
REPORTS FROM THE EXECUTIVE AND COMMITTEES TO COUNCIL

1 REPORT OF THE LICENSING COMMITTEE – 27 NOVEMBER 2012

CONSULTATION ON DRAFT STATEMENT OF LICENSING POLICY – GAMBLING ACT 2005

- 1.1 This item of business was referred by the Licensing Committee on 27 November 2012 to Council with recommendations relating to the Statement of Licensing Policy for Gambling. An extract of the key elements of the report of the Head of Environmental Services to the Committee is attached at appendix 1.
- 1.2 A copy of the proposed amended Statement of Licensing Policy for Gambling is attached at appendix 2.
- 1.3 The Committee noted that no responses had been received to the consultation, although the Salvation Army had responded previously.
- 1.4 There was a fixed fee for provision of copies of the Licensing Register.
- 1.5 It is proposed that Council **RESOLVES**
- (1) That Council passes a 'no casino' resolution and that this be inserted into the Statement of Licensing Policy Gambling Act 2005.
 - (2) That Council approves and adopts the amended Statement of Licensing Policy Gambling Act 2005 that will be applied in exercising functions under the Gambling Act 2005 for the three-year period commencing on 3 January 2013.

2 REPORT OF THE EXECUTIVE – 5 DECEMBER 2012

LONDON SOUTHEND AIRPORT AND ENVIRONS JOINT AREA ACTION PLAN – PRE-SUBMISSION PLAN

- 2.1 This item of business was referred by the Executive on 5 December 2012 with recommendations relating to the London Southend Airport and Environs Joint Area Action Plan – Pre-Submission Plan. An extract of the key elements of the report of the Head of Planning and Transportation to the Executive is attached at appendix 3.
- 2.2 At the Executive meeting Members were provided with copies of a revised proposals map and revised plan of JAAP areas for change – subject to alterations (page 22 of the pre-submission plan). The revised proposals plan changes the operational boundary of the airport and excludes the green buffer

on Southend Road, and the revised page 22 plan amends the position of the administrative boundaries between the two Local Authorities.

- 2.3 A copy of the proposed London Southend Airport and Environs Joint Area Action Plan – Pre-Submission Plan, with the 2 revised plans referred to in paragraph 2.2 above, is attached at appendix 4.
- 2.4 The Executive noted that public consultation would commence at the end of January/early February.
- 2.5 It is proposed that Council **RESOLVES**
- (1) That the London Southend Airport and Environs Joint Area Action Plan (JAAP) be published for public consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, and that, following consultation, the plan be submitted to the Secretary of State for Communities and Local Government, prior to Examination in Public, under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
 - (2) That the inclusion of any minor amendments, which may result from *inter alia* analysis of the representations from public consultation and any additional evidence considered, be delegated to the Head of Planning and Transportation in consultation with the Portfolio Holder for Planning and Transportation.

If you would like this report in large print, Braille or another language please contact 01702 318111.

CONSULTATION ON DRAFT STATEMENT OF LICENSING POLICY GAMBLING ACT 2005

1 SUMMARY

- 1.1 This report details the response to consultation on the Council's draft policy for gambling that was carried out between 1 July 2012 and 30 September 2012.
- 1.2 It proposes no changes to the original draft and seeks Members' approval for placing before Council on 18 December 2012.
- 1.3 It also seeks Members' recommendations to Council on the question of whether or not the Licensing Authority should exercise its discretion to resolve not to issue casino licences.

2 INTRODUCTION

- 2.1 Section 349 of the Gambling Act 2005 requires the Council to determine and to publish its licensing policy in respect of each 3-year period commencing on 3 January 2007.
- 2.2 The Act requires the Council to keep the policy under review throughout each period and to revise it as necessary. Prior to making any changes, or in advance of a new 3-year period, the Council must carry out a consultative process with Responsible Authorities defined by the Act and others who the Authority considers would have an interest in the policy.
- 2.3 The draft reviewed policy was considered and approved for consultation by the Licensing Committee on 3 April 2012 (appendix A). The policy was circulated for consultation to those identified in the report (appendix B) and was displayed at local libraries and Council offices. In addition, the draft policy was published on the Council's website.

3 RESPONSE TO CONSULTATION

- 3.1 No response has been received from any of the Responsible Authorities or any of the interested parties.

4 RISK IMPLICATIONS

Strategic Risk

- 4.1 There is a statutory obligation for the statement of licensing policy (Gambling Act 2005) to be published.

Reputation Risk

- 4.2 If successfully challenged on the content of the policy, the Council's reputation would be harmed.

Regulatory Risk

- 4.3 The Committee is bound by the provisions of the Act, the statutory guidance issued by the Gambling Commission and its own statement of licensing policy (Gambling Act 2005) in administration of the licensing regime and in determining licensing issues. The Council cannot permit a situation to arise whereby its policy has not been approved by Full Council.

5 LEGAL IMPLICATIONS

- 5.1 There may be a potential for decisions made in determining licensing applications to become subject of judicial review or appeal if the statement of licensing policy has neither been approved by Full Council nor published.

