

**MINUTES OF THE MEETING OF THE TENDRING/COLCHESTER BORDER
GARDEN COMMUNITY JOINT COMMITTEE,
HELD ON MONDAY, 18TH JULY, 2022 AT 6.00 PM
IN THE LAYER SUITE, COMMUNITY STADIUM, UNITED WAY, COLCHESTER CO4
5UP**

Present:	Councillors Nick Turner (Chairman)(TDC), Tom Cunningham (ECC), Carlo Guglielmi (TDC), David King (CBC), Andrea Luxford-Vaughan (CBC), Lesley Wagland (ECC) and Julie Young (CBC)
Also Present:	Councillors Mark Cory (ECC), Simon Crow (ECC), Gary Scott (TDC) and Ann Wiggins (TDC)
In Attendance:	Lisa Hastings (Deputy Chief Executive & Monitoring Officer - TDC), Gary Guiver (Acting Director (Planning) - TDC), Andrew Weavers (Strategic Governance Manager & Monitoring Officer - CBC), Karen Syrett (Lead Officer (Planning, Housing & Economic Growth) - CBC), Ashley Heller (Head of Transport for Future Communities - ECC), Matthew Jericho (Spatial Planning Manager - ECC), Ian Turner (Principal Transportation & Infrastructure Planner - ECC), Christopher Downes (Garden Communities Manager - ECC), Ian Ford (Committee Services Manager - TDC), Lindsay Barker (Strategic Director (Policy & Place) - CBC), Keith Durran (Committee Services Officer - TDC), Sharon Carter (Communications Manager - TCBGC), Catherine Gardner (Programme Support Officer - TCBGC), Rob Smith (Director - Hyas) and Martin Whittles (Associate - Ringway Jacobs)

1. ELECTION OF THE DEPUTY CHAIRMAN OF THE JOINT COMMITTEE

It was moved by Councillor Carlo Guglielmi, seconded by Councillor Julie Young and:-

RESOLVED that Councillor David King be elected Deputy Chairman of the Joint Committee for the remainder of the 2022/2023 Municipal Year.

2. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Joint Committee Member Councillor Mike Bush (TDC), TDC's Designated Substitute Member (Councillor Jeff Bray) and CBC's Designated Substitute Member (Councillor William Sunnucks).

Councillor Julie Young submitted apologies on behalf of Councillors Molly Bloomfield and Tim Young, her fellow Ward Members for Greenstead (Borough of Colchester).

3. MINUTES OF THE PREVIOUS MEETING OF THE JOINT COMMITTEE

It was moved by Councillor Tom Cunningham, seconded by Councillor Carlo Guglielmi and:-

RESOLVED that the Minutes of the inaugural meeting of the Joint Committee held on Monday 28 February 2022 be approved as a correct record and be signed by the Chairman.

4. DECLARATIONS OF INTEREST

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

5. REPORT A.1 - DEVELOPMENT PLAN DOCUMENT: REPRESENTATIONS RECEIVED IN RESPONSE TO THE REGULATION 18 CONSULTATION AND NEXT STEPS

The Joint Committee had before it a comprehensive report (A.1) which reported some of the notable issues raised in the representations received from the public and other interested parties to the consultation on the first draft Development Plan Document (DPD) ('the Plan') for the Garden Community under Regulation 18 of the statutory plan making process.

The report also highlighted, for Members' information, particular issues raised in the representations that might require changes to the Plan to be considered, or the undertaking or commissioning further work or analysis to inform possible changes for the Committee's consideration.

The report was introduced by Mr Gary Guiver, Acting Director (Planning), Tendring District Council.

It was reported that public consultation on the first draft of a Plan for the Garden Community had commenced on 14 March 2022 and had closed on 25 April 2022 during which Officers had held a number of face-to-face engagement events, which had been attended by around 180 visitors.

The Councils had received responses from 193 individuals or organisations, raising approximately 620 comments on different elements of the Draft Plan. All of those representations had been published on the Garden Community engagement website in June 2022 for public view thereby allowing interested parties to see what others had said in full.

Members were aware that, as part of the statutory plan-making process, the Councils were required to take the representations received at the Regulation 18 stage into account when preparing the final version of the Plan for the Regulation 19 stage, when the Plan would be published for a further round of consultation and thence submitted to the Secretary of State in order to begin the independent examination process.

