Report its findings to Full Council
2. Recommended to Full Council that Councillor Moore be issued with a reprimand
3. Recommend that Councillor Moore be given additional training on adherence to the Code of Conduct

The Hearings Sub-Committee further recommends to Full Council that training in respect of Code of Conduct compliance be offered to all elected members within the city boundaries.

Following further deliberations, the Sub-Committee made the following final decision:

RESOLVED that:

1. The Governance and Audit Hearings Sub-Committee, in consultation with the Independent Person appointed to assist it, carefully considered the alleged breaches of the Council's Members' Code of Conduct which were contained in the Investigating Officer's report, and considered that the following sections of the Members' Code of Conduct had been breached:
 - Section 3(1), not treating others with respect.
 - Section 4(a), disclosing confidential information relating to the complaints which was known or reasonably ought to have been known to be confidential.
2. It was, however, considered that the Code of Conduct had not been breached in respect of:

- Section 3(3)(c) attempting to intimidate the complainant.
3. In reaching its decision, the Sub-Committee carefully considered the evidence placed before it, contained in the Monitoring Officers reports, the supplementary information provided by Councillor Moore, the bundle provided by Councillor Moore's representative and the representations made during the hearing. In addition, each alleged breach of the Code was considered in the light of the proportionality test established in case law in regard to Article 10 of the European Convention on Human Rights (Freedom of Expression) .
 4. The Sub-Committee concluded that the language that Councillor Moore had used to describe fellow Councillors in more than one article which she had written for the publication 'Mersea Life' was disrespectful. The Sub-Committee was particularly concerned by the use of the term 'muppets', and the suggestion that Councillors who did not attend a meeting to vote were 'squeamish'. The Sub-Committee also considered that that the reference which had been made to some Councillors being 'honest and true' carried the very clear implication that other Colchester City Councillors were not honest and true and was therefore publicly disparaging to Councillor colleagues, thereby constituting a breach of the Code of Conduct.
 6. The Sub-Committee considered that Councillor Moore's attendance at a West Mersea Town Council meeting, and subsequent public questioning of the complainant, although extremely poorly judged, did not constitute an attempt to intimidate the complainant, and therefore there was no breach of the Code of Conduct in this regard.
 7. The Sub-Committee, initially did conclude that by naming the complainant and by revealing details of the complaint made against her in a public forum (i.e. The West Mersea Town Council meeting), Councillor Moore had disclosed information which it could reasonably be assumed that she should have known was confidential, resulting in a breach of the Code of Conduct.
 8. However, upon further consideration of this aspect of the complaint, the Sub-Committee noted that the complainant had not requested that his name be treated as confidential. Whilst it would have been reasonably expected that Councillor Moore would have kept the details of the complainant and the of the complaint itself confidential whilst under investigation, the Sub-Committee noted that the Council's Localism Arrangements did not explicitly state that a councillor must treat details of a complaint made against them as confidential. Therefore, the Sub-Committee reflected that on balance whilst it initially had found that Councillor Moore had breached section 4(a) of the Code of Conduct it was felt that the revealing of details of the complaint and identifying the complainant in a public forum amounted to a breach of section 3(1) of the Code of Conduct.

8. Accordingly, the Sub-Committee considered that the following section of the Members' Code of Conduct had been breached:
- Section 3(1), not treating others with respect.
9. The Sub-Committee considered that the Code of Conduct had not been breached in respect of:
- Section 3(3)(c), attempting to intimidate the complainant.
 - Section 4(a), disclosing confidential information relating to the complaints which was known or reasonably ought to have been known to be confidential.
10. Following further deliberation, and having taken consideration of the representations made by Councillor Moore at the hearing, the Sub-Committee decided that the following actions were proportionate to the breach of the Code of Conduct:
1. Report its findings to Full Council
 2. Recommended to Full Council that Councillor Moore
 - (a) be issued with a reprimand; and
 - (b) be given additional training on adherence to the Code of Conduct
11. The Sub-Committee further recommends to Full Council that training in respect of Code of Conduct compliance be offered to all elected members within the city boundaries.

A link to the report and other documentation considered by the Governance and Audit Committee Sub Committee when making this recommendation can be accessed via the link below:-

[Code of Conduct complaint](#)

24 May 2023

Report of	Bethany Jones	☎ 282541
Title	Principal Planning Policy Officer	
	Adoption of the Tiptree Neighbourhood Plan	
Wards affected	Tiptree	

1. Executive Summary

- 1.1 The Tiptree Neighbourhood Plan has successfully completed the process of examination, approval at referendum and has now come before the Council to be made (adopted) as part of the Colchester Local Plan.

2. Recommended Decision

- 2.1 That the Council makes (adopts) the Tiptree Neighbourhood Plan following its approval at referendum.

3. Reason for Recommended Decision

- 3.1 To ensure the Council's planning policies provide a robust basis for decisions on future planning applications in the Borough.
- 3.2 The latest version of Planning Practice Guidance provides that if the majority of those who vote in a referendum are in favour of the draft Neighbourhood Plan, then the Neighbourhood Plan must be 'made' by the Local Planning Authority within 8 weeks of the referendum.

4. Alternative Options

- 4.1 There is no alternative option. Not adopting the Neighbourhood Plan would be contrary to the positive approach to Neighbourhood Plans found in National Planning Policy Framework and Planning Practise Guidance. If the majority of those who vote in a referendum are in favour of the draft Neighbourhood Plan, then the Neighbourhood Plan must be made by the Local Planning Authority.

5. Background Information

- 5.1 In February 2015, Colchester Borough Council designated the Tiptree Neighbourhood Plan Area for the purpose of preparing a Neighbourhood Plan (in accordance with The Neighbourhood Planning (General) Regulations 2012). The plan area includes the whole of Tiptree Parish.
- 5.2 During the course of the preparation of the Neighbourhood Plan, the Tiptree Neighbourhood Plan Steering Group carried out a significant number of meetings, consultation events and publicity. This included but were not limited to, the following:
- Regular public meetings
 - Five community exhibitions
 - Public consultation events
 - Community Questionnaire
 - Regular updating of the Parish Council Website (<https://www.tiptreeparishcouncil.gov.uk/the-neighbourhood-plan/>)
 - Regular postings on social media
 - Articles about the Neighbourhood Plan in various local publications
- 5.3 The Neighbourhood Plan allocates two sites for development, Highland Nursery and Elms Farm, providing a minimum of 400 dwellings. This is in accordance with the Colchester Local Plan Section 2 (adopted July 2022). The Plan contains a vision, 6 Objectives, and 16 Policies that cover a wide range of issues including design, traffic and sustainable travel, local economy, housing, community infrastructure, green infrastructure, Local Green Space Designations. In addition, a number of non-policy actions are proposed.
- 5.4 Colchester Borough Council appointed an independent examiner, Mr Andrew Seaman to examine the Neighbourhood Plan in October 2022. The Examiner's Report was issued on 15 December 2022 and concluded that subject to modifications recommended by the examiner being made to the document, the Neighbourhood Plan satisfied all the Basic Conditions set out in legislation and should proceed to Referendum.
- 5.5 The Referendum on the Tiptree Neighbourhood Plan was held on 4th May 2023 with the following results: 2,087 votes recorded in favour of the plan and 382 against, or 84% in favour.
- 5.6 The latest version of Planning Practice Guidance provides that if the majority of those who vote in a referendum are in favour of the draft Neighbourhood Plan then the Neighbourhood Plan must be 'made' by the Local Planning Authority within 8 weeks of the referendum. A Neighbourhood Plan comes into force as part of the statutory Development Plan once it has been approved at referendum.

6. Equality, Diversity and Human Rights implications

- 6.1 An Equality Impact Assessment has been prepared for the Local Plan and is available to view by clicking on this link: [Equality Impact Assessments - Colchester City Council](#)
- 6.2 There are no particular Human Rights implications.

7. Strategic Plan References

- 7.1 Effective strategic planning support the Strategic Plan 2020-23, which includes a commitment to create great places to live through the provision of new homes with infrastructure and facilities that support sustainable living and promote health and wellbeing. The Tiptree Neighbourhood Plan will contribute towards achieving these objectives.

8. Consultation

- 8.1 The preparation of the Tiptree Neighbourhood Plan was underpinned by extensive public consultation. The consultation process was documented in a Consultation Statement submitted along with the Neighbourhood Plan document as part of the examination process.

9. Publicity Considerations

- 9.1 Both Tiptree Parish Council and Colchester City Council have publicised the Neighbourhood Plan on their respective websites.
- 9.2 On adoption, the document will be made available on the Colchester City Council and Tiptree Parish Council websites, and stakeholders will be notified, in accordance with Regulations 19 and 20 of the Neighbourhood Planning (General) Regulations 2012.
- 9.3 Neighbourhood planning is generally seen as a positive activity and any publicity arising should be seen in this light.

10. Financial implications

- 10.1 Colchester City Council is financially responsible for organising the examination and referendum for Neighbourhood Plans in their areas. The Council can however reclaim £20,000 from the Department for Levelling Up, Housing and Communities for all Neighbourhood Plans once a statement has been issued detailing their intention to send the plan to referendum following a successful examination. These payments have been made by Central Government to Local Authorities to reflect the additional financial burdens associated with supporting Parish Councils or Neighbourhood Plan Forums prepare Neighbourhood Plans. The grant will cover the cost of the examination and referendum.

11. Health, Wellbeing and Community Safety Implications

- 11.1 None identified.

12. Health and Safety Implications

- 12.1 None identified.

13. Risk Management Implications

- 13.1 The adoption of the Tiptree Neighbourhood Plan will help ensure that the Council's planning policies are robust and up-to-date and help to reduce the risk of inappropriate development being permitted.

14. Environmental and Sustainability Implications

- 14.1 In order to support the achievement of sustainable development, the Neighbourhood Plan aims to ensure that new development will be both sustainable and improve life for the community without prejudicing lives for future generations. The plan contains objectives that seek to deliver development prioritising local distinctiveness in keeping with the village feel, meet the housing, infrastructure and service requirements, improve movement through Tiptree, protect and enable the green environment, wildlife and biodiversity to thrive and protect local, national and international designated sites and habitats, enable the village centre to thrive and ensure Tiptree is an attractive location for businesses.
- 14.2 A Strategic Environmental Assessment (SEA), carried out under the Environmental Regulations 2004, was undertaken throughout the plan making process and last updated in August 2022. This concluded that the Tiptree Neighbourhood Plan will have broadly neutral effects upon biodiversity and climate change, significant positive effects upon communities, positive effects upon the economy and transport, neutral effects upon the historic environment and a risk of negative effect upon land, soil and water resources due to the loss of best and most versatile agricultural land (BMV). The loss of BMV is found to be likely unavoidable given the parameters within which the Plan is prepared.

Appendices

A – Tiptree Neighbourhood Plan



Tiptree Neighbourhood Plan 2022 – 2033

Referendum Version

January 2023

Tiptree Parish Council



A list of the Neighbourhood Plan Policies contained in this document

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TIP03	Residential Car Parking	Page 22
TIP04	Building for a Healthy Life	Page 23
TIP05	First Homes	Page 25
TIP06	Non-Motorised User Access Routes	Page 26
TIP07	Mitigating the Impact of Vehicular Traffic through Tiptree Village	Page 32
TIP08	Tiptree Village Centre	Page 35
TIP09	Small-Scale Commercial Workspaces	Page 37
TIP10	Provision of Community Infrastructure	Page 39
TIP11	Green Infrastructure	Page 42
TIP12	Landscaping and Biodiversity	Page 45
TIP13	Local Green Spaces	Page 49
TIP14	Recreational Disturbance Avoidance and Mitigation	Page 51
TIP15	Highland Nursery	Page 56
TIP16	Elms Farm	Page 57

Cover photograph: Grove Lake, Church Road, Tiptree

We are grateful to Sue Shepherd, David Turner, Stuart Gulleford and Jonathan Greenwood for the use of photographs within this document.

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1 FOREWORD

- 1.1 It is with great pleasure that we present to you this Neighbourhood Plan for Tiptree. It has been possible thanks to the involvement of hundreds of individuals and an army of volunteers. From those who contributed through the community questionnaire or public engagement exhibitions, the volunteers who spent hours of their time throughout 2017-20 compiling and analysing the data to those who have assessed sites or helped write the plan itself; this has truly been a community endeavour. It has been a challenging process completing one of the most complex Neighbourhood Plans in the country and there have been many obstacles to overcome. Not least of these was the granting of the appeal to build 200 houses in Barbrook Lane, contrary to the objectives of the Neighbourhood Plan. This Plan has had to accommodate that development and therefore plans for an additional 400 new homes. Nevertheless, the result is a Neighbourhood Plan that meets the Colchester City Council ¹housing targets. Whilst a further 130 houses were granted permission in May 2022 on land at Kelvedon Road, also on appeal, the site allocations in the Neighbourhood Plan are sustainable and together maximise the benefits for the existing community and new residents in Tiptree.
- 1.2 Though the prospect of new development may not always be popular and may bring many challenges; it also has the potential to bring the new life that is needed to maintain a vibrant and dynamic community. Well planned development brings benefits such as improvements in roads, services and amenities. Unfortunately this has not always been achieved in Tiptree. This is because new development has, in the past, been imposed on Tiptree without the protection of a Neighbourhood Plan and consequently the village has been left with a lack of infrastructure and poor road layouts.
- 1.3 Through the Neighbourhood Planning process the Government has given local communities genuine opportunities to influence the future of the places where they live. It allows communities to determine where new houses, businesses and shops should go. It gives us a say in what types of housing we want to see and what our houses and estates should look like.
- 1.4 As part of the Government's commitment to build housing, Colchester City Council is required to enable the delivery of 14,720 homes by 2033 (920 per year). Tiptree's share of this allocation is 600 homes, now including the development at Barbrook Lane. Whilst we cannot affect this development, the Neighbourhood Plan will allow us to take control over the next 15 years, to influence where development of the 400 dwellings and other uses takes place, as well as the type and quality of that development and to ensure that the change it brings meets local objectives.
- 1.5 This Neighbourhood Plan provides for the delivery of 400 new dwellings in a manner that will accommodate the needs of future residents and also enhance the community infrastructure to maintain a vibrant community. The estates will be sympathetically planned as befits a rural location and in line with the assessed needs. The estates will come with community open space,

¹ Following the granting of City Status on 23 November 2022, the Council has now become Colchester City Council. Nevertheless, reference remains in this Neighbourhood Plan to Colchester Borough Council (CBC) due to activity before 23 November 2022. Where reference is made to future activity or the place of Colchester, including its surrounding countryside, the correct reference of Colchester City has been used.

including allotments. There will be green 'buffer areas' to shield existing development from the new and there will be the first phases of the northern link road to improve traffic flow. Future phases of the link road are located outside of this Neighbourhood Plan area and are therefore outside the scope of this Plan. It is envisaged future phases of the road will be delivered through another plan making process outside of this Neighbourhood Plan. Furthermore there is the creation of a new business area and the potential to improve the services offered in the village centre, including the provision of land for a new, bigger, health centre.

- 1.6 Without a neighbourhood plan that is acceptable to the community we would lose influence over development and would come under pressure from speculative development. Instead of shaping development we would be living in reaction to it. Of course we would all like Tiptree to continue to be a great place to live, not only for us but for future generations and that is why this Neighbourhood Plan is so important.

Foreword to the Referendum Version

- 1.7 Tiptree Neighbourhood Plan went to the Regulation 14, six-week public consultation from 11th March to 1st May 2022. During that period there were two Neighbourhood Plan exhibitions attended by some 160 people; copies of the plan were widely available and ultimately over 200 responses were received. These responses were carefully analysed and revealed strong support for the proposed plan with between 77 and 87 percent of respondents choosing 'agree' or 'mostly agree' for each of the fourteen policies. Overall, of those voting, 74 percent of respondents said they would be inclined to support the plan at referendum. In addition over 500 comments were carefully considered and the plan was adjusted in the light of these. Adjustments included the addition of two new policies to strengthen Section 11 *Countryside, Green Spaces and Green Infrastructure*.
- 1.8 The resulting Neighbourhood Plan was submitted to Colchester Borough Council for Regulation 16 consultation. This consultation ran from 30th August to 11th October 2022 and was followed by Examination which commenced on 24th October 2022. The Neighbourhood Plan Examiner concluded that, subject to a few relatively minor adjustments, the Plan could proceed to referendum. The result is the plan before you. It is substantially the same as the Consultation Editions but the wording of many of the policies has been adjusted for the sake of clarity and precision. In this respect, under planning law, there are some things that a Neighbourhood Plan may require of developers and other things that can only be supported or encouraged. Nevertheless these aspirations are included within the policies to maximise the likelihood of their delivery. In summary, we believe that this plan represents the wishes of the majority of the community and will result in sustainable development that will benefit the life of the village into the foreseeable future. We hope it will find your support.

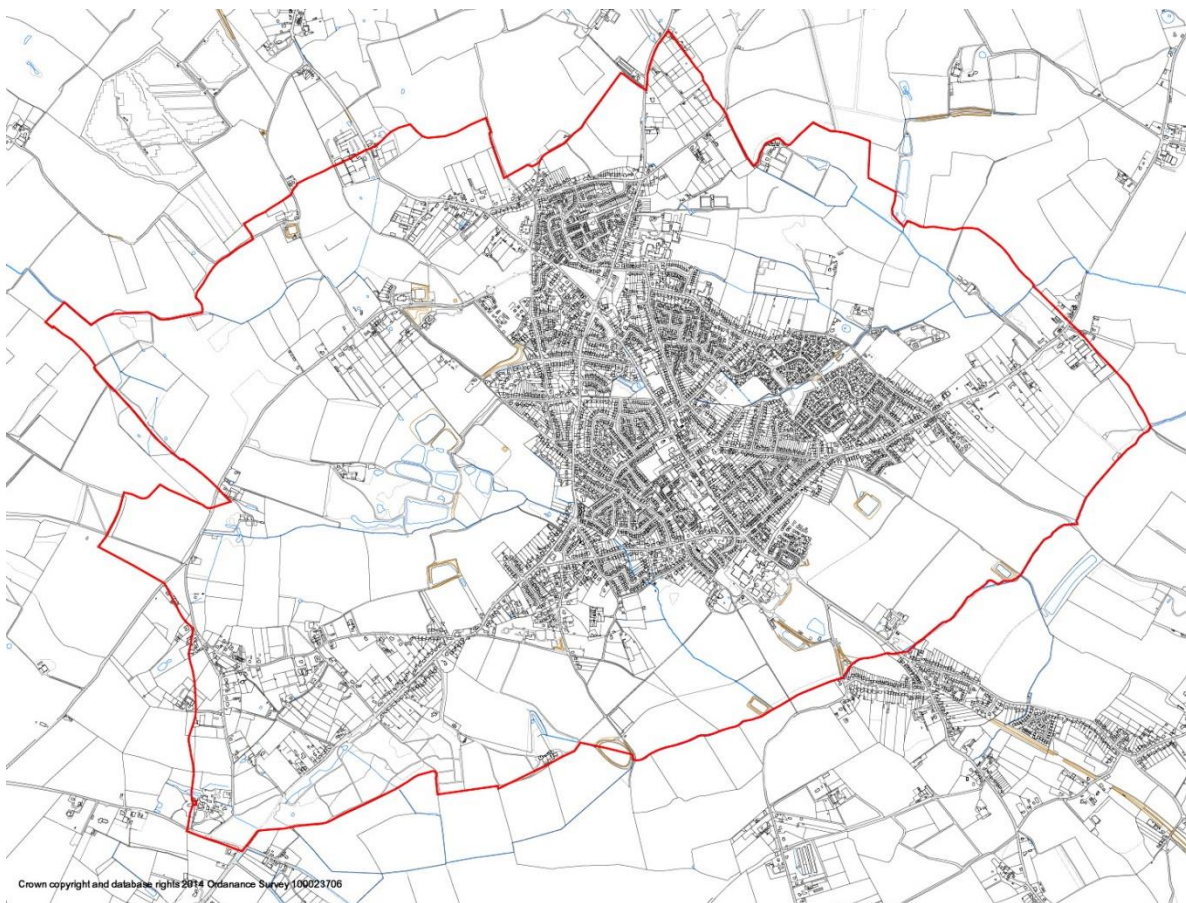




Tiptree's Tower Mill was built in 1775 and replaced a Post Mill which stood on the opposite side of Church Road in the grounds of Milldene.