Statement of Licensing Policy Gambling Act 2005

**For period 31 January 2013 to
30 January 2016**

Preface

This is the third statement of principles, which is known in this District as the Statement of Licensing Policy (Gambling Act 2005), that the council offers for consultation in accordance with the requirements of section 349 of the Gambling Act 2005.

This statement sets out the principles that the council, as the licensing authority for the Rochford District, will apply in carrying out its licensing functions for the 3-year period commencing 31 January 2013.

This statement was drafted in accordance with the requirements of the Gambling Act 2005 and regulations issued under it and in consideration of the Guidance to Licensing Authorities dated May 2009 and relevant Codes of Practice issued by the Gambling Commission.

The Licensing Authority has published appendices to this Statement of Licensing Policy setting out general information and guidance on the various requirements in respect of making applications, the fees payable, making representations, hearings and reviews. The appendices were prepared subject to the Act, guidance and regulations current at the time. They may be amended from time to time and should not be taken as law and readers are advised to seek legal advice where appropriate.

The Gambling Act 2005 gives the Council discretion as to the question of issuing casino premise licences and provides that it may pass a resolution not to issue those licences during each 3-year period the Statement of Licensing Policy has effect. Where the Council passes such a resolution, that fact must be published within the Statement of Licensing Policy.

During the consultation on its proposed policy, the Council specifically invited comments in respect of the question of issuing casino premises licences. No responses were received.

At its meeting on 15 December 2012 the Council, having not received any responses to the consultation process, passed a resolution not to issue casino premises licences and approved its Statement of Licensing Policy (Gambling) accordingly.

Contents

	Page
1	Introduction..... 5
	Description of the District..... 5
	Consultation..... 5
2	General Principles 7
	The Licensing Objectives 7
	Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime..... 7
	Ensuring that gambling is conducted in a fair and open way 7
	Protecting children and other vulnerable persons from being harmed or exploited by gambling..... 7
	Responsibilities under the Act 8
	Delegation 9
	Statement of Licensing Policy..... 9
	Approval of Policy 10
	Declaration 10
	Disclaimer..... 10
	Responsible Authorities 10
	Interested Parties 11
	Considerations in Licensing of Premises..... 12
	Door Supervisors 13
	Moral Objections/Unmet Demand..... 13
	Location 13
	Exchange of Information..... 13
	Licensing Register 14
	Enforcement 14
3	Premises Licences 16
	Definition of Premises..... 16
	Duplication with other Regulatory Regimes 17
	Premise Licence Conditions 17
	Provisional Statements 18
	Casinos 18
	Casinos and Competitive Bidding..... 18
	Bingo Premises 18
	Door Supervisors 18
	Credit and Cash Dispensers..... 19
	Betting Offices and Machines 19
	Tracks..... 19
	Adult Gaming Centres and Family Entertainment Centres 19
	Representations and Reviews 20
	Travelling Fairs 20

Contents

	Page
4	Gaming Machine Permits 22
	Unlicensed Family Entertainment Centre Gaming Machine Permits 22
	Statement of Principles..... 22
	(Alcohol) Licensed Premises Gaming Machine Permits 23
	Prize Gaming Permits..... 24
	Statement of Principles..... 24
	Club Gaming and Club Machine Permits..... 25
	Members' Clubs and Miners' Welfare Institutes..... 25
	Commercial Clubs 25
5	Temporary and Occasional Use Notices 26
	Temporary Use Notices (TUN's)..... 26
	Occasional Use Notices (OUN's)..... 26
6	Lotteries..... 27

1 Introduction

- 1.1 This Statement of Licensing Policy sets out the principles the Council, as the Licensing Authority under the Gambling Act 2005, proposes to apply in discharging its functions to licence premises for gambling and in respect of:
- designating the body responsible for advising the authority on the protection of children from harm;
 - determining whether or not a person is an 'Interested Party';
 - exchanging information with the Gambling Commission and others; and
 - inspecting premises and instituting proceedings for offences.

Description of the District

- 1.2 The area is predominantly rural in character with many smaller towns and villages and two main urban centres at Rochford and Rayleigh. It has a population of approximately 83,000 people.
- 1.3 The District offers a wide and developing variety of commerce, culture, history, recreation and dwellings. The transport infrastructure is extensive and expanding, being provided by mainline railway to London and Southend, local bus and taxi services and, currently under development, London (Southend) airport.
- 1.4 At the time of publication of this policy, gambling in the District is carried out in 7 premises licensed for betting, 1 premise licensed as an adult gaming centre and 80 premises consisting mainly of public houses and clubs with permits for gaming machines. There are 32 small lotteries registered within the District.

Consultation

- 1.5 The Gambling Act 2005 requires the Licensing Authority to publish a statement of licensing principles that it proposes to apply when discharging its functions for each 3-year period, having consulted with:
- The Chief Officer of Police
 - One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area
 - One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005.
- 1.6 The Licensing Authority consulted on this Statement of Licensing Policy between 6 July 2009 and 4 October 2009 by sending a copy to:
- each of the Responsible Authorities;
 - each public library in the District;

- each Council office in the District;
- each Parish Council in the District;
- persons representing interests of persons carrying on gambling businesses;
- persons representing the interests of persons likely to be affected by the exercise of the authority's function under the Gambling Act 2005;

and by placing a copy of the policy on the Council's website.