The Joint Committee was informed that the issue of the 'green' buffers between the proposed new development as part of the Garden Community and the neighbouring settlements had been raised as a concern. Almost half of all the responses received, mostly from local residents from the Wivenhoe area, had written in objection to the prospect of development taking place on land south of the A133 as indicated for the expansion of the University of Essex in 'Approach B' in the Draft Plan. However, the representations from both the lead developer, Latimer, and the University had argued that neither Approach A nor Approach B was appropriate and that more land was going to be needed for development, potentially south of the A133. The Community Liaison Group had put forward an alternative approach, and other community related organisations, such as Town and Parish Councils, had also expressed strong views.

Officers would review and consider the planning issues involved and were not in a position at this stage to recommend any specific changes to the Plan, but would undertake and commission further work in order to ensure that any future decision on this matter was informed by supporting evidence.

Members were also made aware that a notable number of respondents had also objected to Approach B in respect of a potential Knowledge Gateway expansion north of the A133 extending onto the sensitive slopes around Salary Brook. There was, however, a general acceptance from most parties, including the University, the developers and Officers, that the slopes of Salary Brook should be protected from development in any Plan going forward.

It was further reported that a number of residents had called for more protection for Crockleford Heath and the land around Bromley Road. Some had suggested that a 'buffer' zone was required between existing properties and any new development, whilst others had indicated that the boundary of the designated 'Area of Special Character' did not properly reflect the extent of the community that required protection, or that the policy was unclear as to how the area would be protected. Some property and land owners in the Crockleford Heath area had however indicated that they would rather be part of the development than be surrounded by it. Essex Place Services had been commissioned to undertake a character appraisal of Crockleford Heath which would help inform any formal decisions going forward.

The Joint Committee was advised that the proposed Rapid Transit System (RTS) had attracted a fair amount of interest with people keen to understand more detail around how it would operate, what route(s) it would take and how the 'modal shift' would be achieved. The separate report A.3 considered later on in the meeting provided an update to the Joint Committee on progress with the RTS and further work would be needed to fully understand the integration of this important piece of infrastructure into the final proposals.

Members heard that some respondents had argued that the Draft Plan should have been accompanied by an updated Infrastructure Delivery Plan (IDP), viability assessment and other evidence for the consultation to have been meaningful. This evidence-base would continue to be developed to inform decisions going forward as set out in the separate report A.2 considered later on in the meeting.

The Joint Committee was told that other respondents had raised concern about the level of detail contained within the Draft Plan, either that it was too aspirational and lacked key detail; or that it was too detailed and complex for the public to understand. Some had also criticised the general approach to the consultation and, in particular, the quality and limited number of maps and diagrams that had been included. Officers were now considering alternative ways to present and enable effective consultation on the material at the next stage in the process.

There remained a number of respondents who challenged the need for the Garden Community altogether and who argued that the development should not go ahead at all though the majority of comments had been constructive, with people keen to ensure the development was successful and genuinely met Garden Community principles.

It was reported that people were particularly keen that the development was infrastructure led and did not result in existing infrastructure, services and facilities being overwhelmed; that it achieved a high level of energy efficiency; that it delivered high quality architectural and urban design; and that it protected existing historic and natural assets and incorporated high quality open spaces.

Officers were working on responses to each of the representations, to be published as part of the evidence base when the Joint Committee was presented with a new version of the Plan for its approval prior to a final round of consultation and submission to the Secretary of State to begin the process of independent examination.

At this stage, the Joint Committee was requested to note the matters raised through the consultation exercise and to acknowledge that, given the nature of the comments, difficult decisions were likely to be required when it came time to agreeing a final version of the Plan for consultation and submission to the Secretary of State.

Pursuant to the provisions of the Public Speaking Scheme for the Joint Committee, the following persons addressed the Joint Committee on the subject matter of this item:-

Russ Edwards (Latimer by Clarion Housing Group);
Bill Marshall;
Sir Bob Russell;
Professor Anthony Vickers (Crockleford & Elmstead Action Group);
Chris Oldham (University of Essex);
Manda O'Connell (Chair of the Community Liaison Group);
Parish Councillor Adam Gladwin (Elmstead Parish Council);
Councillor Gary Scott (Tendring District Council); and
Councillor Mark Cory (Essex County Council).