2 INTRODUCTION

- 2.1 This document represents the Neighbourhood Plan for Tiptree parish. It represents one part of the development plan for the parish over the period to 2033, the other principal parts being the Colchester Local Plan 2013-2033: North Essex Authorities' Shared Strategic Section 1 Plan (adopted in February 2021) and the Colchester Local Plan Section 2 (adopted July 2022). The Tiptree Neighbourhood Plan strategy is informed by the context provided in the Colchester Local Plan Section 2 (CLP S2) and details planning policies that are locally specific to Tiptree.
- 2.2 Colchester Borough Council, as the local planning authority, designated a Neighbourhood Area for the whole of the Tiptree parish area in 2015 to enable Tiptree Parish Council to prepare the Neighbourhood Plan. The Plan has been prepared by the community through the Tiptree Neighbourhood Plan Steering Group.
- 2.3 Map 2.1 below shows the boundary of the Neighbourhood Plan area, which is contiguous with the boundary of Tiptree parish.



Map 2.1: The Neighbourhood Plan area (outlined in red)

- 2.4 The purpose of the Tiptree Neighbourhood Plan (the Neighbourhood Plan) is to guide development within the parish and provide guidance to any interested parties wishing to submit planning applications for development within the parish. The process of producing a plan has sought to involve the community as widely as possible and the different topic areas are reflective

of matters that are of considerable importance to Tiptree, its residents, businesses and community groups.

- 2.5 Each section of the Plan covers a different topic. Under each heading there is the justification for the policies presented which provides the necessary understanding of the policy and what it is seeking to achieve. The policies themselves are presented in the green boxes. It is these policies against which planning applications will be assessed. It is advisable that, in order to understand the full context for any individual policy, it is read in conjunction with the supporting text.

National Policy

- 2.6 The National Planning Policy Framework (NPPF) 2021 states:

"Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies (para 29).

Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently (para 30).

Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development... (para.127)."

Local Plan Policy

- 2.7 The Colchester Local Plan reflects the National Planning Policy Framework (NPPF) and sets out a vision, strategy, objectives and policies for planning and delivery across the City. The Tiptree Neighbourhood Plan exists within the context of the Colchester Local Plan and the policies contained within it. The CLP S2 contains the following policy pertaining to Tiptree, upon which this Neighbourhood Plan is founded:



Policy SS14: Tiptree

Within the preferred directions of growth shown on the Tiptree policies map, to the south west and north/north west, subject to existing constraints, the Tiptree Neighbourhood Plan will:

- (i) Define the extent of a new settlement boundary for Tiptree;
- (ii) Allocate specific sites for housing allocations to deliver a minimum of 400 dwellings;
- (iii) Set out any associated policies needed to support this housing delivery i.e. housing mix, type of housing and density for each site allocated for housing;
- (iv) Set out the policy framework within the parish to guide the delivery of any infrastructure/community facilities required to support the development in accordance with the requirements of Policies SG7 and PP1. This will include a strategic transport appraisal with a view to confirming provision of phased delivery of a road between the B1022 and B1023;
- (v) Consider cross boundary issues;
- (vi) Identify other allocations in the Parish, including employment and open space.

Proposals for development outside of the settlement boundary or settlement boundary defined by the Tiptree Neighbourhood Plan, once adopted, will not be supported. This policy should be read in conjunction with the generic Neighbourhood Planning Policy SG8, Policy SG3 and policies in the Tiptree Neighbourhood Plan, once it has been adopted.

Before granting planning consent, wintering bird surveys will be undertaken at the appropriate time of year to identify any offsite functional habitat. In the unlikely event that significant numbers are identified, development must firstly avoid impacts. Where this is not possible, development must be phased to deliver habitat creation and management either on or off-site to mitigate any significant impacts. Any such habitat must be provided and fully functional before any development takes place which would affect significant numbers of SPA birds.

- 2.8 The Colchester Local Plan provides the strategy for growth of the City to 2033. The policies contained therein will apply to Tiptree except where addressed by this Neighbourhood Plan.
- 2.9 Policy SS14 outlines broad directions of growth for the Tiptree Neighbourhood Plan to identify specific allocations, taking into account existing constraints. Once the Neighbourhood Plan has been made (adopted) this will supersede the broad direction of growth arrows shown on the SS14 Policy Map.
- 2.10 Essex County Council is the Minerals and Waste Planning Authority for Tiptree parish. The Development Plan for Tiptree parish also includes the following documents:

The Essex Minerals Local Plan (2014)

- 2.11 The Essex Minerals Local Plan (MLP) identifies sites and locations for mineral development within Essex up to 2029 and introduces policies to manage this type of development. There are no mineral extraction sites or other forms of mineral infrastructure either currently operating or allocated within the parish. However, there are deposits of sand and gravel within the parish which are subject to a Minerals Safeguarding policy within the Minerals Local Plan. Regard should

be had to the requirements of Policy S8 of the MLP when 5ha or more of a proposed development falls within a Minerals Safeguarding Area.

Essex and Southend-On-Sea Waste Local Plan (2017)

- 2.12 The Essex and Southend-On-Sea Waste Local Plan (WLP) sets out how Essex and Southend-On-Sea aim to manage waste up to 2032 and introduces policies to guide waste management. It seeks to deal with waste more sustainably by guiding the development of waste management facilities, encouraging recycling and reducing reliance on landfill.

Tiptree Jam Factory Plan (2013)

- 2.13 Although there is no longer the intention to build a new Jam Factory, this plan still forms part of the Colchester Development Plan. It guides development for the Tiptree Jam Factory and adjoining land.

Consultation

- 2.14 Community consultation is at the heart of the Neighbourhood Planning process and the views expressed by the majority are the foundation for the plan itself. In the course of developing the Neighbourhood Plan there will have been five community exhibitions, a community questionnaire, a housing needs survey, consultation exercises to engage with landowners, local businesses and schools, as well as a referendum. The level of community involvement has been impressive with high attendance at the exhibitions and over 1000 questionnaires returned.
- 2.15 The timetable of events is printed below.

October 2013	Tiptree Parish Council (TPC) formed an initial working party to produce a Neighbourhood Plan.
February 2014	Regular meetings commenced to proceed with the Plan.
July–Sept 2014	Colchester Borough Council (CBC) call for landowners to offer sites for possible development.
Sept 2014	Businesses were asked to join the group.
October 2014	TPC apply to CBC for Tiptree to become a Neighbourhood Plan Area.
Nov–Dec 2014	Six week period of consultation by CBC.
February 2015	Tiptree designated a Neighbourhood Plan Area by CBC.
Jan/Feb 2015	Initial community consultation exhibition & Working Group formed.
Nov 2015	Second community consultation exhibition.
Sept 2016	Tiptree Village Questionnaire distributed to every home.
April 2017	TPC Call for landowners to offer sites for possible development.
June 2017	Rural Community Council of Essex (RCCE) Housing Needs Survey distributed to every home.

Summer 2017	Analysis of Questionnaire results and commencement of assessment of sites on offer.
Dec 2017	Development of a Vision statement and Objectives derived from the questionnaire responses that will shape future planning.
January 2018	Preparation of Neighbourhood Plan brief to instruct consultant.
February 2018	Questionnaire Results and Vision and Objectives feedback exhibition.
February 2018	Appointment of a Task Group and the hire of a consultant to write the draft Neighbourhood Plan.
June/July 2019	Launch exhibition and six-week community consultation on proposed Neighbourhood Plan.
Autumn 2019	Analysis of responses and Neighbourhood Plan amendments.
January 2020	Preparation of supplementary documents.
March 2020	Submission of plan to Local Planning Authority (LPA).
April 2020	Statutory Consultation Period (6 weeks) and appointment of examiner.
July 2020	LPA submission to independent examiner.
October 2020	Independent Examiner issues report finding that the Neighbourhood Plan does not meet the basic conditions and cannot proceed to referendum.
Dec 2020	LPA produces a Decision Statement that the draft Neighbourhood Plan should not proceed to referendum.
March 2022	Six weeks consultation on revised proposed Neighbourhood Plan (Regulation 14).
2022-23	Regulation 16 consultation, examination and referendum on Neighbourhood Plan.
2023	Neighbourhood Plan is made



The Parish Council office

3 LOCAL CONTEXT

A brief history of Tiptree

- 3.1 Tiptree lies on the south facing slope of the Tiptree Ridge which, was created during the Anglian Glaciation 45,000 years ago when the ice sheet reached its most southerly position. The ridge consists of a mixture of soils, sands, clays and shingle gathered as the ice sheet crept south, resulting in poor soils that favour a low shrubby heathland habitat.
- 3.2 In ancient times, the area was left relatively untouched, possibly because of the hostile environment of the heathland, which took in much of the parish. Another reason may have been that the area was the borderline between two major Iron Age tribes, known as the Trinovantes who hailed from the north Essex area, and the Catuvellauni, who occupied much of the remainder of the modern county boundary. It is believed an Anglo-Saxon named Tippa had settled on the hill above the River Blackwater, where a large tree stood. The area soon became known as Tippa's Tree, hence the name Tiptree. Only Tiptree Heath was mentioned in the Domesday Book published in 1086 but Tiptree Priory was founded before 1218.
- 3.3 The area between Messing and Heybridge was noted, in a countrywide census of land use initiated by King John in the 13th century, as a large desolate heathland that spread out over 1,000 acres of which, now only 60 acres survive as Tiptree Heath on the western edge of Tiptree.
- 3.4 Being so close to the secluded water inlets of Tollesbury, Salcott and Mersea, the area soon became a focal point for smugglers, who often hid their contraband within the overgrown heathland and by the 18th century, it became a no-go area for the locals. Farmers who owned the land received 'gifts' for keeping quiet about the smuggling trade.
- 3.5 It was not until the intervention of the Royal Navy along the Essex coastline, supporting the revenue boats that the use of the heath for such illegal reasons halted. The heath was also used for army camps at various times; travelling people made the heath their home and other uses of the heathland included fairs and the much-reported Tiptree Races, held annually on July 25 since the 17th century, up until 1912. The Goodman's Green Meeting was founded in 1664 and the Congregation Chapel was built in 1750 and then rebuilt in 1864 becoming the United Reformed Church we know today. In 1777 Andre and Chapman created a now famous Essex map which, finally identified Tiptree with a few tracks and a windmill. Small settlements were situated on the fringes of what we know as the central triangle of Tiptree today, being around the Chapel Lane, Oak Road, Bung Row, Pennsylvania Lane and West End Road areas.
- 3.6 The 1800s is when Tiptree started to grow. John Mechi, who would later become an alderman of the City of London, fuelled aspirations that would lead to the creation of an ecclesiastical parish of Tiptree St. Luke's and its school. Mechi bought a farmhouse on the heath as a base for his agricultural experiments and rebuilt it as Tiptree Hall. 300 houses were built between 1800 and 1850.



3.7 One family took advantage of the potential of growing fruit on the heathland. AC Wilkin, born in 1835 and founder of Wilkin and Sons had already experimented in new agricultural methods, renting some acres from his father's farmland at Trewlands for minor fruit growing in a move that would see him establish one of the biggest jam-making companies in the world. The Britannia Fruit Preserving Company, as Wilkin and Sons was initially known, started business in 1885. The first jam was made in the kitchens of Trewlands.

3.8 Tiptree had its own railway branch line in the early 1900s, the realisation of efforts for easier transportation of jam and produce to London. By 1911, there were 1,000 daily travellers on what was affectionately known as the Crab and Winkle line. However, falling passenger numbers and thefts of jam and produce from the freight carriages helped lead to its demise. 1951 saw the official closure of the remnant of the Crab & Winkle line with the last train, bearing the legend "Born 1904 – died 1951" carrying the last passengers. The Tiptree to Kelvedon section lasted until 1962 to carry freight mainly from Wilkin & Sons.

3.9 However the railway helped sow the seed for an infrastructure that soon grew up to the north of the jam factory. The main street, Church Road, soon became the commercial centre of the village, with the Co-Op and other family-run stores sprouting up. Much of Tiptree historically belonged to the Quakers who opposed the consumption of alcohol. It is believed this is the reason there are no pubs in the centre of the village. Reputedly covenants still exist prohibiting the sale of alcohol in certain parts of Tiptree, though no-one has actually produced one on paper!



3.10 The village's second largest company, Anchor Press (1900), later becoming part of the Hutchinson Group and Tiptree Book Services, was soon established in the centre, but the press moved out of the village in the 1990s leaving the book warehousing and distribution service to continue a while longer.

3.11 After WW1, a War Memorial was raised in 1920 by subscription at the junction of Church Road and Chapel Road commemorating 53 of the 55 men connected to Tiptree who did not return.

3.12 By 1966, the Grove Lake site became available to the community and the co-op gravel pits were filled and became Windmill Green after pressure from Parish Council and Tiptree Residents Association.



- 3.13 In the sixties Tiptree became a London overspill community. This led to numerous new housing estates and many residents who were not employed locally.
- 3.14 The Martin family's Grove House in Church Road which housed a Basket Works was demolished and, in 1993, became a Co-Operative supermarket with adjacent car parking; later in 2011 it became Asda.
- 3.15 In the 1990s changes to the existing village envelope were proposed. The large area to the west of the narrow Grove Road was an obvious area and ultimately an estate was created with rather a town aspect.
- 3.16 The Hutchinson Group, still expanding, found its Tiptree Book Services site too small and as no suitable site could be found within the village, eventually moved in 2004 to Frating near Colchester. The large site left by the exit of the Hutchinson Group in the middle of the village was taken by Tesco who built a supermarket with a large car park. The surplus land was used to build houses and flats.
- 3.17 There are now more than 90 customer-facing businesses in central Tiptree. Tiptree has become a District Centre and many of our amenities are used by the thousands who visit Tiptree from outside our residential boundary.
- 3.18 Table 3.1 indicates the growth of population in Tiptree.

1861	1911	1921	1931	1951	1961	1974	2011	2020
853	1,272	1,483	2,185	2,453	3,108	6,851	9,182	9,308

Table 3.1: Population of Tiptree, 1861-2020 (sources: national censuses & CCC)

Tiptree parish in 2022

- 3.19 Tiptree is a large village located on the south west boundary of the City and approximately 15km from Colchester itself. Development has grown up around key highway intersections in a roughly triangular built form. There is a small separate cluster of houses to the south west of the main village known as Tiptree Heath.
- 3.20 Tiptree is the largest of three District Centres identified in Colchester City. The other two District Centres are West Mersea and Wivenhoe, both of which are towns with a maritime heritage. In contrast Tiptree is a village with an agricultural heritage. It has a high number of key services and community facilities. There are three supermarkets, a community centre, and a health centre as well as a range of independent shops, cafes and restaurants. These services support the needs of local residents and businesses in Tiptree as well as communities from the surrounding rural areas. It will be important to protect the function of the District Centre in Tiptree to ensure that it continues to meet the needs of the local communities who use it. There are regular bus routes serving the village to and from Colchester during the day however the lack of an evening service (the last bus from Colchester leaves at 7.20pm) is an issue to be addressed. Nevertheless, Tiptree is considered to be a sustainable settlement suitable for growth during the plan period.
- 3.21 Tiptree is very well served in terms of educational facilities as it has four primary schools and Thurstable Secondary School within the village. There is also a Leisure Centre located at

Thurstable School as well as Atlantis Health & Beauty Spa, sports clubs at Warrior's Rest and Colchester United's training ground located off Grange Road. There are currently four designated Local Economic Areas (LEAs) in Tiptree: the Alexander Cleghorn Site, Tiptree Jam Factory, the Basketworks Site and the Tower Business Park. These will continue to be protected for this use. Any development proposals affecting these sites or any other sites providing an economic/employment use in Tiptree over the plan period will be required to comply with Policy SG4 of the Local Plan Section 2.

- 3.22 There are a number of constraints which limit the amount of land available for growth in Tiptree. Development to the south east is constrained by Tiptree Jam Factory and Birch Wood Local Wildlife Site. Development in this direction would also reduce the green gap between the village and Tolleshunt Knights and would be constrained by Layer Brook which is in Flood Zones 2 and 3. Expansion to the north east of Tiptree is constrained by Thurstable School and Warriors Rest while expansion to the west is constrained by the Tiptree Quarry and Brook Meadow's Local Wildlife Site and the importance to maintain the separate identities of Tiptree and Tiptree Heath hamlet by avoiding their coalescence. Expansion to the south west is constrained by Tiptree Heath Site of Special Scientific Interest (SSSI).



The Fruit Picker

4 VISION AND OBJECTIVES

Challenges for Tiptree

- 4.1 Tiptree Neighbourhood Plan seeks to address, as far as possible, the challenges and opportunities that face the community. Over 1000 responses were received through the community consultation and the challenges that were identified are summarised below:
- a. Village Identity: 84% of respondents to the community questionnaire wish Tiptree to continue to be known as a village. Its size, character and rural setting are valued. Future development must retain that 'feel' and character and not impose a town-scape or mass urbanisation.
 - b. Traffic Flow: Tiptree is sited on a busy crossroads and there is a strong desire to relieve traffic at certain 'pressure points', particularly in Church Road which is the shopping and commercial centre of the village. For this reason the areas favoured by the community for development are to the north and north-west of the village primarily to allow access to the major routes without creating additional traffic in Church Road.
 - c. A12 access: Two routes connect Tiptree to the A12. Both include narrow bridges that cause delays at busy periods, the route via Feering contains a T junction that can be hard to turn out of and the other at Rivenhall has a minimal slip road onto the A12. As the village grows the need for better connections to the A12 is becoming critical. The proposed A12 widening scheme will bring improvements but also fresh challenges, particularly with regard to increasing traffic on the B1023, Kelvedon Road and, potentially, Church Road also.
 - d. Open Space: 66% of respondents to the community questionnaire consider that there is insufficient publicly accessible open space around Tiptree. There is also a strong desire to protect our valuable wildlife areas and 65% of the respondents would like to see some form of country park established in the Tiptree area.
 - e. Village Centre: Comments focus on increasing the variety of shops, providing places to eat and drink in an evening, providing additional parking for cars and cycles, reducing through traffic (especially HGVs) and environmental improvements such as pedestrianised areas, seats and flowerbeds.
 - f. Essential services: There is a regular bus service between Maldon and Colchester that is considered 'adequate' by most, although the service no longer extends into the evening. However most respondents consider the service to Kelvedon and Witham (including the railway stations) to be inadequate and, for those who travel to the stations by car, car parking can be difficult. There is an expressed desire to see improvements in leisure facilities, eating facilities, dental and health centre provision. 1 in 10 respondents have been unable to register with a dentist in Tiptree and 47% have found it difficult to get an urgent appointment at the Health Centre.

Vision for Tiptree

4.2 In consultation with the community, the following vision for Tiptree was established:

Vision for Tiptree in 2033

'Our vision is to retain an attractive village feel to Tiptree with a close relationship to its heritage and surrounding countryside. We want to strengthen the supportive community at the heart of Tiptree through sympathetic development whilst at the same time developing a thriving rural centre with a sustainable economy and a robust infrastructure to meet the needs of the community.'

Neighbourhood Plan objectives

4.3 In order to deliver the Vision for Tiptree, the Neighbourhood Plan seeks to address the following objectives:

Objectives of the Tiptree Neighbourhood Plan

1: To deliver development prioritising local distinctiveness in keeping with the village feel, rural surroundings and heritage of Tiptree.

2: To meet the housing, infrastructure and service requirements and needs of Tiptree and its residents in a sustainable manner.

3: To improve movement through Tiptree, for vehicular traffic but also for walking and cycling and to improve access to the countryside, main routes and railway stations whilst minimising impact on the village centre.

4: To protect and enable Tiptree's green environment, wildlife and biodiversity to thrive and grow. To protect local, national and international designated sites and habitats, and integrate green corridors into new developments.

5: To enable Tiptree village centre to thrive as a safe location for people to spend leisure time and access community facilities.

6: To ensure that Tiptree is an attractive location for a range of businesses so that its local economy can thrive.

4.4 In the sections that follow, the policies to support and deliver the vision and objectives are set out under the following topics:

- Spatial Strategy
- Design and Housing
- Traffic and Movement

- Tiptree Village Centre
- Employment
- Community Infrastructure
- Countryside, Green Spaces and Green Infrastructure
- Site Allocations
- Non-Policy Actions

4.5 In each section the relevant objectives addressed by the topic are set out. These are followed by explanatory text that sets out the context and justification for the policies that follow. The policies themselves are contained within green boxes. These policies are the primary policy instrument within the Neighbourhood Plan. They promote sustainable development within the Neighbourhood Plan designated area. They are to be considered prioritised and in line with the intentions of higher planning policy as well as the local community.

4.6 The Policies Map is to be found at the back of this document on pages 60 and 61.



Church Road, Tiptree

5 SPATIAL STRATEGY

Objective 1: To deliver development prioritising local distinctiveness in keeping with the village feel, rural surroundings and heritage of Tiptree.

Objective 2: To meet the housing, infrastructure and service requirements and needs of Tiptree and its residents in a sustainable manner.

Objective 3: To improve movement through Tiptree, for vehicular traffic but also for walking and cycling and to improve access to the countryside, main routes and railway stations whilst minimising impact on the village centre.

Objective 4: To protect and enable Tiptree's green environment, wildlife and biodiversity to thrive and grow. To protect local, national and international designated sites and habitats, and integrate green corridors into new developments.

- 5.1 Tiptree is a large village and a District Centre. It is classified by the CLP S2 (CLP S2) as a sustainable settlement. As a consequence, it is required to support a significant amount of growth over the plan period to 2033. Policy SS14 in the CLP S2 requires allocations to be made to deliver a minimum of 400 dwellings over this period. The submission version of the CLP S2 required 600 dwellings to be delivered but, in 2020, planning permission was granted for 200 dwellings at Barbrook Lane. As such, the CLP S2 requirement was revised to take account of this. The Neighbourhood Plan seeks to allocate sites that address the requirement for a minimum of 400 dwellings in addition to Barbrook Lane development. It is a core role of the Neighbourhood Plan to allocate sites that will deliver this minimum housing requirement. In doing so, Policy SS14 specifically requires the Neighbourhood Plan to define the extent of a new settlement boundary. As part of this, and reflecting the approach in CLP S2, the settlement boundary that was around Tiptree Heath in the Colchester Core Strategy has been removed. It is considered that this is necessary to preserve the rural nature of what is a hamlet, thereby avoiding it potentially coalescing with the built-up area of Tiptree village.
- 5.2 Along with housing, Policy SS14 requires that the Neighbourhood Plan identifies as necessary other allocations in the parish, including employment and open space.
- 5.3 In order to meet the requirement for a minimum 400 new homes in Tiptree there have been two calls for local landowners to put forward sites for possible development. The first was the Colchester Borough Council call for sites commencing in 2014 and the second was made by Tiptree Parish Council in 2017. Each site submitted was subjected to a thorough Strategic Housing Land Availability Assessment (SHLAA) to assess its suitability for development. Sites were assessed against pre-agreed criteria, the assessments were peer reviewed to check consistency and then reviewed by a Colchester Borough Council planning officer. As a result of the SHLAA process 39 sites around the entire Neighbourhood Plan area were taken forward for further consideration. The final selection of sites has been informed by a number of evidence base documents including but not limited to the SHLAA process, policy SS14 in the CLP S2 and the Neighbourhood Plan Strategic Environmental Assessment (SEA), alongside the vision and objectives of the Neighbourhood Plan which have been derived from the community consultation exercise. Further details of the site selection process are in the Housing Topic Paper in the TNP Evidence Base Documents.

- 5.4 Two areas have been allocated for development and each comprises a number of submitted sites that have been promoted by more than one land agent or developer. It is a necessary requirement that each allocation is brought forward in a coordinated manner. This is to achieve general consistency and equalisation as well as to ensure that development is in keeping with the character of Tiptree across a range of aspects which may include layout, roads, footpaths, housing mix and design.
- 5.5 The general approach in the Tiptree Neighbourhood Plan is that growth will be focused within the settlement boundary on sites with existing planning permission, new site allocations and small scale infill sites (windfalls). When considering the siting of future development, a recurring theme throughout the responses to the Community Questionnaire is the ability to access major routes, the A12 in particular, without exacerbating the traffic situation in Church Road. Serving as the main through route for south-east to north-west traffic, Church Road already accommodates a greater volume of traffic than is ideal for the shopping and business centre for the village. There is an aspiration in Tiptree for a northern link road that creates the opportunity to ultimately connect Colchester Road (B1022) with Grange Road. The first phase of this road can be delivered by this plan (see TIP15 and TIP16). It is envisaged that future phases of the northern link road can be delivered through future plan making processes outside of this Neighbourhood Plan.
- 5.6 Accordingly, the Neighbourhood Plan allocates two sites for development (in addition to the sites with planning permission at Barbrook Lane and Kelvedon Road) which are expected to deliver housing along with a range of specific infrastructure and community facilities. These two allocated sites reflect, among other things, the importance of minimising the traffic impact.
- 5.7 More generally, these allocations and any other future developments are expected to provide high quality schemes which are in keeping with the identity, landscape setting and character of Tiptree, generally enhance the public realm and improve accessibility for pedestrians and, where possible, cyclists through improvements to road safety and congestion.
- 5.8 The area outside the settlement boundary is defined as countryside where development proposals must meet the requirements of CLP S2. Policy SG1 states that, "New development in the open countryside will be required to respect the character and appearance of landscapes and the built environment and preserve or enhance the historic environment and biodiversity to safeguard the rural character of the Borough." Policy OV2 further provides the policy context for development of small scale exception sites to meet local affordable housing needs.



Heathland Avenue

POLICY TIP01: TIPTREE SPATIAL STRATEGY

- A. New development in Tiptree parish shall be focused within the settlement boundary of Tiptree village and on the site allocations in Policies TIP15 (Highland Nursery) and TIP16 (Elms Farm) as identified on the Policies Map. Development proposals outside the settlement boundary will only be permitted where:**
- a. it relates to necessary utilities infrastructure and where no reasonable alternative location is available; or**
 - b. it is in accordance with CLP S2 Policy SG1 (Colchester's Spatial Strategy) and Policy OV2 (Countryside) in respect of development in the countryside; and**
 - c. there is no harmful coalescence between the built up area of Tiptree village and the hamlet of Tiptree Heath.**
- B. The Plan provides for a minimum² of 400 dwellings to be built in the period 2022 to 2033³ and the following sites are allocated for development:**
- a. Highland Nursery – a minimum of 200 dwellings**
 - b. Elms Farm – a minimum of 200 dwellings**
- C. Development on the site allocations in Policies TIP15 and TIP16 will be expected to address the following key matters:**
- a. the provision of new housing which addresses evidence-based needs;**
 - b. the provision of new employment space which addresses evidence-based needs;**
 - c. the provision of key infrastructure including education, health, transport and movement, community facilities, utilities and public realm improvements, through direct provision and/or developer contributions (including Section 106 and Community Infrastructure Levy if introduced) as directed in the relevant policies;**
 - d. design high quality buildings and deliver them in layouts with high quality natural landscaping in order to retain the rural character and physical structure of Tiptree;**
 - e. Incorporate high quality green infrastructure including through the provision of Sustainable Drainage Systems (SuDS).**
- D. Development must ensure that it preserves the indicative route of the link road, within the housing allocations in Policies TIP15 and TIP16, between Colchester Road (B1022) and Kelvedon Road (B1023).**

² See paragraph 12.2

³ This is in addition to 200 dwellings with planning permission at Barbrook Lane (planning appl. ref. 182014)

6 DESIGN AND HOUSING

Objective 1: To deliver development prioritising local distinctiveness in keeping with the village feel, rural surroundings and heritage of Tiptree.

Objective 2: To meet the housing, infrastructure and service requirements and needs of Tiptree and its residents in a sustainable manner.

Local character and design

- 6.1 Responses to the Community Questionnaire reveal a strongly held desire for Tiptree to remain a village with a 'village feel'; small enough for there to be a sense of community but large enough to provide essential services within the village. There is a strong desire for new housing to reflect the village character and to avoid the imposition of an urban landscape. It is acknowledged that this has not always been achieved in the past.
- 6.2 Dwellings should be built in clusters with space between to break up the development and to provide space for footpaths, cycle-ways, trees and wildlife corridors that connect to existing facilities and networks. New development should incorporate integral features of benefit to wildlife, such as integral swift bricks, bat tiles, sparrow terraces, starling boxes, hedgehog highways, invertebrate 'hotels', log piles, reptile refugia, etc. A wildflower lawn mix can be used for amenity areas, which significantly improves the value for insect pollinators.
- 6.3 Roads should have pavements and most dwellings should be set back and have front gardens. The streetscape should be attractive and well managed with storage space for recyclables, refuse/wheelie bins and bicycles and lay-bys for on-street parking.
- 6.4 In recognition of the forecast increase in demand from electricity networks for solar panels and batteries as well as electric vehicle charging, and from digital networks for faster broadband, it is important that houses are designed so that new technology and infrastructure can be incorporated in the build or retro-fitted as necessary.



Wilkin Drive, Tiptree

POLICY TIP02: GOOD QUALITY DESIGN

- A. All development within Tiptree must demonstrate good quality design and respect and enhance the character and appearance of the surrounding area and the way it functions. Achieving good design in Tiptree means responding to and integrating with local surroundings and landscape context as well as the existing built environment. In particular and where applicable, proposals must demonstrate that they will appropriately address the following:**
- a. Ensure new development proposals reflect the local vernacular in terms of building styles, building set back and arrangements of front gardens, walls, railings or hedges.**
 - b. Incorporate inter-connected areas of open space and green infrastructure to form discreet groups of buildings to break up the building mass.**
 - c. Retention of existing landscape features such as mature trees and hedgerows which contribute to local landscape character and ecological diversity.**
 - d. Incorporate the principles of *Secured by Design* to design out crime.**
 - e. Propose trees and mixed hedges of predominantly native species to screen development and integrate it into the landscape.**
 - f. Development must minimise the visual impact of built development on existing green infrastructure networks such as footpaths, cycle paths, bridleways and leafy lanes.**
 - g. In order to address the need for biodiversity net gain, integral features of benefit to wildlife should be incorporated into buildings and amenity areas or elsewhere in the parish.**
 - h. Ensure safe access to routes for pedestrians, cyclists and road users, particularly towards the village centre, local schools and other amenities.**
 - i. Use of materials that complement the existing dwellings in the immediate vicinity.**
 - j. Properties to be designed so they incorporate appropriate infrastructure, including electric car charging points.**
- B. Designs that incorporate new technology to increase energy efficiency and reduce the carbon footprint will be encouraged.**
- C. In order to ensure a high quality and well managed streetscape, developments must ensure that sufficient external amenity space is provided to meet the needs of occupants, as well as space for refuse and recycling storage and car and bicycle parking.**

Residential car parking

- 6.5 It is recognised that the number of vehicles per household is increasing, particularly in a village where most working people are dependent on personal transport to get to work and public transport networks are limited in terms of frequency and destination.
- 6.6 The main economic centres where Tiptree residents work or shop are Colchester, Chelmsford and London. The Colchester Travel to Work Patterns 2015 report identifies that 72% of workers from Tiptree leave to go elsewhere each day. The larger dwellings in Tiptree are home to households with high numbers of workers for whom accessibility to the workplace is a key consideration.
- 6.7 Car ownership is therefore high, not helped by the fact that bus services to main centres and railways are not practical for workers. Policy DM22 of the Colchester CLP S2 requires development to meet the most recent local parking standards and this is considered to be particularly important in Tiptree. The local standards are provided by the Essex Parking Standards 2009⁴ and it is important that any updates to this are suitably reflected.
- 6.8 This plan considers it important to provide sufficient off-road parking as well as space for visitors with the aim of maintaining an orderly streetscape that is safe for children and pedestrians. Whilst garages are desirable, they are often not used for car parking. This plan encourages the use of open parking on drives, parking courts or car ports. Any street parking should preferably be in lay-bys with sufficient remaining road width for two cars to pass.

POLICY TIP03: RESIDENTIAL CAR PARKING

- A. All new residential developments within Tiptree must demonstrate adequate provision of off-street car parking that has regard to the relevant local standards.**
- B. In order to ensure that off-street parking is fully utilised, the provision of open parking under car ports, on drives or on parking courts with designated spaces is encouraged in preference to garages. Height and width of parking spaces should have regard to the space dimensions set out in 'Essex Parking Standards: Design and Good Practice' document (2009) or successor document.**
- C. In order to achieve an orderly streetscape, on-street parking is encouraged to be provided in lay-bys.**

⁴ Essex County Council (2009) *Parking Standards: Design and Good Practice*, with Essex Planning Officers Association

Building for a Healthy Life

- 6.9 Ensuring a high quality design of developments in terms of integration into the existing footprint, character and community of the village has frequently been expressed as a high priority for residents in consultation. In line with the CLP S2 (paragraph 15.83) the Plan encourages new developments to apply the Building for a Healthy Life⁵ design standard.

POLICY TIP04: BUILDING FOR A HEALTHY LIFE

Applicants for major residential development (as defined by the National Planning Policy Framework) are encouraged to demonstrate how they meet the Building for a Healthy Life standards.

Dwelling mix

- 6.10 The 2011 census shows that proportionally, Tiptree lacks 1- and 2-bedroom dwellings and has a high proportion of 3- and 4-bedroom dwellings (see Table 6.1 below).

	Tiptree Parish		Colchester Non-Metropolitan District		East of England Region		England Country	
All Household Spaces With At Least One Usual Resident	3859	100.00%	71634	100.00%	2423035	100.00%	22063368	100.00%
No Bedrooms	15	0.39%	182	0.25%	5194	0.21%	54938	0.25%
1 Bedroom	236	6.12%	7669	10.71%	251374	10.37%	2593893	11.76%
2 Bedrooms	896	23.22%	19833	27.69%	633776	26.16%	6145083	27.85%
3 Bedrooms	1747	45.27%	28190	39.35%	1002547	41.38%	9088213	41.19%
4 Bedrooms	782	20.26%	12300	17.17%	407633	16.82%	3166531	14.35%
5 or More Bedrooms	183	4.74%	3460	4.83%	122511	5.06%	1014710	4.60%

Office for national Statistics March 2011

Key: Darker=Significantly more, Lighter=Significantly fewer compared to other areas

Table 6.1: Distribution of dwelling size in Tiptree based on number of bedrooms

- 6.11 Colchester City Council policy recognises the historic over-provision of larger dwellings. Local Plan Section 2 (Policy DM10) requires development to provide a mix in line with the latest Strategic Housing Market Assessment (SHMA) and this requirement should be followed in Tiptree along with any up to date evidence of specific local housing needs. Following the SHMA, the Local Plan requires over 38% of all units to be 1- and 2-bedrooms (4.9% 1-bed and 33.3% 2-bed). For Tiptree's 600 dwellings this will provide approximately 30no. 1-bedroom and 200no. 2-bedroom dwellings. The Barbrook Lane development, which accounts for one-third of Tiptree's housing requirement, has been granted planning permission to deliver 35% of its units as 1- and 2-bed properties, slightly below this requirement. Moreover, only 29 of these properties (14.5%) will be open market dwellings, with 15 of these being bungalows. Similarly, the land at Kelvedon Road which was granted permission on appeal in 2022 will only deliver 18% of its 130 units as 1- and 2-bed properties. The requirement for more smaller properties, which meet the needs of first-time buyers amongst others, has therefore increased.

⁵ https://www.udg.org.uk/sites/default/files/publications/files/14JULY20%20BFL%202020%20Brochure_3.pdf

- 6.12 The RCCE housing Needs Survey (2017) also identified a need among current Tiptree residents for 25 bungalows (mostly (80%) 2-bedroom plus a few 3-bedroom). The Barbrook Lane development will contribute 15 bungalows towards this requirement.
- 6.13 Tiptree Neighbourhood Plan accepts that a discussion of the number of bedrooms is primarily about dwelling size and price. For this reason a dwelling the size and price of a two bedroom house but with a third bedroom in a loft space for example would be an acceptable alternative to a 2 bedroom dwelling.
- 6.14 The CLP S2 Policy DM10 covers housing diversity. This requires developments to deliver a range of housing types and tenures in order to create inclusive and sustainable communities. In particular, development is required to provide a mix of dwellings in line with the latest Strategic Housing Market Assessment and has particular requirements for older people, specialist housing (e.g. for people with care needs, etc.), self-build/custom-build, gypsies and travellers, students and hospice provision. This policy is strongly supported by the Neighbourhood Plan and development should ensure that it meets its requirements in full.