Gary Guiver, the Acting Director (Planning) (Tendring District Council) responded to the points made by the speakers.

The Joint Committee also took into account a written representation, as circulated to Members prior to the meeting, and which had been submitted by Councillor William Sunnucks, Colchester Borough Council's Designated Substitute Member for the Joint Committee. For the benefit of the public present at the meeting and those watching the live stream the Chairman (Councillor Turner) read out Councillor Sunnucks' statement.

Councillor Andrea Luxford-Vaughan requested that her comments on this report be recorded within the Minutes of this meeting. Those comments were summarised as follows:-

- (i) *Delighted to hear that a decision has been made not to build in Salary Brook but for the same reasons wondered why similar decisions can not be made now for Crockleford Heath and for buffer zones for Elmstead and Wivenhoe. Those could be justified on garden community principles e.g. the avoidance of coalescence;*
- (ii) *The Community Liaison Group's 'approach C' would not be, despite any claims to the contrary, an acceptable approach for the residents of Wivenhoe. Their 'red line' remains no development south of the A133;*
- (iii) *Puzzled at the sudden, huge increase in the amount of land being requested by the University of Essex and would like to see the evidence within the University's*

- business model as to how the University would finance the necessary land purchases;*
- (iv) Felt that Latimer Homes' suggestion that University expansion should be south of the A133 would not necessarily work for the University as there would be no real connection to the campus or the Knowledge Gateway;*
 - (v) Felt that there was no justification for increasing employment land;*
 - (vi) Felt that Latimer Homes' concerns about potential high housing density would be ameliorated by the fact that extra student accommodation would be high rise though the location of this would be an issue to be resolved; and*
 - (vii) Drew attention to Highways' bodies concerns that there would be tailbacks created on the A120 due to the proposed new junction, impinging on the safety of road users and also leading to a deterioration in air quality. She felt that the strategic evidence to support the new road junction should be revisited.*

Following a discussion and debate on matters pertaining to the DPD and questions by Members that were answered, as appropriate by the Acting Director (Planning) (Gary Guiver) and the County Council's Spatial Planning Manager (Matthew Jericho):-

It was moved by Councillor Carlo Guglielmi, seconded by Councillor Tom Cunningham and:-

RESOLVED that the Tendring Colchester Borders Garden Community Joint Committee notes -

- (a) the contents of this report (A.1);
- (b) the issues raised in response to the Regulation 18 consultation on the Draft Plan; and
- (c) the various matters that Officers will be seeking to address in working towards a revised version of the Plan for consideration by the Joint Committee at future meetings.

The Chairman adjourned the meeting at this point for ten minutes in order to allow those persons present to have a comfort break and take refreshment. Following that adjournment the meeting resumed as follows:-

6. REPORT A.2 - THE DRAFT PLAN FOR THE TENDRING COLCHESTER BORDERS GARDEN COMMUNITY EVIDENCE BASE UPDATE

Members had before them a report (A.2) which provided the Joint Committee with an update on the Evidence Base required for the Tendring Colchester Borders Development Plan Document (DPD) including evidence already gathered and further work that was underway.

The report was introduced by Colchester Borough Council's Lead Officer for Planning, Housing & Economic Growth (Karen Syrett), who informed the Joint Committee that this report related to report A.1 considered earlier on in the meeting report which had highlighted a number of issues where decision-making would need to be informed by more robust information and evidence. The following additional studies were being compiled and would be made available to Members and Officers during the evolution

and finalisation of the Plan. This additional work would consider all relevant issues and provide appropriate justification for the final approach.

Approach to Land Use & Type of Place

Various issues and concerns had been raised about the proposed boundary of the Garden Community, the scale and locations of certain land uses, and the nature of place that was being proposed. The following work was being taken forward which would provide additional evidence to enable robust decisions to be taken:

- Strategic Framework/Masterplan & Strategic Design Guide/Code

The approach to the Garden Community would continue to evolve and become more detailed through an on-going master planning process. To date, work on master planning had considered the baseline position (including constraints and opportunities analysis), the overall spatial vision and some initial land use and masterplan options. Going forward additional strategic master planning work would be undertaken by the Councils to illustrate, justify and set the basis for land use proposals to be set out in the Final Plan to be submitted.