Affordable housing

- 6.15 In line with Colchester Local Plan Policy DM8, housing developments of 10 or more dwellings are required to deliver at least 30% of units as affordable housing. Affordable housing includes rented, shared ownership and 'First Homes'. There is a strong desire (75% of 1042 respondents) for a proportion of affordable housing to be allocated to people with a link to Tiptree. According to the RCCE Housing Needs Survey for Tiptree published in December 2017 there was an assessed need locally of 19 units for housing association/council housing. This works out at six 1-bed units, ten 2-bed units and three 3-bed units.
- 6.16 The importance of making local people aware that they need to register with Colchester City Council in order to be considered for an affordable home is addressed in Section 13 (Non-policy actions).

First Homes

- 6.17 First Homes are a specific kind of discounted market sale housing that are considered to meet the definition of 'affordable housing' for planning purposes. Specifically, First Homes are discounted market sale units which must be discounted by a minimum of 30% against the market value. They must be sold to genuine first-time buyers and the discount must then be passed on to all subsequent buyers of the property. A minimum of 25% of affordable housing on any development must be First Homes.
- 6.18 The evidence base underpinning the CLP S2 and the Neighbourhood Plan identifies that there is a need for homes that are affordable for first-time buyers. As identified in the housing needs survey, prices in Tiptree mean that many people cannot afford to buy properties locally. Since this was prepared in 2017, prices have increased by 8% for 2-bed properties (source: Zoopla.co.uk). The Housing Needs Survey also quoted evidence from 2007/8 that the median house price in Tiptree was 18.8 times higher than the median income (source: ONS/Land Registry), well above the figure of 15.4 for England as a whole. Given that the house price rises over this period (including the significant increases since 2017) has not been mirrored by

equivalent rises in income, it can be assumed that the affordability ratio will have significantly worsened. There is a clear justification to introduce a First Homes requirement in Tiptree.

- 6.19 Due to the relatively recent introduction of First Homes (May 2021), the CLP S2 falls under transitional arrangements for national planning policy so does not have to have a policy requirement for First Homes. The Neighbourhood Plan however does not fall under these transitional arrangements so is able to include such a policy. It is considered vital that a proportion of affordable housing delivered in Tiptree is available as First Homes.

POLICY TIP05: FIRST HOMES

Developments that are required to deliver affordable housing (as per Colchester Local Plan Policy DM8) should deliver at least 25% of affordable units secured through developer contributions as First Homes.



Honeybee Grove, Tiptree

7 TRAFFIC AND MOVEMENT

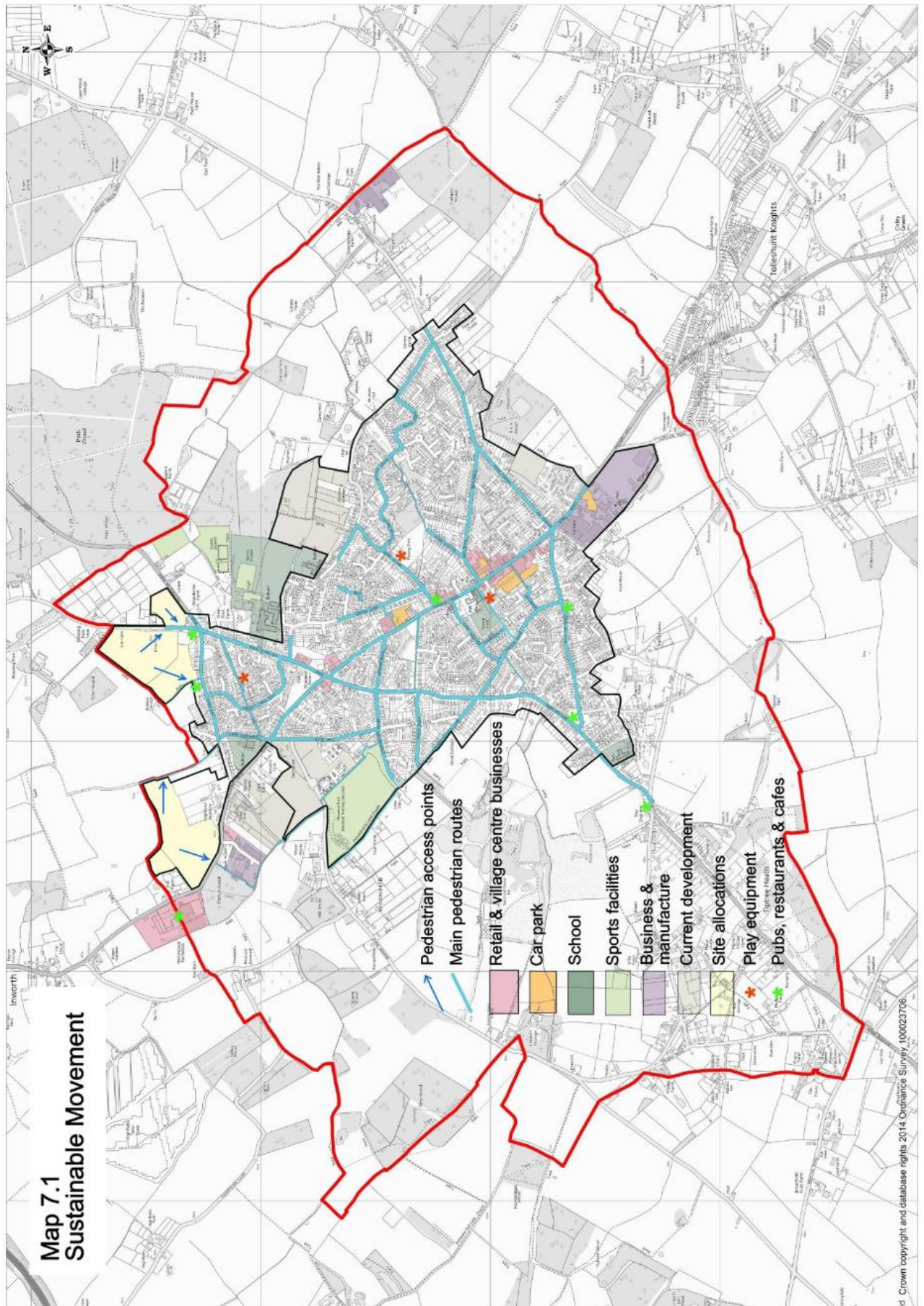
Objective 3: To improve movement through Tiptree, for vehicular traffic but also for walking and cycling and to improve access to the countryside, main routes and railway stations whilst minimizing impact on the village centre.

Sustainable movement

- 7.1 One of the benefits of living in a village is having the shops and services within walking distance of home. This Plan supports developments that provide direct, safe routes for pedestrians and cyclists to reach the village centre and local facilities. At the same time this plan recognises that Tiptree is a District Centre that will attract visitors from the surrounding area – many of whom will arrive by private car, particularly given the limited public transport services. It is therefore necessary to ensure the smooth flow of traffic and the provision of adequate village centre car parking to ensure that village facilities are easily accessible.

POLICY TIP06: NON-MOTORISED USER ACCESS ROUTES

- A. Development proposals to improve cycling and walking infrastructure will be supported. In particular, provision of cycle and pedestrian routes that are physically separated from vehicular traffic and ideally from one another will be strongly supported. Such routes must also ensure that access by disabled users and users of mobility scooters is provided.**
- B. In order to enable safe pedestrian access to public transport facilities, schools, leisure and other important facilities serving Tiptree village, all new developments should ensure safe pedestrian access to link up with existing footways close to the indicative access points shown on the Policies Map. This is particularly important where these footways directly serve the main pedestrian routes shown on the Policies Map.**
- C. Proposals to enhance the quality and safety of the identified main pedestrian routes will be strongly supported. In particular this includes widening, surfacing, appropriate lighting and vegetation management.**
- D. In order to ensure the provision of safe direct walking and cycling routes to Baynard's Primary School and Thurstable Secondary School, development proposals that will increase the numbers of pedestrians walking to and from school must contribute towards the provision of suitable pedestrian crossings or other measures as deemed necessary by the Highway Authority. In respect of the site allocations in Policies TIP15 (Highland Nursery) and TIP16 (Elms Farm), the need for pedestrian crossings of Kelvedon Road, Oak Road, Colchester Road Maypole Road and the link road must be considered.**
- E. Development must retain and enhance the quality and accessibility of Public Rights of Way and bridleways. It must adequately mitigate the impact of additional traffic movements on the safety and flow of pedestrian and cycle access, especially at road junctions. Proposals to create new or enhance existing off-road routes which lead into the wider countryside are encouraged. Where possible, these routes should be designed to accommodate walking, cycling, disabled access and equestrian users.**

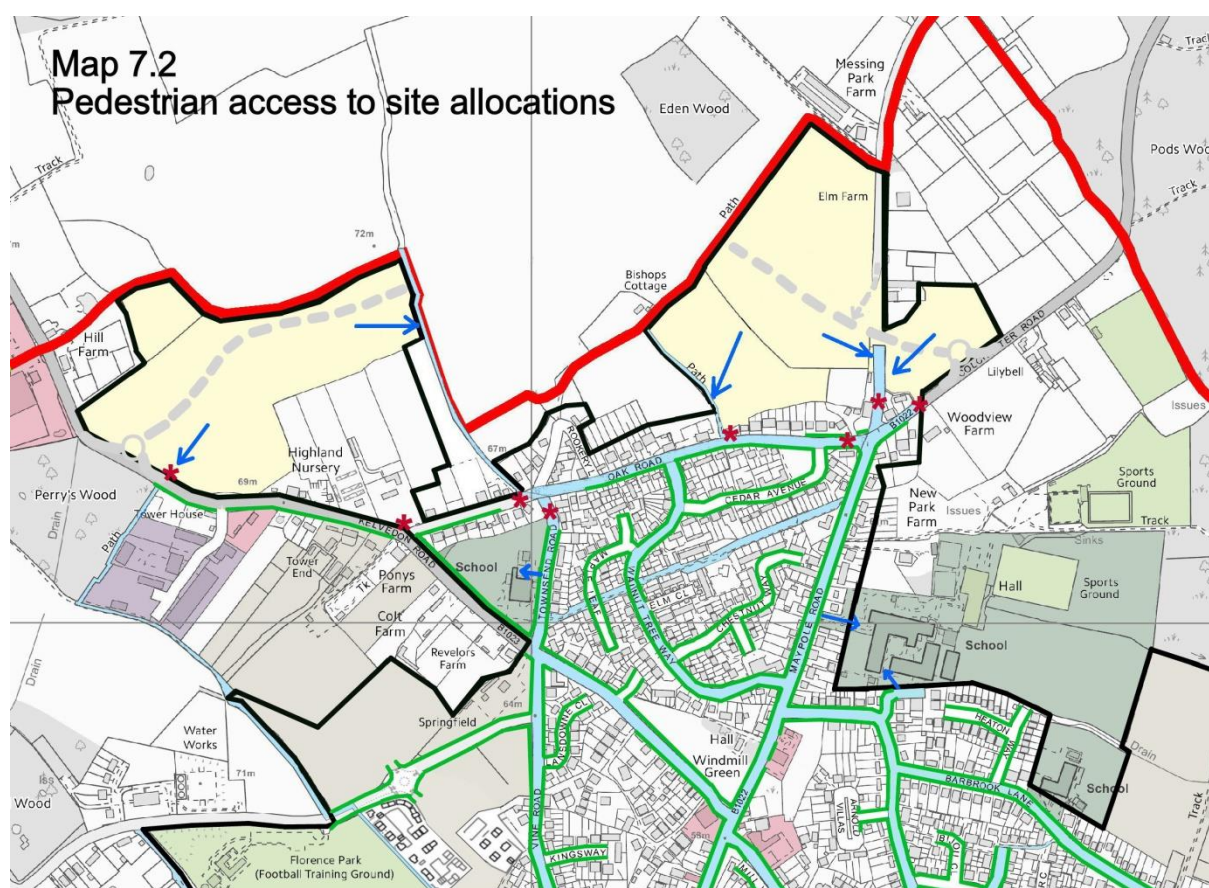


7.2 The Parish Council is also aware of the following issues and will work towards improvements in these areas, albeit outside the provision of the Neighbourhood Plan:

- Provision of improved access to the A12 north and south.
- Improved transport links to neighbouring towns and railway stations.

7.3 Map 7.1 illustrates the main pedestrian routes and destinations which new developments would be expected to link with. The blue arrows indicate where pedestrians from the new developments would be expected to link with existing footways.

7.4 Map 7.2 illustrates some of the issues that arise from the lack of pavement in parts of Tiptree. The site allocations are shown in cream and the grey line indicates the indicative route of the first phase of a northern link road specified in the Colchester Local Plan. The blue arrows indicate the likely points where pedestrians will access the main walking routes and also the schools which are the most likely destinations. The issues raised will need to be considered and satisfactorily resolved before any proposals to develop the allocated sites come forward.



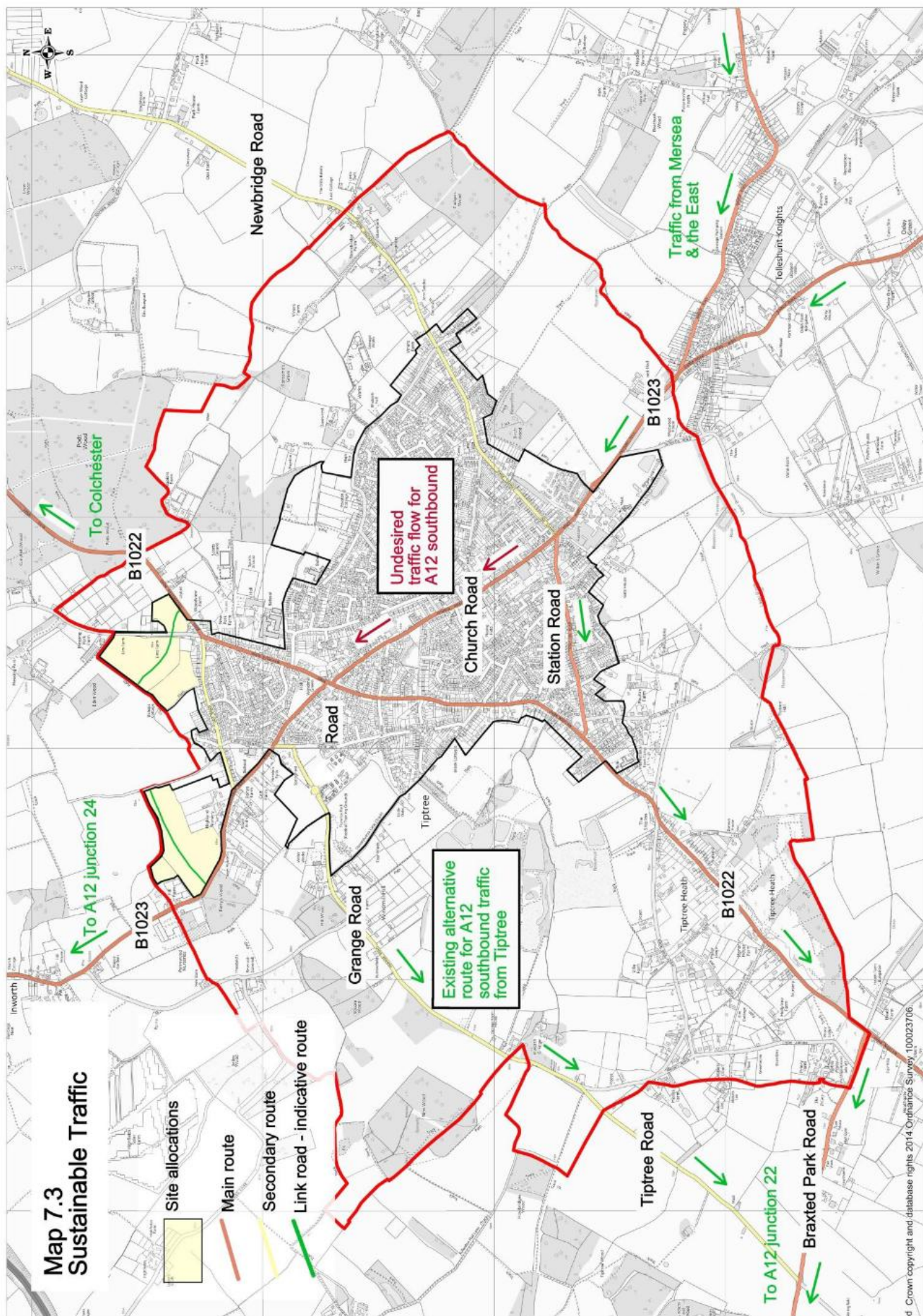
Key

- | | | | |
|---|---------------------------------|---|--|
|  | Site allocations |  | Pavement present |
|  | Parish Boundary |  | Pedestrian access point |
|  | Link road -
indicative route |  | Potential need for pedestrian
footway/crossing improvements |