It was acknowledged that at this stage of planning for the Garden Community, it was not possible (primarily due to the extent, cost and time required to undertake all of the detailed technical site survey and design work that would be required - which was the responsibility of site developers to inform their planning applications), for further master planning and related policies in the DPD to contain precise details of design, layout and appearance of the new buildings and spaces that would be delivered. Instead, the additional strategic master planning work illustrated how development could be brought forward and provided further direction to developers to enable them to prepare appropriate and more detailed proposals.

The Draft Plan (Policy 1) had included specific wording to require a comprehensive approach to development that met the Councils' high expectations for design and quality and the key principles that underpinned the development of Garden Communities. It set out the requirement for proposals seeking planning permission to adhere to a 'Strategic Masterplan' and 'Strategic Design Code' for the whole site and more specific and detailed 'Neighbourhood Masterplans' and 'Neighbourhood Design Codes' for the relevant neighbourhoods. The draft Plan set out that those Masterplans and Design Codes would need to ultimately be approved by the Councils before planning applications could be approved.

The Councils had commissioned additional work to start to develop additional master planning and design coding/guidance. This was being produced to illustrate more widely how it was envisaged that the Garden Community would be developed and to ensure that there was a robust and sound evidence in support of the DPD. It would need to remain separate to the DPD and be illustrative in nature until such time as conclusions could be drawn from the examination of the DPD as this might result in modifications to policies, land uses or areas. The work could then be reviewed, updated and taken forward for additional consideration, potentially to be adopted as some form of supplementary planning policy to guide the determination of future planning applications.

- Crockleford Heath Area of Special Character Appraisal

The Draft Plan had identified an 'Area of Special Character' at and around the settlement of Crockleford Heath, aimed at safeguarding its distinctive rural character. The Councils had commissioned additional work to consider this area in more detail and provide the appropriate level of guidance and base line analysis to develop a character appraisal, including landscape, historic and built environment appraisals and a design strategy for Crockleford Heath.

- Land south of A133 assessment

Some focussed work would be undertaken to consider the sensitivity and visual impact of development options south of the A133 both within, and directly adjacent to, the Area of Search, including consideration of the capacity of growth within the existing University of Essex campus.

- Economic Study Update

Further work would be undertaken related to the Economic and Employment Study to update and evolve the advice the Authorities on the potential means of maximising the positive economic and employment generation opportunities at TCBGC and provide an analysis and options for location, format and potential end-users of the employment allocations proposed for the site. Additional related and specialist work would be undertaken to consider the growth potential of the University of Essex, both in terms of student numbers, research potential and wider economic relationships.

Approach to Nature & Open Space

Additional work was required to consider elements related to nature and the type/scale of open space. The following work was being taken forward which would provide additional evidence to enable robust decisions to be taken:

- Environmental Audit & Biodiversity Net Gain Assessment

An assessment was being undertaken to consider the potential to secure Biodiversity Net Gain, through a comparison of the habitats within the site prior to development activities (the 'baseline') with those proposed through the proposed spatial approach and land use proposals. The calculation would be undertaken using the 'Defra Metric' Biodiversity Net Gain calculator.

- Tendring and Colchester Councils, Indoor Sport, Playing Pitch and Open Space Strategies

These had been commissioned and would set out an over-arching strategy for the two Council areas individually and collectively, with a particular focus on the sport and open space needs and issues related to the Garden Community. The work would include a review of all facilities in the Councils' areas, including council-owned facilities and privately-owned facilities, where appropriate. In particular, the audit, assessment and recommendations would have regard to the facilities currently available at University of Essex Campus which adjoined the area of

search for the Garden Community, and the potential to create or cooperate on new facilities that could serve both the needs of the university itself and the future residents and other users from the Garden Community itself.

In addition, work on the strategic masterplan and design guidance would consider the overall approach to land uses including suitable protection and enhancement of natural features & assets across the site.

Approach to community related matters

Other issues and concerns had been raised about key social and community infrastructure, and the ability to deliver on Garden City principles. The following work was being taken forward which would provide additional evidence to enable robust decisions to be taken on the following topics:

- Health Impact Assessment / Topic Paper

Further work was underway to ensure the TCB Garden Community was designed and delivered in ways that would enhance the quality of people's lives both from the outset and in the long term by positively addressing and innovatively responding to the fundamental elements that influenced the social determinants of health and well-being.