Vehicular traffic movement

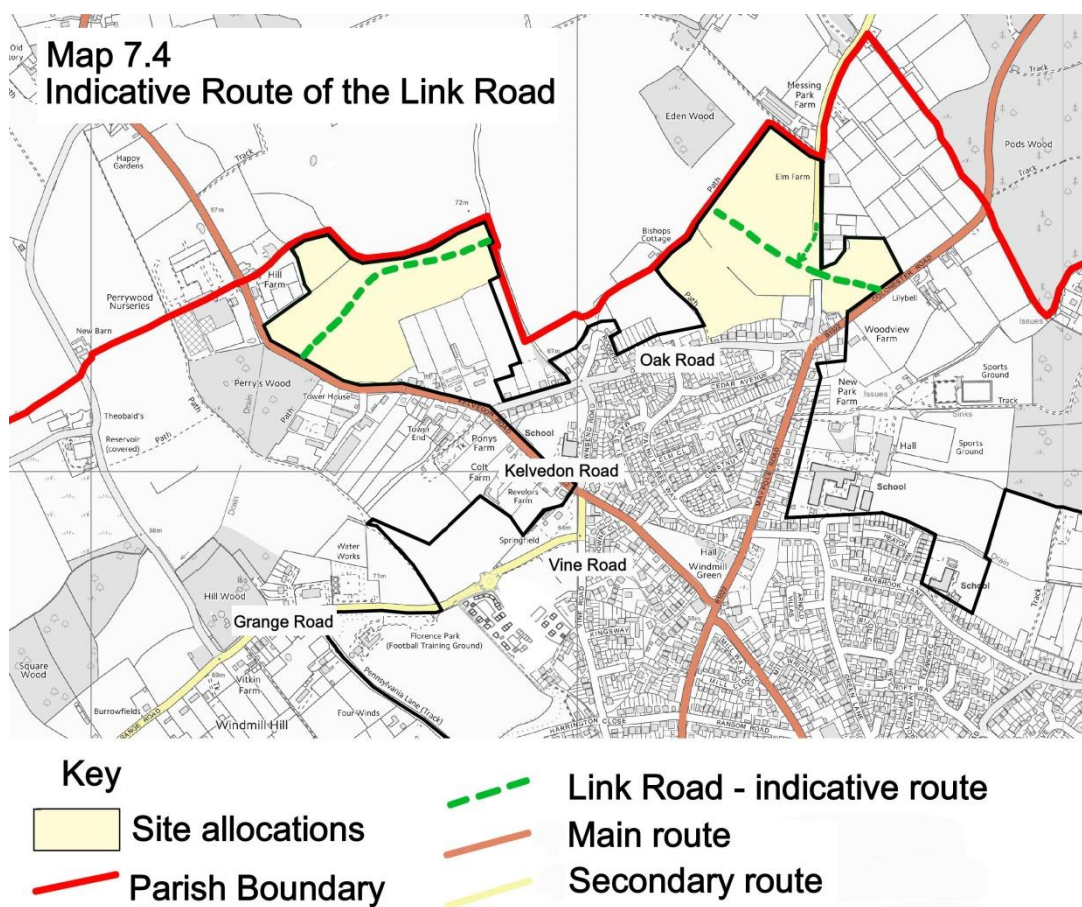
- 7.5 Tiptree lies on a busy crossroads with considerable 'through traffic'. The Maldon-Colchester Road (B1022) provides an alternative to the A12 and is particularly busy if there has been an incident on that road whilst the Braxted Park Road/Maldon Road/Station Road and Kelvedon Road/Church Road routes are busy with traffic heading between the A12 and towns to the east such as Tollesbury and Mersea. Similarly evidence suggests that most of the traffic in Church Road is 'through traffic'.
- 7.6 In order to avoid congestion and ground-level pollution it is necessary to ensure the smooth flow of traffic along the main roads passing through the village and, where possible, to provide alternative routes to avoid pressure points and reduce the traffic using any one road. For these reasons this plan seeks to avoid increasing traffic flow on the B1022 and B1023, especially through Church Road.
- 7.1 In response to community consultation, one of the fundamental considerations for the location of development was the ability of future residents to access the A12 and major routes without passing through Church Road which is the commercial centre of the village. This is one of the reasons why the plan locates future development in the north and north-west of the village.
- 7.2 The planned upgrade to the A12 will bring the much needed improvement to A12 access both at Feering and Rivenhall. However a new four-way junction in Inworth Road is projected to significantly increase the traffic in the B1023 Inworth Road⁶. The figures published by National Highways (formerly Highways England) have been consistently revised downwards but show a morning peak increase in traffic ranging between 42% and 150% which equates to a figure as high as 1749 vehicles per hour. A proportion of this extra traffic is expected to have also passed through Church Road as traffic from settlements to the east of Tiptree takes the quick route to the A12 via the new junction. This extra traffic in Church Road is a scenario that the Neighbourhood Plan has sought to avoid. For this reason it is important that the route via Rivenhall remains an attractive alternative so that southbound traffic from Mersea and villages to the east can be encouraged to continue to use Station Road and Braxted Park Road to access the A12 in preference to Church Road and Kelvedon/Inworth Roads (the B1023). These routes are illustrated on Map 7.3.
- 7.3 At the heart of this Neighbourhood Plan is the creation of a long term strategy to ensure that the growth of Tiptree is genuinely sustainable, particularly with regard to traffic flow.
- 7.4 Policy SS14 in the CLP S2 specifies the provision of a first phase northern link road between Kelvedon Road (B1023) and Colchester Road (B1022). This link road across the north of the village will eventually connect Kelvedon Road with Colchester Road and thereby reduce traffic in Oak Road and at the Windmill Green crossroads. A transport study, by Cottee Transport Planning (Tiptree Neighbourhood Plan: Strategic Highways Note – February 2022), commissioned to support the Neighbourhood Plan, identified that the link road will largely mitigate the traffic impact of the site allocations and also improve safety for pedestrians and cyclists in the vicinity of local schools. Moreover, whilst the current capacity issues at the double mini-roundabout serving the B1022 and B1023 will remain, the link road will provide some relief. As part of this work, the

⁶ A12 Chelmsford to A120 widening scheme, Consultation documents 2019, June 2021 & November 2021



northern section of Messing Road will connect with the link road whilst the southern section will become a cul-de-sac to facilitate pedestrian access.

- 7.5 It has been confirmed by the promoters of the site allocations in the Neighbourhood Plan that the portions of the first phase link road indicated on Map 7.4 are deliverable and will not compromise the overall viability of these developments (see the Housing Topic Paper).
- 7.6 The first phase of the link road will be incorporated into the allocated sites at Highland Nursery and Elms Farm (Map 7.4). However the centre section of this road lies in the parish of Messing and, although this land was offered on the Call for Sites, it is outside the scope of this Neighbourhood Plan. Additional phases of works to be delivered outside of this Neighbourhood Plan through future plan making would connect the first phases together. The deliverability of the first stages of the link road has been confirmed by the developer and common ground regarding the eventual completion of the 'missing link' has been established with Messing cum Inworth PC (See the Housing Topic Paper in TNP Evidence Base Documents).
- 7.7 Also outside of this Neighbourhood Plan, it remains a future aspiration that future phases of the northern link road may include a connection from Kelvedon Road (B1023) through to Grange Road. This would complete the alternative western route around Tiptree. It would also provide an alternative to the Vine Road/Kelvedon Road junction which is likely to become a pressure point at peak times as development in the area leads to more cars trying to turn out of Vine Road into Kelvedon Road at a place where the sight line to the right is poor. This problem is exacerbated by both its location opposite Baynards Primary School and the increased traffic in



Kelvedon Road resulting from the new A12 junction. This future link road extension would relieve the pressure resulting from future development in the Grange Road area and help ensure that the route via Grange Road and Braxted Park Road remains a viable alternative for southbound traffic heading for the A12.

- 7.8 An earlier Review of Transport Issues raised by the Tiptree Neighbourhood Plan (Cottee Transport Planning, January 2021, updated April 2021) states, *'the volumes of traffic predicted by National Highways to use the B1023 through Inworth are unlikely to be sustainable in the long term. The traffic impact of the A12 widening scheme on Tiptree and the surrounding road network should be examined further by NH/ECC to ensure a sustainable and balanced traffic distribution strategy'*. In this respect, the study also includes a high-level assessment which shows that the proposed link roads would clearly have benefits in terms of diverting traffic away from Kelvedon Road/Maypole Road and the double mini roundabout in the village. This, and the 2022 Technical Highways Note, is included in the Neighbourhood Plan Evidence Base documents.

POLICY TIP07: MITIGATING THE IMPACT OF VEHICULAR TRAFFIC THROUGH TIPTREE VILLAGE

- A. Development proposals are expected to demonstrate how they will minimise vehicular congestion. Proposals to improve traffic flow on existing roads and junctions will be strongly supported. This particularly relates to vehicular traffic travelling through the centre of Tiptree village, along Colchester/Maldon Road (B1022) and Kelvedon/Church Road (B1023).**
- B. To avoid congestion, in accordance with the requirements of the Highway Authority, new developments will be required to include appropriate junction improvements to ensure the smooth flow of traffic and also to provide safe and efficient access to and from the development.**
- C. Vehicular access to the site allocations at Highland Nursery and Elms Farm should be provided in or close to the indicative locations shown in Map 12.1.**

Link Road

- D. The first phase of the northern link road is to be delivered through the following allocations:**
 - a. Policy TIP15 (Highland Nursery)**
 - b. Policy TIP16 (Elms Farm)**
- E. The new link road will reflect the rural character of this edge-of-settlement location and will have regard to the necessary specifications as set out in the Essex Design Guide (2018) or subsequent guidance, in particular ensuring it is sufficient to support a bus route and forecast levels of non-residential traffic.**
- F. Driveways serving new dwellings along the route of the link road should not be accessed directly from the link road, but dwellings may still front the road behind footpaths/grass verges and parallel access roads.**

8 TIPTREE VILLAGE CENTRE

Objective 5: To enable Tiptree village centre to thrive as a safe location for people to spend leisure time and access community facilities.

Objective 6: To ensure that Tiptree is an attractive location for a range of businesses so that its local economy can thrive.

- 8.1 Tiptree has a thriving village centre and the number of visitors using the facilities is set to increase. Respondents to the community questionnaire expressed great support for their local shops and businesses. Out of a total of around 1000 respondents, 68% did their main food shopping in the village, 93% used the local shops to top up their food shopping, 54% bought hardware in the village, 49% bought toiletries and cosmetics within the village, 33% bought their 'white goods' in Tiptree and 25% bought electronics here. The village centre is an important destination serving not only the community of Tiptree but the surrounding rural communities as well. Anchored by the three supermarkets on Church Road, it represents an attractive option for shopping, particularly given the relative distance of the larger centres of Heybridge, Tollgate (Stanway) and Colchester town centre. The CLP S2 identifies that Tiptree's 'substantial convenience goods shopping offer' serves the western parts of Colchester City and that it 'performs an important role in terms of serving predominantly localised shopping and service needs'.
- 8.2 It is important that existing shops and services are allowed to thrive and that, where vacancies arise, new shops and services are encouraged to fill these vacancies. Whilst national policy allows a lot of flexibility in terms of main town centre uses, the uses that draw people in to use the centre focus around retail (both 'every day' convenience stores and comparison stores selling high value goods) and 'high street services', e.g. hairdressers, beauty salons, banks, etc., supported by restaurants, cafes and other eateries. Whilst a wide range of uses that make up the 'commercial, business and service' use class (Class E) can change between those uses without the need for planning permission, the Neighbourhood Plan seeks to protect the traditional high street shops and services from falling to other uses.
- 8.3 There is a desire to see the variety of shops increase and there is support for a street market and also for eating and drinking facilities that are open in the evenings. This plan supports proposals that improve the services and facilities available. It will support the relocation of services that are better placed in a dedicated commercial area with good links to the surrounding district and it will support the provision of additional shops and cafes in or adjacent to the existing village centre.
- 8.4 Also in the centre of the village is the Tiptree Medical Centre. The North East Essex Clinical Commissioning Group (CCG - replaced by the NHS Suffolk and North East Essex Integrated Care Board (ICB) in July 2022) has reported that the medical centre is already over-capacity and an alternative solution needs to be found to provide the additional capacity required. It is not possible to expand the centre on the existing site. As stated in the Colchester Infrastructure

Delivery Plan Update 2021⁷, the CCG (now ICB) intends to work with the Parish Council to review options for the way forward. The Neighbourhood Plan is a key part of this and has allocated approximately 0.4 hectares of land for the construction of a new medical facility on the Elms Farm site allocation.

- 8.5 As stated in the section on dwelling mix, the size of housing needed and planned for in the CLP S2 has been informed by the Strategic Housing Market Assessment (SHMA)⁸. Accordingly, there is a requirement for over 38% of all units to be 1- and 2-bedrooms (4.9% 1-bed and 33.3% 2-bed). Many of these units will address the needs of the older population as they look to downsize. As shown in the parish profile⁹, nearly 27% of households in Tiptree parish in 2011 were pensioner households, compared with an average of less than 21% in England. Similarly, 21.5% of people in Tiptree in 2011 were over 65, compared with just over 16% across England. The high proportion of older people not only means increased demand for smaller properties but it is preferable that some of these properties are located close to Tiptree village centre where access to shops and services is easier.
- 8.6 Reflecting the importance of enhancing footfall in Tiptree village in order to maintain its vibrancy, office-based uses are an important opportunity, particularly for space above shop units. The potential for these types of uses is addressed more generally and in more detail in the next section. However, offices are seen as a main town centre use that would fit the profile of Tiptree well and help to underpin the vibrancy of the village centre.
- 8.7 With increasing numbers of visitors to Tiptree District Centre, car parking is becoming an issue. There is no longer a public car park in the village and the car parking spaces within the village centre are well used by business employees, those visiting the shops and other facilities and by those taking coach trips from the village. Whilst seeking to maximise journeys by non-vehicular modes (walking, cycling and bus), the Neighbourhood Plan seeks to strike a pragmatic balance which recognises that a large number of visitors/users of the District Centre will need to drive. The provision of additional public car parking for those visiting the District Centre is therefore supported.



The Centre, Tiptree

⁷ Navigus Planning (2021) *Colchester Infrastructure Delivery Plan Update 2021*, for Colchester Borough Council

⁸ EBC 2.16 Strategic Housing Market Assessment Update (December 2015) and EBC 2.15 Executive Summary form part of LPP2 Evidence Base Supporting Documents Section 2. *Housing and Population*.

⁹ ACRE, OCSI, RCCE (2013) *Rural community profile for Tiptree (parish)*, Action with Communities in Rural England (ACRE) Rural evidence project

POLICY TIP08: TIPTREE VILLAGE CENTRE

- A. Proposals to protect and enhance the range of retail (convenience and comparison) units, high street services (e.g. hairdressers, beauty salons, health & social care and banks) and establishments serving food and drink (cafés, pubs and restaurants) will be strongly supported. Proposals that would result in the loss of such uses (where planning permission is required) will not be supported.**
- B. Proposals for new office-based uses will be supported where they do not result in the net loss of uses listed in Clause A. Such uses should preferably be located above ground floor level.**
- C. In order to primarily address the needs of older people, proposals for sheltered housing in the District Centre will be supported provided that:
 - a. it does not result in the net loss of uses listed in Clause A; and**
 - b. provision made above ground floor level provides suitable access.****
- D. Where it can be demonstrated to be complementary to the District Centre function of Tiptree, proposals for public car parking in or adjacent to the District Centre will be supported. This must not result in the net loss of uses listed in Clause A.**
- E. Proposals must not unacceptably affect residential amenity, particularly in terms of on-street car parking, noise and hours of operation.**



After the Carnival – Church Road, Tiptree

9 EMPLOYMENT

Objective 6: To ensure that Tiptree is an attractive location for a range of businesses so that its local economy can thrive.

- 9.1 The founding of the jam factory by Wilkin & Sons in 1885 was a big factor in the establishment of the village and has made a major contribution to the identity and heritage of Tiptree. The presence of the jam factory is highly valued by the community as an employer and as a contributor to the life and culture of the village not to mention its role in putting Tiptree 'on the map'. Subsequently a growing number of businesses have made their home in the village – each contributing to making Tiptree the thriving community it is today.
- 9.2 Through the Community Questionnaire, 64 respondents indicated that they operated a business within the village which together accounted for a total of 463 employees. Of these 64 businesses, 11 need space to expand including 3 that would like an affordable unit. In addition a further 25 respondents currently operate a business outside of Tiptree but have expressed a desire to relocate into Tiptree should suitable premises be available. The expressed need is for office space (15 units) and retail or business units (15 units). In each case about half the required units to be available to rent.
- 9.3 Besides Tiptree District Centre, the CLP S2 Policies SG4 and SS14 (Policy Map) designate four Local Economic Areas (LEAs) in Tiptree. These are:
- Alexander Cleghorn site
 - Basketworks site
 - Tiptree Jam Factory
 - Tower Business Park
- 9.4 CLP S2 Policy SG4 safeguards these areas for employment purposes which primarily relates to general industrial, storage and distribution uses and for office, research and development and light industrial uses (within Use Class E). Alternative uses will only be permitted in particular circumstances, as explained in Policy SG4.
- 9.5 Market research indicates that there is a limited requirement for further provision of community services, financial or business services or leisure facilities. In light of the Covid-19 pandemic it is anticipated that demand for small scale office space will increase, albeit this will be limited as demand for these uses was decreasing before the pandemic. It is likely to be focused on new ways of working, e.g. remote workers seeking shared workspaces closer to where they live. Many in the community felt that more shops and services would be of value to Tiptree but there is uncertainty in the retail sector over the need for more space.
- 9.6 Commercial agents covering the Tiptree area stated that by far the most active employment requirement identified is the provision of light industrial workshops, with demand well exceeding supply across the region. Lack of new-build stock is preventing companies from moving which creates a 'trickle down' effect leading to a lack of entry-level workshop space.
- 9.7 Tiptree is considered to be a small commercial market, barely known outside of the local area and has limited stock of units and floor space. However, if new employment land was made

available this could accommodate demand for new build light industrial or general industrial workshop or warehouse space which would potentially expose Tiptree to a wider market. Such provision of a range of small and medium sized units is precisely where market demand is centred. It should be noted that the LEAs in Tiptree which have traditionally serviced these markets are largely at capacity. (For further evidence of the commercial requirements in Tiptree see the Employment Topic Paper).

- 9.8 For a village such as Tiptree, economic growth is expected to come not only from traditional industrial activities on edge-of-centre estates but also from micro-businesses, start-ups and small and medium sized enterprises (SMEs). Over the last few years there has been local growth in these types of businesses, particularly start-ups and micro-businesses. Local agents have confirmed that small scale accommodation would be very popular and would meet the market demand. The Covid-19 pandemic has increased the likelihood that more people in the future will be working from home or working more flexibly. With train services from Kelvedon or Witham providing easy access to London, as well as the proximity of large employment centres of Colchester and Chelmsford, this makes such an approach more feasible. Flexible networking/shared workspaces are needed to support this changed employment pattern. As has been identified in Section 8 on the Village Centre, the provision of such space in the District Centre – particularly above ground floor so that traditional shops and services are not lost – would be welcomed. However, other locations are needed to attract the providers of such space.
- 9.9 The growth of these types of businesses requires suitable premises – small, flexible spaces that are well-located in the village. The LEAs provide limited space that is suitable for such provision. The allocation of new employment land will therefore provide a different offer which will help to diversity and create resilience in the local commercial employment market.
- 9.10 Accordingly, the plan makes provision for an additional 1.1 hectares of employment land in addition to the LEAs. This will be located on the Highland Nursery site allocation. It is also considered that site/plot sales on freehold terms would be very popular whilst seeking leasehold/pre-let opportunities for these plots is likely to be harder to deliver. It would therefore be prudent to provide a mix of serviced and unserviced land and units.

POLICY TIP09: SMALL-SCALE COMMERCIAL WORKSPACES

- A. The provision of small-scale offices/workspaces on flexible terms that would encourage the creation and growth of start-up and micro-businesses is supported. Where necessary, such provision can be made as part of a mix of uses.**
- B. Such provision can be made in any of the following locations as shown on the Policies Map:**
- a. On land identified as part of the allocation at Highland Nursery (Policy TIP15)**
 - b. The Local Economic Areas (LEAs) specified by CLP S2 Policy SG4.**
 - c. Tiptree District Centre.**
- C. The design of developments is expected to demonstrate that it is compatible with its surroundings and suitable landscaping measures should be applied to ensure appropriate screening from non-commercial activities.**

10 COMMUNITY INFRASTRUCTURE

Objective 2: To meet the housing, infrastructure and service requirements and needs of Tiptree and its residents in a sustainable manner.

- 10.1 It is important that infrastructure keeps pace with community growth and a number of desirable facilities and amenities were identified in the community questionnaire. Most centred on leisure activities including swimming, cinema, roller skating, snooker, indoor bowling and outdoor enclosed multi-use facilities. 49% of 987 respondents currently travel outside the village for leisure and sports activities and would welcome provision of some, if not all, of these facilities within the village.
- 10.2 Whilst the scale and cost of many of these types of uses mean that they could not be delivered through the scale of growth proposed, the Neighbourhood Plan and the site allocations in particular provide an opportunity to deliver on some of the community's infrastructure needs.

Community infrastructure provision

- 10.3 A Leisure and Play Facilities Audit¹⁰ was undertaken in 2021. Based on the 400 dwellings proposed for allocation in the Neighbourhood Plan (and reflecting what is to be provided as part of the 200 dwellings at Barbrook Lane), it identified the need for the following which should be delivered on the site allocations as advised in Policy TIP10:
- Allotment provision totalling 0.4 hectares (equating to approximately 32 plots), but recognising that 19 of these plots would be to address existing deficits in provision, therefore should not be funded by the proposed development where it is located.
 - A new Medical Centre – if provided alone then this should be on approximately 0.4 hectares. Provision as part of a larger hub is preferred (see below).
 - Community hall and meeting space provision. This could be part of a larger hub which, for example, could include the Medical Centre. This space would be able to create a 'Health and Wellbeing Hub' which could incorporate elements of primary care, community and voluntary partners supporting the community and enhancing their health and wellbeing.
- 10.4 In addition, Tiptree Parish Council has identified the following community infrastructure needs that will help to address identified community needs without requiring significant new provision (with the exception of the burial ground):

Play facilities

- Replacement of play equipment for 10-14 year olds at Grove Road Playing Field.

Sports/wellbeing facilities

- Woodland paths and seating at Warrior's Rest.

¹⁰ Navigus Planning (2021) *Tiptree Leisure and Play Facilities Audit*, for Tiptree Neighbourhood Plan

Other facilities

- Provision of a new burial ground. This was not identified as a specific need but existing space is very limited and further space is likely to be required over the lifetime of the plan.

10.5 Developments which will create additional demand that is directly related to any of these facilities will be expected to contribute to their enhancement or new provision as necessary. In the case of new burial ground space, proposals to provide this will be strongly supported.

POLICY TIP10: PROVISION OF COMMUNITY INFRASTRUCTURE

A. The provision of appropriate community infrastructure is required to support growth in Tiptree. The site allocations at Highland Nursery (Policy TIP15) and Elms Farm (Policy TIP16) shall be the focus of new provision and shall provide land and financial contributions towards provision where appropriate and justified. Other sites shall make financial contributions towards provision where appropriate and justified.

B. The provision of specific community infrastructure items will be as follows:

- a. At Elms Farm (Policy TIP16) - Land for a community hub, incorporating a Medical Centre and car parking. If the Medical Centre is provided as a standalone facility, it shall be on a site of at least 0.4 hectares. The community space shall provide a community hall and meeting spaces totalling at least 300m².**
- b. At Elms Farm (Policy TIP16) - Allotments totalling approximately 0.4 hectares.**
- c. For any new major development, sufficient refuse bins along with contributions towards their servicing and maintenance.**

C. Where meeting the tests of a planning obligation, new development will be expected to contribute as necessary to the following items:

- a. Replacement of play equipment for 10-14 year olds at Grove Road Playing Field.**
- b. Woodland paths and seating at Warrior's Rest.**

D. Proposals to provide additional burial ground space in Tiptree will be strongly supported.

10.6 In view of the need for a new health facility, Tiptree Parish Council will support the NHS Suffolk and North East Essex Integrated Care Board and NHS England in ensuring suitable and sustainable provision of Primary Healthcare services for the residents of Tiptree.



Tiptree Community Centre

11 COUNTRYSIDE, GREEN SPACES AND GREEN INFRASTRUCTURE

Objective 4: To protect and enable Tiptree's green environment, wildlife and biodiversity to thrive and grow. To protect local, national and international designated sites and habitats, and integrate green corridors into new developments.

- 11.1 One of the benefits of living in a village like Tiptree is to be surrounded by countryside. As the wide-open spaces within the village become fewer the countryside around us is increasingly important. In our consultation survey it was considered very important that we protect our countryside, especially our wildlife areas and there was a strong call for more accessible open countryside. The National Planning Policy Framework (NPPF) also recognises the importance of our natural countryside and requires planning authorities to contribute to and enhance the natural and local environment by 'protecting and enhancing valued landscapes' and 'minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures' (NPPF paragraph 174).
- 11.2 As we see more development in Tiptree the areas we do possess, albeit rather small ones, become increasingly important for recreation and emotional wellbeing. The lack of a significant area of public open space within Tiptree means we are leaving people with little choice but to get in their cars and drive to the Essex Coast Special Protection Area (SPA) to find recreational space. The provision of open space more locally reduces the carbon footprint and provides mitigation/compensation in lieu of a trip to the coast. In this respect local space contributes to the Recreational disturbance Avoidance and Mitigation Strategy (RAMS) (see Policy TIP14) – the strategic solution to protect the special conservation areas of the Essex coast from the recreational pressures of a growing population.
- 11.3 As Tiptree grows, popular areas like Tiptree Heath Site of Special Scientific Interest (SSSI) are suffering degradation from too many visitors and it is important that we develop a strategic approach to providing significant areas of open space where the residents of Tiptree can escape to the countryside and where wildlife can thrive.
- 11.4 Tiptree also has a range of green infrastructure assets. Green infrastructure is a network of multi-functional high quality green spaces and other environmental features, (such as footpaths, leafy lanes, play parks, village greens, street trees) which together delivers multiple environmental, social and economic benefits, through:
- contributing to the quality and distinctiveness of the local environment and landscape character;
 - creating a 'green wedge' and buffer;
 - providing opportunities for physical activity, improving health and well-being and generally adding to quality of life;
 - adapting and mitigating against a changing climate through the management and enhancement of existing habitats and the creation of new ones to assist with species migration, to provide shade during higher temperatures, reduce air pollution and for flood mitigation; and

- encouraging a modal shift from car to walking and cycling by linking publicly accessible green space wherever possible to form walking and cycling routes.

- 11.5 Tiptree has a number of ancient byways and leafy lanes including Pennsylvania Lane, Park Lane and a section of Grove Road¹¹. These are small access routes which have historic importance and natural beauty that should be preserved. Built development on the village edge alongside an ancient byway/leafy lane should be designed and located in a way that ensures it does not create an adverse visual impact from the byway/lane (See Policy TIP02 Af).
- 11.6 It is important that these assets are better linked so that people can move more easily between them and into the countryside beyond. Policy ENV3 of the CLP S2 states that Colchester Borough Council will, “aim to protect, enhance and deliver a comprehensive green infrastructure network comprising strategic green links between the rural hinterland, urban Colchester, river corridors and open spaces across the City. It will seek to protect and enhance the existing network of green and blue infrastructure features and to secure the delivery of new green infrastructure where deficiencies and gaps are identified that will benefit communities, wildlife and the environment.” The current network of green spaces and Local Wildlife Sites in Tiptree Parish is shown in Map 11.1. As identified by the NPPF, Local Wildlife Sites¹² are locally designated sites of importance for biodiversity and must be protected accordingly.



Brook Meadow Local Wildlife Site

¹¹ Evidence base documents, Environment Group Report and Tiptree Lanes.

¹² EBC 4.2 Colchester Borough LoWS Review 2015 (Final Version November 2017) forms part of CLP S2 Evidence Base Supporting Documents Section 4. *Environment*.

POLICY TIP11: GREEN INFRASTRUCTURE

- A. New developments should integrate with the current green infrastructure network, seeking to improve the connectivity for as many user groups as possible between wildlife areas and green spaces through measures such as improving and extending existing footpaths, cycle paths and bridleways, allowing greater access from housing and retail facilities to green spaces, public open spaces and the countryside.**
- B. The Local Wildlife Sites shown on the Policies Map (and Map 11.1) are locally designated sites of importance for biodiversity and are protected accordingly. Development proposals must meet the requirements of Colchester Local Plan Policy ENV1 (Environment) and any proposals that have adverse effects on the integrity of habitats sites (either alone or in-combination) will not be supported.**
- C. In order to address the requirement for biodiversity net gain, development proposals should explore a wide range of opportunities throughout the parish including:**
 - a. enhancing ecological networks and the migration and transit of flora and fauna;**
 - b. restoring and re-creating wildlife habitats, particularly to enable priority species to flourish;**
 - c. designing Sustainable Drainage Systems (SuDS) to maximise the potential for biodiversity to thrive.**
- D. Development proposals that have adverse effects on the integrity of habitats sites (either alone or in-combination) will not be supported.**

- 11.7 To ensure the long term ownership and stewardship of any new public green spaces created as a part of development, it is recommended that their ownership should be transferred either to Tiptree Parish Council or, if this is not possible, then to an appropriate alternative public body. The parish Council will work with site promoters from the earliest possible stage to ensure that an appropriate mechanism is in place when the development comes forward.

Flooding

- 11.8 In order to help manage downstream flood risk, any new development within the Plan area should be directed away from areas of existing flood risk where possible. New development within the plan area must ensure that surface water runoff rates are not increased beyond existing rates. Historically some surface water flooding has occurred towards the north of the village in close proximity to the Elms Farm allocation. Site investigations have shown that the watercourse to the southwest of the site has limited capacity. Any development in this area should consider improvement works as part of the development.
- 11.9 All development within the plan area should use Sustainable Drainage Systems (SuDS) to manage rainfall runoff from the site. These techniques should encompass the four pillars of SuDS, addressing water quantity, water quality, biodiversity and amenity. In order to achieve these results, the use of above ground SuDS should be promoted. Where possible these features should be multifunctional, not only providing flood risk mitigation but also enhancing green infrastructure within the plan area.

- 11.10 All drainage strategies for major development within the plan area should be based on the Essex Sustainable Drainage Design Guide. It is recommended that developers engage in pre-application discussions with the Lead Local Flood Authority (LLFA) to ensure that any recommendations can be incorporated into site design as early into the planning process as possible. While the LLFA is not currently a statutory consultee on minor applications it is still recommended that the principles of the Essex SuDs Design Guide are implemented on smaller sites to ensure that the cumulative effect of multiple smaller developments does not result in a significant increase in downstream flood risk.
- 11.11 Although not directly linked with the planning process it should be ensured that any new development within the Plan area complies with the Land Drainage Act and an application is made to the LLFA for ordinary water consent before making any changes to existing ordinary watercourses.



Meltwater on the paddocks, looking towards Grange Road

Landscaping and Biodiversity

11.12 Community consultation has revealed the value placed by residents of Tiptree on the rural setting of the village. They expressed enjoyment in living in the countryside with visual and physical access to the fields, woods and streams that make up the Parish. It is important that new development in Tiptree integrates with the landscape in a way that preserves the rural 'feel' and setting.

11.13 Whilst the Neighbourhood Plan did not seek to identify any established existing green corridors, this does not mean that they do not exist or cannot be created and assisted by the design of new development. The design of individual buildings and of neighbourhood scale green and open spaces, including private gardens, will help to ensure that the species present in Tiptree can thrive. This is in line with the national planning guidance for achieving net biodiversity gain through all new development. Examples of the simple solutions that well-thought out design can easily incorporate are:

- Integral bird and bat boxes under the eaves of the new houses, or artificial nests sited in places away from windows and doors, can create vital new roosting sites to support populations of birds and bats.
- Boundaries between dwellings can be made hedgehog friendly by including pre-cut holes for hedgehogs to more effectively move across neighbourhoods to forage.
- New planting schemes can support bees and other pollinators by including nectar-rich plants.



POLICY TIP12: LANDSCAPING AND BIODIVERSITY

- A. New developments must ensure that they minimise the visual and physical impact on the environment, maximise opportunities to retain existing trees and hedgerows and secure biodiversity net gain.**
- B. Major new development (as defined in the NPPF) adjacent to existing built-up areas should not create a hard edge and, where possible, retain a green buffer. A green buffer should be sufficiently wide to accommodate:
 - a. the planting of avenues of street trees of which, by virtue of their species, have a large canopy and root structure when mature;**
 - b. hedges;**
 - c. recreational facilities such as benches and water features;**
 - d. wide pedestrian and cycling paths.****
- C. Where a green buffer area is faced by the back gardens of the existing development, new buildings should be designed to overlook it, in order to create active frontages and provide natural surveillance.**
- D. Developments in or adjacent to the settlement boundary that face open countryside must:
 - a. Respect prevailing building heights and ensure heights taper off at the edges of sites where they meet the open countryside;**
 - b. soften the appearance of buildings on the edge of the development where it meets the open countryside through the use of trees, natural materials and features such as green roofs (see also Policy TIP02 Ab).****
- E. The incorporation of design features into new development that encourages local wildlife to thrive, is strongly encouraged. This includes the use of native species of trees, shrubs and grasses which should be designed in a way that would allow their use as stepping stones for wildlife (see also Policy TIP02 Ag).**



Local Green Spaces

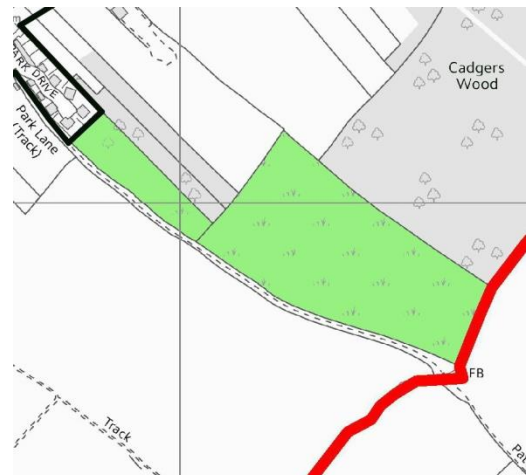
11.14 Under the NPPF, Neighbourhood Plans have the opportunity to designate Local Green Spaces which are of particular importance to them. This will afford protection from development other than in very special circumstances. Paragraph 102 of the NPPF (July 2021) says that the Local Green Space designation should only be used where the green space is:

- in reasonably close proximity to the community it serves;
- demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
- local in character and is not an extensive tract of land.

11.15 The following 5 areas (shown on Map 11.1 and the Policies Map) are considered to fulfil all of the criteria of the NPPF:

1. Park Lane LNR & Amenity Land
2. Grove Road Playing Field
3. Grove Lake
4. Windmill Green
5. Birch Wood

1. Park Lane Nature Reserve and Amenity Land



11.16 This area, owned by Tiptree Parish Council, comprises 8.8 hectares of neutral grassland with scattered trees and woodland. The Amenity land has a number of picnic benches. It is valued for its wildlife, recreation and dog-walking. In the community questionnaire it was identified as a peaceful and beautiful space for family walks.

2. Grove Road Playing Field



11.17 This is an important community space containing play equipment for all ages from toddlers to seniors as well as a skate-board park and space for ball games. It provides a space for fairs and festivals in the centre of Tiptree. This well-equipped area is a popular meeting space for parents with young children as well as older, more independent young people. It is owned and managed by Tiptree Parish Council.

3. Grove Lake and board walk



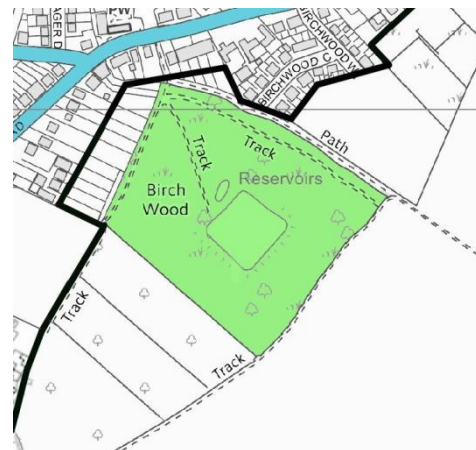
11.18 This is another important greenspace within the village equipped with benches and picnic tables. It is a popular place for dog-walking, picnics or to simply sit and chat or enjoy the view. The area has been described as a restful place with calming water that create the village atmosphere. It is owned and managed by Tiptree Parish Council.

4. Windmill Green

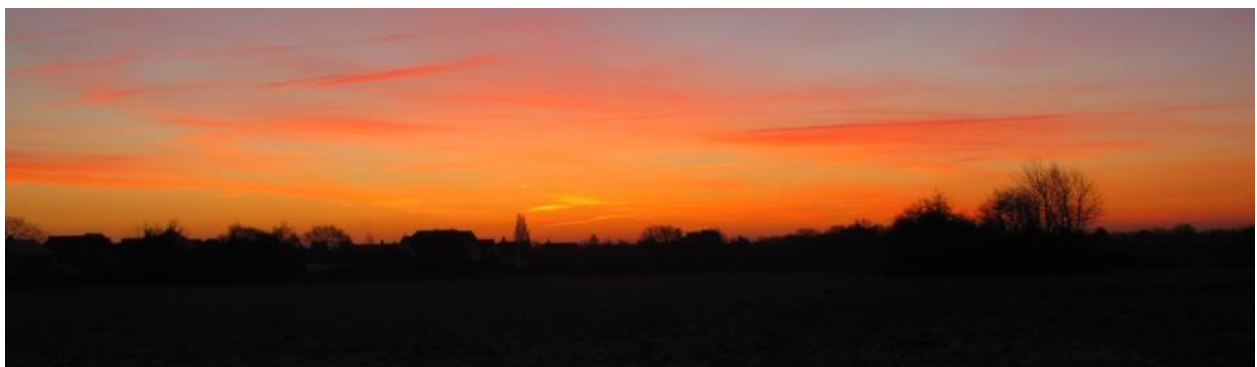


11.19 This is common land, managed by Tiptree Parish Council. It is a dog-walking and recreational area adjoining the main cross-roads and village sign. The Scout hut occupies a wooded corner of this green but is excluded from the Local Green Space. This area has been described as 'setting the village character as people enter Tiptree'.

5. Birch Wood



11.20 This wood, owned and managed by Wilkin and Sons, is a valued woodland comprising oak, hornbeam and sweet chestnut trees. It is accessible to the public and used for walking and children's play. It surrounds a reservoir which is fished by the Kelvedon and District Angling Association.