- Stewardship Topic Paper (Update)

Officers would prepare an update to this topic paper, which had been prepared in relation to the examination of Section 1 of the Joint Local Plan. This would provide additional up-to-date information relating to the options for stewardship for the Garden Community, including an overview of the importance of long-term stewardship to the project; a summary of options for long-term stewardship that could be considered; their implications and potential approaches to decision making on any final preferred model/approach.

Approach to infrastructure, phasing and viability

A number of issues and concerns had been raised about the overall approach to infrastructure, its phasing and the viability/deliverability of the proposals. Whilst the Draft Plan included a number of specific infrastructure requirements within the separate policies, this work would now need to be updated and drawn together to enable all policy expectations and requirements to be clearly set out and justified. The following work was being taken forward which would provide additional evidence to enable robust decisions to be taken on the following topics:

- Transport Planning

Further work would be required to provide an update on strategic infrastructure works coming forward via the Housing Infrastructure Fund (A120-A133 Link Rd and Rapid Transit System). Additional work was also required to frame the approach to mode share, confirming transport related infrastructure requirements alongside supporting transport measures (on and off site), and identifying wider opportunities and dependencies.

- Integrated Water Management Strategy Stage 2

A Stage 1 Integrated Water Management Strategy (IWMS) had been carried out to support the Section 1 Local Plan. A Stage 2 IWMS had been commissioned which would specifically identify integrated water management options and strategies for the Garden Community. It would feed into the developing master planning and identify a range of options for how water and flood risk could be managed in an integrated and sustainable way.

- Infrastructure Delivery Plan (& Phasing)

Officers were in the process of drawing together all information on infrastructure requirements and would prepare an Infrastructure Delivery Plan which would show what infrastructure was required and how it would be provided (e.g. co-location, etc); who was to provide the infrastructure; how would the infrastructure be funded and when it would need to be provided to align with the phasing of the Garden Community. The IDP would draw from responses from infrastructure providers in response to the Regulation 18 consultation and would be produced in collaboration with a wide range of stakeholders and strategic infrastructure providers including Essex County Council.

- Viability Study

The site had been subject to detailed consideration of viability via Section 1, and Officers continued to be supported by experts during the preparation of the DPD. The Councils were in the process of commissioning additional expert property consultants to provide an update to the viability work in accordance with the latest information, assumptions national policy and guidance. It was intended that such expertise would be available to support more broadly viability discussions with site developers in due course.

Other evidence studies and background work would also come forward and be updated as the DPD progressed, such as ongoing work on analysing engagement feedback and the evolution of work on the Sustainability Appraisal, Heritage Impact Assessment and others.

Pursuant to the provisions of the Public Speaking Scheme for the Joint Committee, Bill Marshall and Professor Anthony Vickers (Crockleford & Elmstead Action Group) addressed the Joint Committee on the subject matter of this item.

The Lead Officer for Planning, Housing & Economic Growth (Karen Syrett) then responded to points made by the speakers.

Councillor Andrea Luxford-Vaughan requested that her comments on this report be included within the Minutes of the meeting. Those comments were summarised as follows:-

- (i) *Welcomed the report which had picked up most of the points in the feedback from the public consultation and which noted that there was evidence that needed to be updated;*

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- (ii) *Asked whether a new Sustainability Appraisal was going to be commissioned with the same objectives as Section 1 of the Local Plan;*
 - (iii) *Will the evidence base include details of the classification of any nature reserves and country parks; the ownership of those; the management of them and their funding; and also the status of any green buffer when it is removed from the 'field of search';*
 - (iv) *Requested that information on the 'stewardship model' be shared with Members;*
 - (v) *In relation to the Gypsy & Travellers Needs Assessment, requested clarification why a site had been proposed within the garden community area given that Tendring District Council's Section 2 Local Plan had stated that there was no present need for extra sites;*
 - (vi) *Requested confirmation that residents of the new garden community would be able to use the medical centre at the University given that one would not be provided within the garden community site;*
 - (vii) *Requested an investigation into the alleged clearance of trees within the garden community site and whether they were 'protected' trees;*
 - (viii) *Requested clarification of what would need to happen if the requested increase in HIF money was not forthcoming; and*
 - (ix) *Requested clarification of what would need to happen if the Government funding for the dualling of the A120 was not forthcoming.*