POLICY TIP13 LOCAL GREEN SPACES

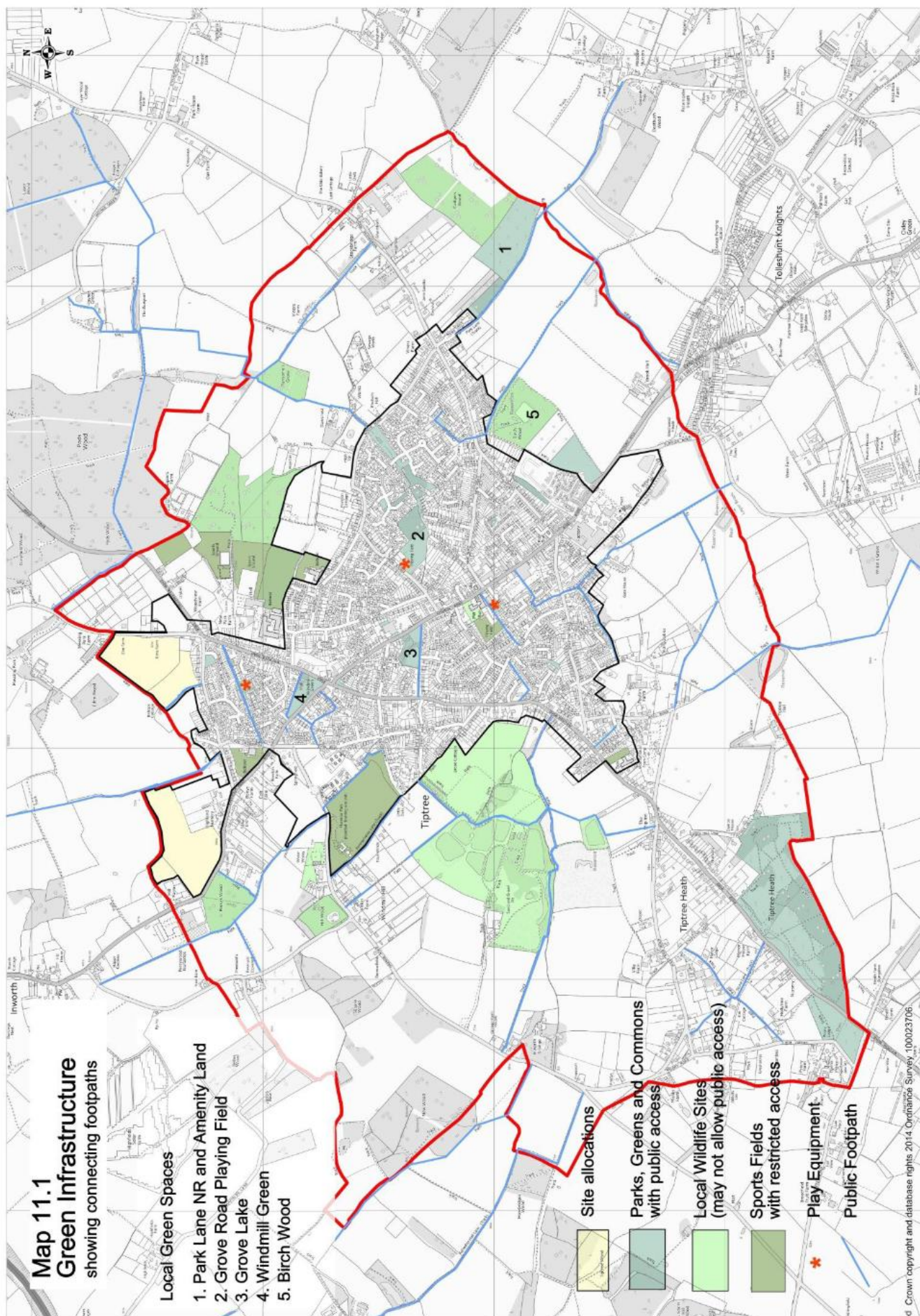
A. The following spaces as shown on the Policies Map are designated as Local Green Spaces:

- 1. Park Lane Nature Reserve and Amenity Land**
- 2. Grove Road Playing Field**
- 3. Grove Lake**
- 4. Windmill Green**
- 5. Birch Wood**

B. Proposals consisting of inappropriate development affecting a Local Green Space will only be permitted in very special circumstances. All other development shall be determined with regard to national policy.



Green-winged Orchids in Tiptree



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Recreational Disturbance

- 11.21 Habitat Regulations Assessments have been completed for the Colchester Section 1 Local Plan and Section 2 Local Plan. Both of these assessments identified that the in-combination effects of the Section 1 and Section 2 Local Plans (including the cumulative effects of the Section 2 allocations), together with neighbouring local planning authorities Local Plans and neighbourhood plans are likely to adversely affect the integrity of European designated nature conservation sites, in particular the Colne Estuary Special Protection Area and the Blackwater Estuary Special Protection Area (both are protected under the Ramsar international treaty) and also the Essex Estuaries Special Area of Conservation.
- 11.22 In view of that, Colchester Borough Council worked with ten other Greater Essex local planning authorities, and Natural England, on a Recreational disturbance Avoidance and Mitigation Strategy (RAMS) for the Essex coast. RAMS is a strategic solution to protect the Essex coast from the recreational pressures of a growing population. A RAMS is usually driven by challenges and opportunities arising from planning issues. RAMS generally applies more broadly than at a single designated Habitat site, provides strategic scale mitigation and enables the development of a generic approach to evidence collection and use.
- 11.23 Financial contributions will be sought for all residential development, which falls within the zones of influence, towards a package of measures to avoid and mitigate likely significant adverse effects in accordance with policy SP2 of the Shared Strategic Section 1 Plan and policy ENV1 (Environment) of the Section 2 Colchester Local Plan. This includes development allocated in Neighbourhood Plans within Colchester City. Details of the zones of influence and the necessary measures (including tariffs) are included in the Essex Coast RAMS Supplementary Planning Document (SPD). Compliance with this document and any updated version and updated tariffs is required.
- 11.24 Although the RAMS policy is in the CLP S1, a RAMS policy has appeared in all Colchester BC NPs.

POLICY TIP14: RECREATIONAL DISTURBANCE AVOIDANCE AND MITIGATION

- A. All residential development within the zones of influence of Habitat sites will be required to make a financial contribution towards mitigation measures, as detailed in the Essex coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS), to avoid adverse in-combination recreational disturbance effects on Habitat sites.**
- B. Winter bird surveys and fully functional mitigation (if required) must be completed at any proposed site within Tiptree prior to the development of the site (see CLP S2 Policy SS14).**
- C. Proposals for 100 dwellings or more will also require a shadow appropriate assessment to be submitted with the application, which assesses likely significant effects alone. This should clearly show how necessary avoidance measures are incorporated into the proposal. Payment of the RAMS tariff will address in-combination effects.**

12 SITE ALLOCATIONS

Objective 1: To deliver development prioritising local distinctiveness in keeping with the village feel, rural surroundings and heritage of Tiptree.

Objective 2: To meet the housing, infrastructure and service requirements and needs of Tiptree and its residents in a sustainable manner.

Objective 3: To improve movement through Tiptree, for vehicular traffic but also for walking and cycling and to improve access to the countryside, main routes and railway stations whilst minimizing impact on the village centre.

Objective 4: To protect and enable Tiptree's green environment, wildlife and biodiversity to thrive and grow. To protect local, national and international designated sites and habitats, and integrate green corridors into new developments.

Objective 6: To ensure that Tiptree is an attractive location for a range of businesses so that its local economy can thrive.

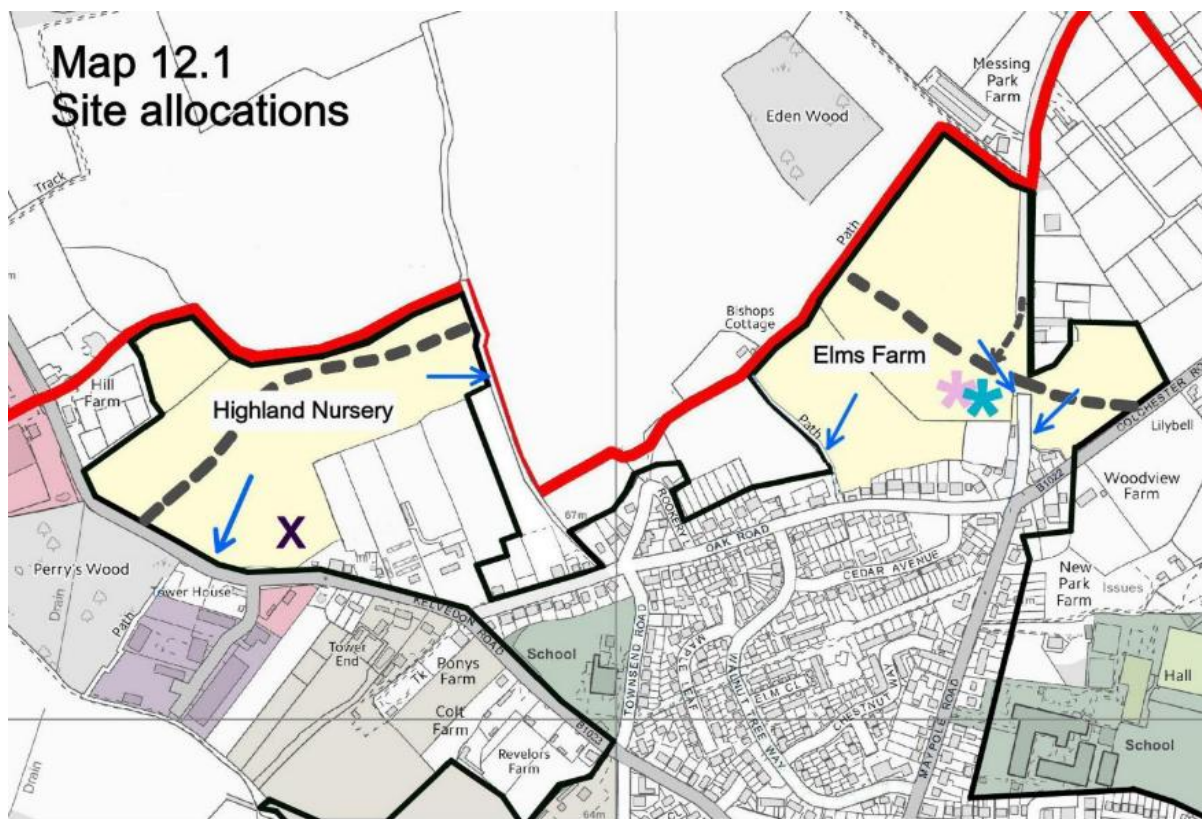
- 12.1 As part of the requirement in the 2017 Publication Draft of the Colchester Local Plan Section 2 (CLP S2) for at least 14,720 (920 per year) homes to be provided within the City by 2033, Tiptree parish was required to provide 600 new homes by 2033. Following the examination of CLP S2 in 2021, it was clarified that the 600-dwelling figure could be reduced to 400 dwellings in light of the granting of permission for 200 dwellings at Barbrook Lane in 2020. The Proposed Modifications to CLP S2 proposed amendment of Policy SS14 on Tiptree to make reference to a minimum of 400 dwellings and this was adopted in July 2022.
- 12.2 Neighbourhood Plans are required to meet the housing targets established by the Local Planning Authority in its local plan – in this case in CLP S2 Policy SS14 (Tiptree). It cannot deliberately seek to ensure that fewer houses are delivered. The housing target must be expressed as a minimum figure. The actual number that is ultimately given planning permission will depend on the way the site is planned in detail and in particular on the mix of house sizes and other constraints. The actual number that is delivered is not permitted to significantly exceed the numbers in the site allocation policies TIP15 and TIP16.
- 12.3 The site selection process is briefly described in Section 1 Spatial Strategy and more fully detailed in the Tiptree Neighbourhood Plan Housing Topic Paper that accompanies this Plan in the submission documents. Call for sites processes undertaken through the Colchester City Council strategic Housing Land Availability Assessment (SHLAA) and separately through the Neighbourhood Plan identified a long list of sites that were then subject to a high level assessment to eliminate clearly unsustainable sites. 39 submitted sites from around the entire Neighbourhood Plan area were subjected to a thorough assessment to determine suitability and deliverability for development. The sites allocated in the Plan have been informed by a combination of this process, policy SS14 in the CLP S2 and the Neighbourhood Plan Strategic Environmental Assessment (SEA), alongside the vision and objectives of the Neighbourhood Plan which have been derived from the community consultation exercise.

- 12.4 When considering the location of future development, a recurring theme throughout the responses to the Community Questionnaire is the ability to access major routes, the A12 in particular, without exacerbating the traffic situation in Church Road. Serving as the main through route for south-east to north-west traffic, Church Road already accommodates a greater volume of traffic than is ideal for the shopping and business centre for the village. A transport report¹³ commissioned to inform the Neighbourhood Plan identified that the development of a link road serving the site allocations would not only mitigate their impact but would also have significant benefits in terms of alleviating traffic congestion at key points including the double mini-roundabout at the intersection of the B1022 (Church Road/Kelvedon Road) with the B1023 (Maldon Road) and thereby improving traffic flow through Church Road.
- 12.5 The transport report identified that the link road was the only option that could also provide an improvement to the existing routes within Tiptree. In this regard it is considered a significant opportunity to seek to generally improve traffic flow through the village wherever possible and to work towards alternative routes for traffic currently passing through the village.
- 12.6 CLP S2 recognises the need to address the cross border issues arising from proposed development in Tiptree. Regarding Tiptree, CLP S2 paragraph 6.219 states:
- “Infrastructure necessary to deliver the growth up to 2033 will need to consider cross boundary issues with neighbouring Local Planning Authorities and neighbouring Parishes. This will include acknowledgement of the additional traffic generation forecasts for the proposed new junction 24 onto the A12 as well as from the growth locations. With the northern growth location there is potential for a new road which would ultimately link the B1022 and B1023. The Tiptree Neighbourhood Plan will be expected to deliver the first phases of the road through a design which allows future completion/linkage.”*
- 12.7 The spatial strategy and the two site allocations in the Neighbourhood Plan ensure the delivery of the first phases of a road between the B1022 and the B1023. Ultimately it is an aspiration that the ‘missing link’ in this road connection will need to be delivered through an alternative plan making process to this Neighbourhood Plan. The developer has confirmed that first phases of the link road are deliverable and common ground has been established with Messing cum Inworth PC with regard to the eventual completion of the link in Messing Parish (See the Housing Topic Paper in TNP Evidence Base Documents).
- 12.8 As required by CLP S2, the site allocations at Highland Nursery and Elms Farm will both be expected to deliver the following:
- A minimum of 30% affordable housing (with 25% of these units delivered as First Homes, as per Policy TIP05).
 - A mix of dwellings that reflects the latest Colchester Strategic Housing Market Assessment.
 - Net biodiversity gains of at least 10%.
 - A strategic area of public open space.







¹³ Cottee Transport Planning (2022) *Tiptree Neighbourhood Plan: Strategic Highways Note*, for Tiptree Parish Council.

12.9 The site allocations also provide the opportunity to deliver important community infrastructure. As explained in the Section 10, the two sites are required to deliver a community hub – incorporating a medical centre, community hall and car parking – and allotments. All this provision is proposed for the Elms Farm site because this is considered to represent the most accessible location for the community, with the hub enabling the potential flexible use of spaces as necessary for a wide range of complementary users, e.g. GP surgery, therapies, exercise classes, meeting spaces, etc. The developer is also able to offer the land here for such facilities. Both site allocations will also make contributions towards the provision of these facilities.

12.10 An important consideration for the site allocations is to minimise the hard edge created by development on the edge of the village. The siting of required public open space in the north of both allocations is considered to be the best way to achieve this (see also Policy TIP12 Landscaping and Biodiversity).



Key

- | | | | |
|---|------------------------------|---|--|
|  | Site allocations |  | Indicative location of commercial area |
|  | Pedestrian access point |  | Indicative location of Health Centre |
|  | Link Road - indicative route |  | Indicative location of community facility (may be co-located with the Health Centre) |

Highland Nursery

12.11 The site comprises approximately 11 hectares. It has the potential to deliver a minimum of 200 dwellings and other benefits including:

- The first phase of the northern link road from Kelvedon Road (B1023) that will ultimately link up with Colchester Road (B1022).
- A commercial centre that will provide 1.1 hectares of land for commercial employment units.

12.12 The preferred location for the commercial area is in the south of the site, adjacent to Kelvedon Road and the new link road and opposite Tower Business Park. This will provide convenient connectivity to the road network, make it easily accessible, and minimise impacts on the amenity of residents.

12.13 Colchester City Council's Historic Environment Team has advised that development will need to ensure that it does not have a detrimental impact on the setting of Hill Farmhouse (Grade II listed building) or Pan in the Woods (Grade II listed building). This will require a heritage impact assessment. There may be a need for pre-determination trial-trenched evaluation, to establish the archaeological potential of this area which has not been the subject of any previous systematic archaeological investigation.

12.14 The Environment Agency has advised that Highland Nursery lies over a secondary aquifer. Sufficient information will need to be provided as part of the planning application in the form of a Preliminary Risk Assessment and provide assurance that the risk to the water environment is fully understood and can be addressed.



The quaintly named 'Pan in the Wood' was built around 1700. Its roof is entirely original as are six doors with original ironmongery.

POLICY TIP15: HIGHLAND NURSERY

Land totalling approximately 11 hectares at Highland Nursery, as shown on the Policies Map and Map 12.1, is allocated for a minimum of 200 dwellings. Development proposals will be supported subject to the following criteria:

- a. Affordable housing as required by CLP S2 Policy DM8 (Affordable Housing) and Tiptree Neighbourhood Plan Policy TIP05.
- b. A mix of dwelling sizes as required by CLP S2 Policy DM10 (Housing Diversity).
- c. The delivery of the first phase of a northern link road (as specified in Policy TIP07) from Kelvedon Road (B1023) along the indicative route shown in Map 12.1, ensuring that the continuation of the link road towards the Elms Farm site allocation (Policy TIP16) is capable of being delivered.
- d. A minimum of 1.1 hectares of land for a commercial area that provides commercial workspace (a mix of serviced land and units and unserviced land) that meets the requirements of Policy TIP09.
- e. Provision of multifunctional green infrastructure to enhance biodiversity and provide public open space to meet the requirements of CLP S2 Policy DM18 (Provision of Public Open Space).
- f. The provision of a green buffer between existing houses and the new development (see also Policy TIP12).
- g. Development should deliver biodiversity net gains in addition to protecting existing habitats and species. Such gains should be sought firstly on the site and then elsewhere in the parish before alternative means of securing appropriate benefits are considered. Any negative impacts on biodiversity, including flora and fauna, and local wildlife must be adequately mitigated and/or offset.
- h. Safe direct walking and cycling routes that link up with existing routes to Baynard's Primary and Thurstable Schools as well as to Perrywood Garden Centre and the village centre. Dropped kerbs should be provided at appropriate crossing points of all main estate roads to allow safe crossing for pram, pushchair and mobility vehicle users.
- i. A heritage impact assessment in respect of the Grade II listed properties adjacent to the site.
- j. The provision of an appropriate Residential Travel Plan.
- k. With regards to wastewater output developers will comply with Colchester Local Plan Policy SG7 (Infrastructure Delivery and Impact Mitigation) to ensure that infrastructure capacity is sufficient to support the development. Where additional infrastructure capacity is required, mitigation measures must be agreed with the LPA and Anglian Water.
- l. Provision of multi-functional Sustainable Drainage Systems (SuDS) to manage rainfall runoff, enhance biodiversity and provide a place for nature and recreation; and
- m. The submission of a Preliminary Risk Assessment in respect of possible contamination of a secondary aquifer.

Elms Farm

12.15 The site comprises approximately 10 hectares. It has the potential to deliver a minimum of 200 dwellings and other benefits including:

- The first phase of a northern link road from Colchester Road (B1022) that will ultimately link up with Kelvedon Road (B1023).
- At least 0.4 hectares of serviced allotments.
- Land for a community hub, incorporating a Medical Centre and car parking. If the Medical Centre is provided as a standalone facility, it shall be on a site of at least 0.4 hectares. The community space shall provide a community hall and meeting spaces totalling at least 300m².

12.16 It is recognised that adjoining land behind the Bonnie Blue Oak public house may have potential for development to meet future housing targets established in any review of the Colchester Local Plan. For this reason the retention of a possible future road access from the Elms Farm area is encouraged so as not to preclude this opportunity should it arise in the future and be needed to support the sustainability of a future plan.

12.17 At least 0.4 hectares will be allocated to provide for the new GP surgery and parking. There is flexibility in this provision to enable the community hub to provide the surgery and community space together and it will be important that the applicants work with the North East Essex Clinical Commissioning Group and the owners/partners of the Tiptree Medical Practice to ensure that any relocation from their current location meets the needs of all parties. In this regard the opportunity to create a 'Health and Wellbeing Hub' that incorporates elements of primary care, with community and voluntary partners supporting the community and enhancing their health and wellbeing is supported.

12.18 Colchester City Council's Historic Environment Team has advised that development will need to ensure that it does not have a detrimental impact on the setting of four Grade II listed buildings (Elms Farmhouse, barn and stable, and the Maypole). This will require a heritage impact assessment. There may be a need for pre-determination trial-trenched evaluation, to establish the archaeological potential of this area which has not been the subject of any previous systematic archaeological investigation.

12.19 The Environment Agency has advised that Elms Farm lies over a secondary aquifer. Sufficient information will need to be provided as part of the planning application in the form of a Preliminary Risk Assessment and provide assurance that the risk to the water environment is fully understood and can be addressed.

POLICY TIP16 : ELMS FARM

Land totalling approximately 10 hectares at Elms Farm, as shown on the Policies Map and Map 12.2, is allocated for a minimum of 200 dwellings. Development proposals will be supported subject to the following criteria:

- a. Affordable housing as required by CLP S2 Policy DM8 (Affordable Housing) and Tiptree Neighbourhood Plan Policy TIP05.**

- b. A mix of dwelling sizes as required by CLP S2 Policy DM10 (Housing Diversity).**
- c. The delivery of the first phase of a northern link road (as specified in Policy TIP07) from Colchester Road (B1022) along the indicative route shown in Map 12.2, ensuring that the continuation of the link road towards the Highland Nursery site allocation (Policy TIP15) is capable of being delivered.**
- d. Land totalling at least 0.4 hectares for a new medical centre (as part of a health and wellbeing hub) and vehicle parking to be provided.**
- e. Land and contributions towards a community facility of at least 300m² floor space that will form part of a health and wellbeing hub. This will preferably be co-located with the medical centre or, if this is not possible, as a standalone facility.**
- f. Land totalling at least 0.4 hectares and contributions towards new allotments.**
- g. Provision of multifunctional green infrastructure to enhance biodiversity and provide public open space to meet the requirements of CLP S2 Policy DM18 (Provision of Public Open Space).**
- h. The provision of a green buffer between the existing houses in Oak Road and the new development and between Bishop's Cottage and the new development (see also Policy TIP12).**
- i. Development should deliver biodiversity net gains in addition to protecting existing habitats and species. Such gains should be sought firstly on the site and then elsewhere in the parish before alternative means of securing appropriate benefits are considered. Any negative impacts on biodiversity, including flora and fauna, and local wildlife must be adequately mitigated and/or offset.**
- j. Safe direct walking and cycling routes that link up with existing routes to Baynard's Primary and Thurstable Schools and the village centre and towards the village of Messing. Dropped kerbs should be provided at appropriate crossing points of all main estate roads to allow safe crossing for pram, pushchair and mobility vehicle users.**
- k. A heritage impact assessment in respect of the Grade II listed properties on, or adjacent to, the site.**
- l. The provision of an appropriate Residential Travel Plan.**
- m. With regards to wastewater output developers will comply with Colchester Local Plan Policy SG7 (Infrastructure Delivery and Impact Mitigation) to ensure that infrastructure capacity is sufficient to support the development. Where additional infrastructure capacity is required, mitigation measures must be agreed with the LPA and Anglian Water.**
- n. Provision of multi-functional Sustainable Drainage Systems (SuDS) to manage rainfall runoff, enhance biodiversity and provide a place for nature and recreation; and**
- o. The submission of a Preliminary Risk Assessment in respect of possible contamination of a secondary aquifer.**

13 NON-POLICY ACTIONS

- 13.1 This section identifies the actions which cannot be resolved by Neighbourhood Plan policies. These concern a range of matters raised by the community which are important. Tiptree Parish Council will seek to work with partners and lead agencies to address these issues.

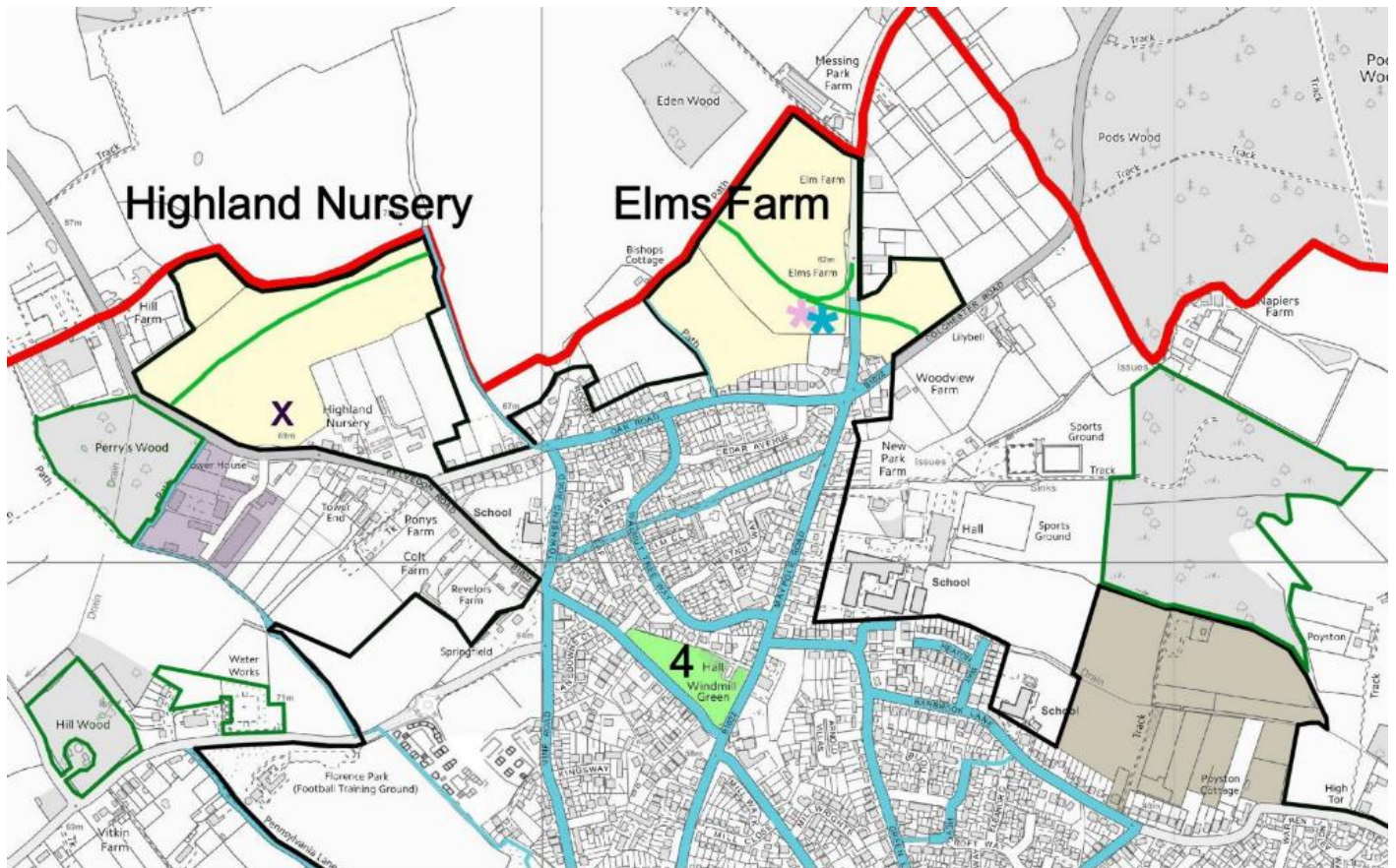
Table 13.1: Non-land use issues to be addressed

Possible actions
Homes and Housing
Tiptree Parish Council to work with Colchester City Council (CCC) and relevant housing associations to secure affordable housing provision both for rent and for purchase for people with a local connection to Tiptree. (See paragraph 13.2).
Countryside and green spaces
Provision of woodland footpaths at Warrior's Rest.
Grove Lake: essential engineering, dredging and landscaping to improve value to wildlife
To establish a country park in the Tiptree area accessible to all user groups.
Traffic and Transport
Seek to improve safety for pedestrians and cyclists along the length of Church Road by carefully considered traffic management schemes.
Seek to influence the upgrading of the Braxted Park Road and especially Appleford Bridge to ensure this remains a viable route for southbound traffic heading for the A12.
Seek to ensure mitigation measures are in place to encourage southbound traffic to continue to use Station Road and Braxted Park Road rather than Church Road to access the A12.
Seek to improve public/community transport links to Witham and Kelvedon Railway stations.
Investigate the provision of a circular bus route, possibly using EV minibuses.
Seek to improve public transport links to Colchester in the evenings (Colchester CLP S2 para 6.215 states that the regular bus route serving Colchester is one of the factors that contribute to Tiptree being considered a sustainable settlement suitable for growth).
Community Infrastructure
The provision of sport and leisure facilities for older teenagers (14-18).
Explore alternative banking provision.
Tiptree Parish Council will work with dental and health providers to improve medical facilities in Tiptree.
Make improvements to the existing Community Centre, including provision of air conditioning and replacement of seating.
To add valued historical assets such as buildings, lanes and the remaining Kelvedon-Tiptree-Tollesbury Light Railway track bed to the CCC 'Local List' of heritage assets.

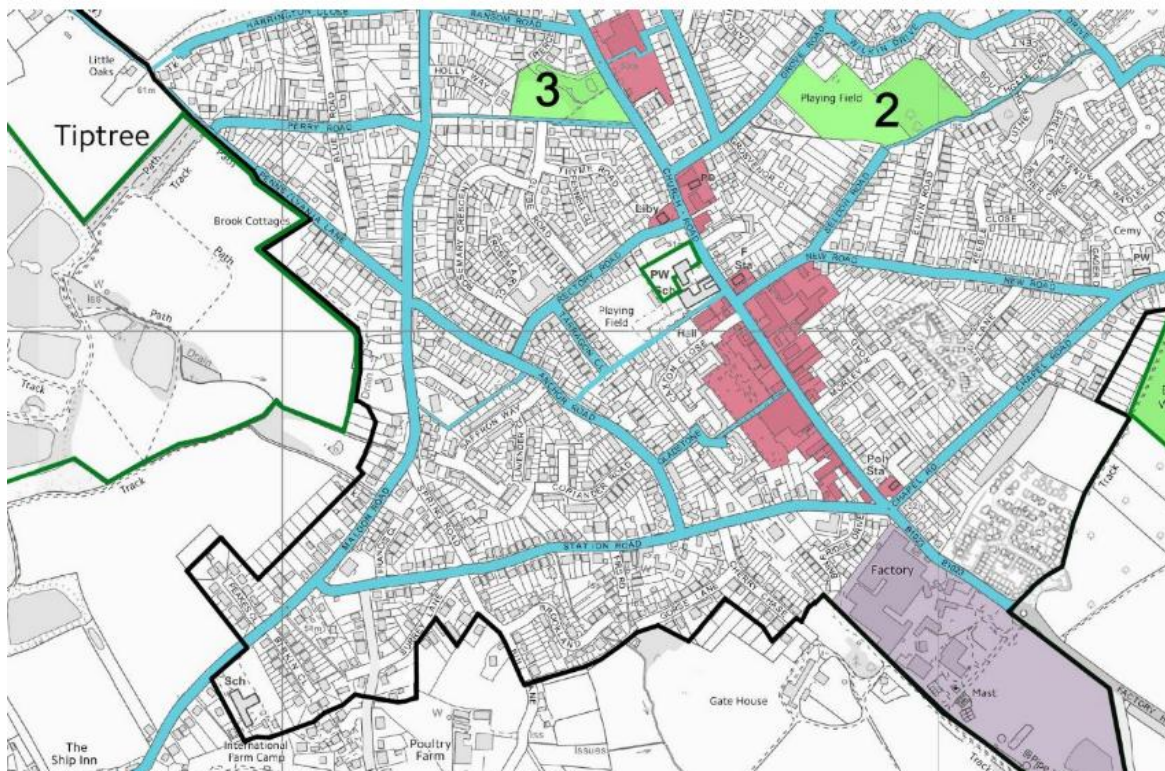
- 13.2 It is important that local people (or those with a local connection) who wish to be considered for affordable housing in Tiptree should put their names down on the Colchester City Council Housing Register. This would mean that they may become eligible for any future affordable housing in Tiptree. Colchester City Council use Gateway to Home Choice and operates under its allocation policies. Applicants can register their need on the website (www.gatewaytohomechoice.org.uk). Alternatively you may access the site through the Colchester City Council website (www.colchester.gov.uk/housing).

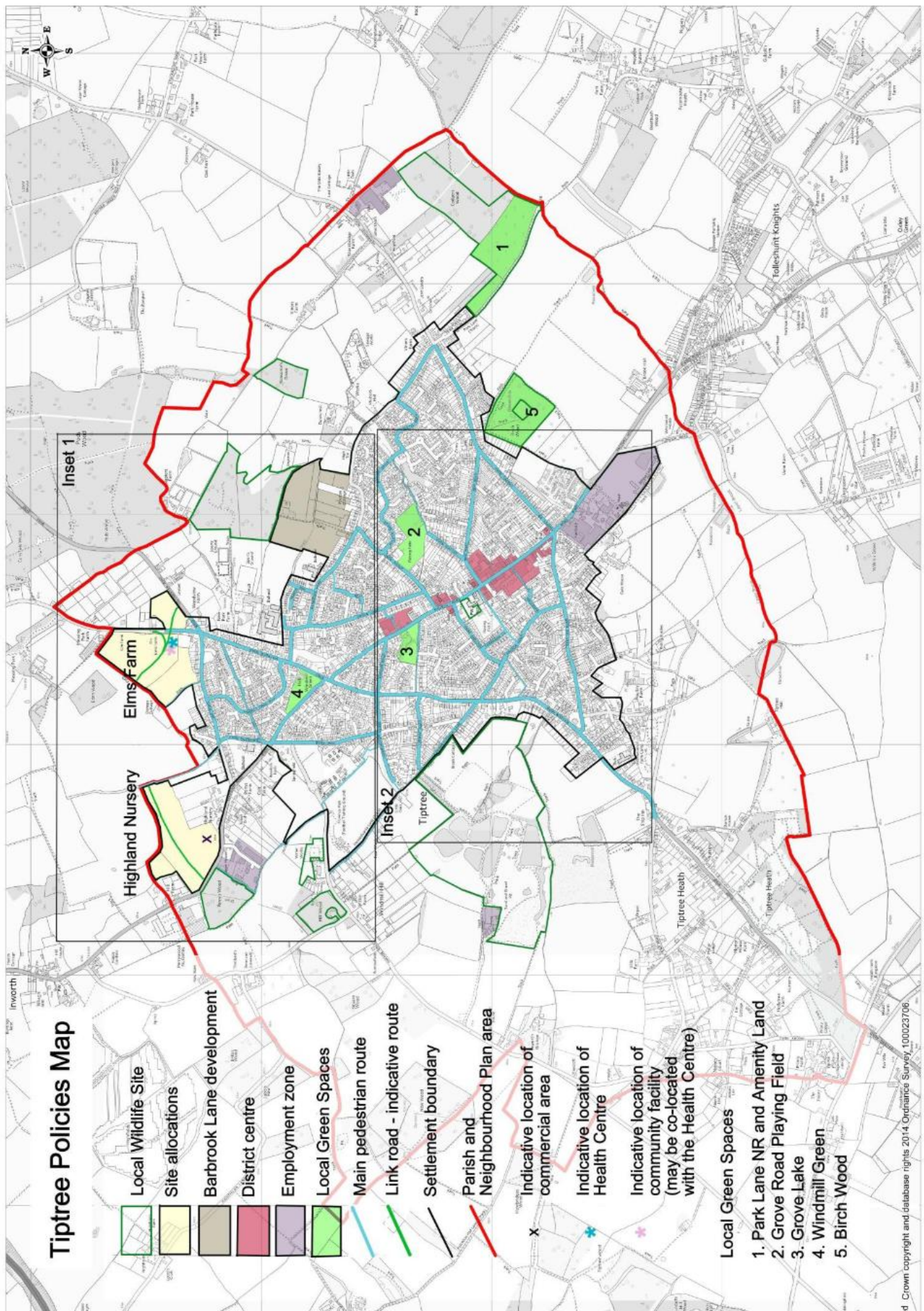
14 POLICIES MAPS

Inset 1 North Tiptree



Inset 2 South Tiptree







A Bee Orchid growing in Tiptree Parish



TIPTREE PARISH COUNCIL

56 Church Road, Tiptree, Essex CO5 0SU

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With assistance from:

NAVIGUS PLANNING

www.navigusplanning.co.uk

Report of	Monitoring Officer	Author	Richard Clifford
Title	Authorisation of absence from Council and Committee meetings		
Wards affected	Lexden and Braiswick		

1. Executive Summary

1.1 Council can provide a dispensation to Councillors from the provisions of section 85 of the Local Government Act 1972 and authorise continued absence from Council or Committee meetings. This report invites Council to authorise such a dispensation for Councillor Naylor.

2. Recommended Decision

2.1 To approve the absence of Councillor Naylor from attendance at Council and Committee meetings for a period of six months from 7 June 2023, pursuant to the provisions of section 85 of the Local Government Act 1972.

3. Reason for Recommended Decision

3.1 Council needs to authorise the absence of Councillor Naylor in line with the provisions of section 85 of the Local Government Act. If Council does not do so, she will cease to be a member of Colchester City Council on 7 June 2023.

4. Alternative Options

4.1 No alternative options are proposed.

5. Background Information

5.1 Section 85 of the Local Government Act 1972 provides that if a member of a local authority fails to attend any Council or Committee meeting for a period of six months he or she ceases to be a member of the local authority unless the absence was approved by Council before the expiry of the six month period.

5.2 Councillor Naylor has not been able to attend any Council or Committee meetings for reasons of ill health. She last attended a meeting on 7 December 2022.

5.3 Under the circumstances it is requested that Council approve her continued absence for a period of six months from 7 June 2023. This would be consistent with previous decisions by Council when other Councillors have faced similar attendance issues and also would be supportive to Councillor Naylor. The extension would not prevent Councillor Naylor from returning to meetings at any time.

6. Standard References

6.1 There are no particular references to the Strategic Plan; consultation or publicity considerations or financial; community safety; health and safety, risk management or environment and sustainability implications.