Following a discussion and debate on matters pertaining to this report and questions by Members which were answered, as appropriate, by the Acting Director (Planning) (Gary Guiver), the Spatial Planning Manager (Matthew Jericho) and the Lead Officer for Planning, Housing & Economic Growth (Karen Syrett):-

It was moved by Councillor Carlo Guglielmi, seconded by Councillor Tom Cunningham and:-

RESOLVED that the Tendring Colchester Borders Garden Community (TCBGC) Joint Committee notes the update on gathering additional evidence to support the preparation of the Development Planning Document.

7. REPORT A.3 - RAPID TRANSIT SYSTEM UPDATE

The Joint Committee had before it a report (A.3) which updated it on the progress toward delivering a Rapid Transit System (RTS) serving the Tendring Colchester Borders Garden Community and wider Colchester area. Though the Joint Committee's Terms of Reference precluded decision making on the RTS (which was being brought forward by Essex County Council working closely with its partners) it was recognised as an important component of the overall transport infrastructure requirements related to the Garden Community.

The report was introduced by Ashley Heller, Head of Transport for Future Communities, Essex County Council, who was assisted by Ian Turner, Principal Transportation & Infrastructure Planner (ECC) and Martin Whittles, an Associate at Ringway Jacobs.

The Joint Committee was aware that the successful Housing Infrastructure Fund (HIF) bid in 2019 had secured funding for infrastructure works related to the provision of a new RTS for Colchester. A RTS would be in place to connect the Garden Community with the University of Essex, Colchester Town Centre, Colchester Railway Stations,

Colchester Hospital, Community Stadium, Northern Gateway Sport Park and the existing Park and Ride site in north Colchester. This would provide a high frequency, efficient public transport system with priority over general traffic within the Garden Community. The final route within the Garden Community would be confirmed and agreed with the Councils through the strategic masterplan process.

Members were informed that a key feature of the RTS was the incorporation of Park and Choose facilities (P&C), provision of which had been included in the Draft Plan. The concept for P&C was to be developed as part of, and support for, the RTS being delivered. P&C extended the concept of park and ride (P&R) to include choice and work as a central hub for other modes. Principally this would be cycle or electric cycle hire but in time could be extended to electric scooters, e-cargo, etc. It could also provide space for users to store their own bicycles. Providing choice could appeal particularly to nearby potential users travelling to the University of Essex, but also to those travelling to destinations in Colchester further away from RTS halts and interchanges.

The ultimate aim was to introduce a system akin to a trackless tram. This combined the advantages of light rail with the practicality and flexibility of bus rapid transit. The system could also be built up incrementally, growing alongside future housing and economic growth. It adapted readily to early adoption of autonomous vehicle technology, and, in time, the main trackless trams would co-ordinate with automated pods to take passengers to final destinations.

It was understood that the public transport provision would need to be of a high quality from the outset. Achieving high shares for trips being undertaken by sustainable modes would be crucial in ensuring that growth in the housing supply occurred sustainably. The RTS should offer easy interchange with existing modes of public transport across the town, along with being well-designed to facilitate walking and cycling.

It was noted that electric vehicles were already significantly gaining ground, and electric buses were in service or planned to be so across the UK. The aspiration was that the RTS would be operable with electric vehicles, thereby delivering even greater reductions in emissions of both greenhouse gases and chemicals harmful to health.

For the purpose of delivery, the RTS proposals had been split into four sections as follows:-

Section A

This section covered from the existing A12 Park & Ride Site to the Albert Roundabout and included the existing planning permission for a 'segregated busway' adjacent to the Northern Approach Road. The timetable for this included:-

- Planning Consent – Discharge of Conditions to Colchester Council, achieved January 2022;
- Tender Publication – Summer 2022;
- Construction on site start – Spring 2023; and
- Construction Completion – Spring 2024.

Section B

This section covered from the Albert Roundabout to the Greenstead Roundabout through the town centre. Within the centre of Colchester, limitations of space would see a focus of hurry-call (GPS based) priorities on traffic signals, utilisation of existing bus lanes, and measures to reduce traffic within the heart of the town centre. The timetable for this included:-

- Design – Ongoing;
- Tender Publication – Summer 2022;
- Construction Start – Spring 2023; and
- Construction Complete – Summer 2024.

Section C

This section covered from the Greenstead Roundabout to the future Garden Community connection (location along A133 to be determined). This would see the construction of a new segregated busway between the Knowledge Gateway and the Greenstead roundabout to provide dedicated capacity for the RTS/buses. Additional improvements would be made to the existing cycle network to support improved active travel provisions from the Garden Community, but also from existing suburb areas and the University as well. The timetable for this included:-

- Design – Ongoing;
- Tender Publication – Spring 2023;
- Construction Start – Autumn 2023; and
- Construction Completion – Winter 2024.

Section D

This section covered the routing within the Garden Community itself and would evolve as the Masterplan developed.

Operational Model Development

It was reported that detailed work had commenced on establishing the service type to run on the RTS. The fundamental basis of the RTS would be a passenger focused concept of High Quality Public Transport which in effect would provide the basis for future decisions on the operation of the service – recognising that if the RTS was to attract large numbers of passengers and to achieve ‘modal shift’ from cars to public transport, it would need to provide an ‘offer’ which was convenient, reliable, fast, affordable and which was focused on providing the best possible passenger experience. Key activities would be:-

- defining the target service standard (vehicles, frequencies, fares, branding, routes et cetera);
- setting out a business case for achieving the target service standard in phases linked to the anticipated growth of demand for the RTS;
- establishing the role and phasing of Park & Choose linked to the Garden Community; and
- setting out the implementation plan for the RTS service including both the target operating standard and the initial operating standard reflecting a phased roll out of the service.

Key dates included:-

Outline Business Case – estimated completion by early 2023 for approval; and

Procurement of the RTS service – start by end of 2023 with a view to commence the initial phase of the RTS operations during 2025/26.

Mobility Hubs and Halts

The Joint Committee was made aware that the RTS would need a number of ‘access points’ for passengers which would in effect be a hierarchy of stops (or “halts”) which in certain locations would be more substantial ‘mobility hubs’ which could offer a range of transport and other services intended to support overall patronage of the RTS. The County Council was developing a consistent and programmatic approach to optimise benefits and support ongoing management and maintenance and had secured Government funding to:-

- review approaches and evidence elsewhere and decide on objectives;
- develop typologies of Mobility Hubs appropriate to Essex and identify essential and desirable features;
- identify locations with potential for Mobility Hubs to be successful;
- develop high level concepts for Mobility Hubs based on a scalable and modular kit of parts which could be incrementally extended;
- identify implementation, operation, and management options along with cost implications and revenue generation opportunities;
- develop options for a programme of Mobility Hubs;
- define the location, number, and design of halts for the RTS, again reflecting the objectives of the service to promote a high-quality public transport alternative to the car.

It was noted that this work had a significant overlap with the ‘operational study’ in terms of understanding where and how mobility hubs could contribute to achieving a successfully commercially viable RTS. All of those considerations, related work streams and overall progress would inform additional evidence base work related to transport as part of the overall evidence base to be prepared to accompany the final Plan.

Pursuant to the provisions of the Public Speaking Scheme for the Joint Committee, Bill Marshall, Sir Bob Russell and Councillor Gary Scott addressed the Joint Committee on the subject matter of this item.

Ashley Heller, Head of Transport for Future Communities, and Ian Turner, Principal Transportation & Infrastructure Planner then responded to points made by the speakers.

Councillor Andrea Luxford-Vaughan requested that her comments on this report be included within the Minutes of the meeting. Those comments were summarised as follows:-

- (i) *Felt that this report was underwhelming and added no further details to those already previously revealed for example there was no confirmation as to the frequency of services or whether the route would be via Clingoe Hill or Boundary*

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- Road. The latter had complications and would probably result in a slower journey time;*
- (ii) Doubted that the proposed prioritisation measures at Clingoe Hill could be made to work; and*
 - (iii) Felt that for an individual using a car with free workplace funding would be cheaper than using the RTS unless the RTs was massively subsidised and supported by measures such as congestion charges, the removal of on-street parking and the removal of free workplace parking.*

Following a discussion and debate on matters pertaining to this report and questions by Members which were answered, as appropriate, by the Principal Transportation & Infrastructure Planner (Ian Turner):-

It was moved by Councillor Lesley Wagland, seconded by Councillor Carlo Guglielmi and:-

RESOLVED that the Tendring Colchester Borders Garden Community (TCBGC) Joint Committee notes the update on the delivery of the Rapid Transit System infrastructure and operational model.

8. REPORT A.4 - JOINT COMMITTEE PLANNING PROBITY PROTOCOL

Members considered a report (A.4) which presented to it the proposed Planning Probity Protocol (Appendix A) related to the functions of the Tendring Colchester Borders Garden Community (TCBGC) Joint Committee. The Protocol applied and focused on the functions and responsibilities of the Joint Committee for determining planning applications within the TCBGC area. Executive functions, not connected with the DPD process or otherwise delegated to the Joint Committee, but nonetheless related to the TCBGC would remain with each Council to exercise.

The report was introduced by Lisa Hastings, Deputy Chief Executive & Monitoring Officer (Tendring District Council).

Members of the Joint Committee were expected to observe the requirements and principles as set out in the Protocol at all times when involving themselves in the planning process. The planning system relied on Councillors and Officers acting in a way which was fair and was clearly seen to be fair. This included acting in accordance with planning law in all instances, and paying due regard to national and local policies, in addition to all other "material planning considerations".

It was acknowledged that each of the Councils forming the Joint Committee had their own locally adopted Members' Code of Conduct, which must always be complied with first by the Members from those respective authorities, particularly in respect of declarations of interest.. Those Codes were, however, very similar and based upon the national Nolan Principles.

It was recognised that decision-makers must not fetter their discretion by approaching the decision to determine a planning application with a closed mind. It was a legal requirement to approach the determination of a planning application with an open mind in order to prevent a legal challenge for pre-determination or bias. Decisions needed to be taken in accordance with the Section 1 of the Local Plan and the Development Plan

Document unless material considerations indicated otherwise. Members should come to a decision only after due consideration of all of the information reasonably required upon which to base a decision.

The Joint Committee was aware that Officers were responsible for carrying out their duties in compliance with the Royal Town Planning Institute Code of Conduct, in particular, that Officers must not make or subscribe to any statements which went against their own professional standards.

Members were advised that care would be needed when there was contact with applicants, developers and objectors. Certain structured meetings could occur where there was transparency, consistency and fairness to all. Members could express any view on the merits or otherwise of the proposal presented, though they should never state how they or other Members intended to vote at a joint committee meeting.

Councillors were further advised that they should explain to those lobbying or attempting to lobby them that, whilst they could listen to what was said, it might subsequently prejudice their impartiality, and therefore their ability to participate in the Joint Committee's decision making, if they made any sort of promise to vote one way or another or expressed such a firm point of view that it amounted to the same thing.

The Joint Committee was reminded that its overriding duty was to the whole of the Garden Community area and not just to the people a specific Ward/Division and that, taking account of the need to make decisions impartially, Members should not improperly favour, or appear to improperly favour, any person, company, group or locality.

It was reported that all Councillors attending pre-application discussions must have first attended a training session on conduct at pre-application discussions. Those training sessions would be organised by the respective Councils' Planning Service on a regular basis in order to ensure that the integrity of the individual Councillor's decision-making role was maintained.

Pursuant to the provisions of the Public Speaking Scheme for the Joint Committee, Bill Marshall addressed the Joint Committee on the subject matter of this item.

Councillor Andrea Luxford-Vaughan requested that her comments on this report be recorded in the minutes of the meeting. Those comments were summarised as follows:-

- (i) The report and the Probity Protocol advocated common sense and was not contentious; and*
- (ii) Sought clarification as to whether a Joint Committee member could represent themselves or another organisation (such as a parish council) as a Ward Councillor at Regulation 19 hearings.*

Following a discussion and debate on matters pertaining to this report and questions by Members which were answered, as appropriate, by the Deputy Chief Executive & Monitoring Officer (Lisa Hastings):-

It was moved by Councillor Tom Cunningham, seconded by Councillor Carlo Guglielmi and:-

RESOLVED that the Tendring Colchester Borders Garden Community (TCBGC) Joint Committee Planning Probity Protocol, as attached at Appendix A to report A.4, be agreed and applied by Members and Officers.

The meeting was declared closed at 9.30 pm

Chairman