- 1.7 The full list of comments made and the Council's consideration of them is available upon request to the Licensing Manager, Rochford District Council, 3–19 South Street, Rochford, Essex, SS4 1BW and may also be viewed on the Council's website at **www.rochford.gov.uk**
- 1.8 This Statement of Licensing Policy has effect from 31 January 2013 until 30 January 2016.
- 1.9 The Gambling Act 2005 requires the Licensing Authority to monitor, review and, where appropriate, amend its statement and then re-publish it. The Licensing Authority will consult with those groups mentioned in paragraph 1.6 prior to amending any part of the statement.

2 General Principles

The Licensing Objectives

2.1 In exercising most of its functions under The Gambling Act 2005, Licensing Authorities must have regards to the Licensing Objectives as set out in Section 1 of the Act.

Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime.

2.2 Whilst the Licensing Authority is aware that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime, it will pay attention to the proposed location of gambling premises in terms of this licensing objective.

2.3 Where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and the need for conditions, such as the provision of door supervisors.

2.4 The Licensing Authority is aware that there is a distinction between disorder and nuisance and that the prevention of nuisance is not a licensing objective under the Gambling Act.

Ensuring that gambling is conducted in a fair and open way

2.5 The Licensing Authority will not generally be concerned with ensuring that gambling is conducted in a fair and open way as this is a matter more appropriate for the Gambling Commission.

2.6 The Licensing Authority notes however that, in relation to the licensing of tracks the Licensing Authority's role will be different from other premises in that track operators will not necessarily have an Operating Licence. In those circumstances, the Premises Licence may need to contain conditions to ensure that the environment in which betting takes place is suitable.

Protecting children and other vulnerable persons from being harmed or exploited by gambling

2.7 The Licensing Authority considers this objective to mean preventing children from taking part in gambling, as well as restrictions on advertising so that gambling products are not aimed at or are, particularly attractive to children.

2.8 The Licensing Authority will consider whether specific measures, e.g. supervision of entrances/machines, segregation of areas etc. are required at particular premises with regard to this licensing objective, each case being dealt with on its own merits.

2.9 In considering applications in respect of premises, the Licensing Authority will pay attention to the proposed location of gambling premises in terms of this licensing objective. The Authority will have regard to any relevant Codes of Practice issued by the Gambling Commission when considering specific premises, such as casinos.

- 2.10 The Authority regards the term “vulnerable persons” to apply to people who gamble more than they want to, people who gamble beyond their means and people who may not be able to make informed or balanced decisions about gambling due to a mental health needs, learning disability or substance misuse relating to alcohol or drugs. .

Responsibilities under the Act

- 2.11 The Act has introduced a new licensing regime for commercial gambling to be conducted by the Gambling Commission and by Licensing Authorities.
- 2.12 The Gambling Act 2005 establishes each District and borough council as a Licensing Authority whose responsibilities must be discharged by the Licensing Committee created under section 6 of the Licensing Act 2003. Rochford District Council is the Licensing Authority for the Rochford District.
- 2.13 The Gambling Commission are responsible for issuing operator’s and personal licences to persons and organisations who:
- operate a casino;
 - provide facilities for playing bingo or for pool betting;
 - act as intermediaries for betting;
 - make gaming machines available for use in Adult Gaming Centres and Family Entertainment Centres;
 - manufacture, supply, install, adapt, maintain or repair gaming machines;
 - manufacture, supply, install or adapt gambling software; or
 - promote a lottery.
- 2.14 The Licensing Authority is responsible for a number of functions including:
- The issue of premises licences in respect of premises where gambling activities are to take place.
 - The issue of provisional statements.
 - The issue of club gaming permits and/or club machine permits to members’ clubs and miners’ welfare institutes.
 - The issue of club machine permits to commercial clubs.
 - The issue of permits to unlicensed family entertainment centres for the use of certain lower stake gaming machines.
 - The issue and regulation of gaming and gaming machines in alcohol licensed premises.
 - The registration of small society lotteries.

- The issue of prize gaming permits.
- The receipt and endorsement of temporary use notices.
- The receipt of occasional use notices.
- The provision of information to the Gambling Commission about licences issued (see section 13 on information exchange).
- The keeping of registers of the permits and licences issued under these functions.
- The exercise of its powers of compliance and enforcement under the 2005 Act in partnership with the Gambling Commission and other relevant responsible authorities.

NB It should be noted that the Licensing Authority's functions do not include matters concerning the National Lottery, Remote Gambling or Spread Betting.

- 2.15 Applications must be determined in a manner that is reasonably consistent with the licensing objectives.
- 2.16 The Licensing Authority cannot become involved in the moral issues of gambling and must aim to permit the use of premises for gambling in so far as it thinks it to be:
- consistent with the Codes of Practice,
 - consistent with Guidance issued by the Commission,
 - reasonably consistent with the Licensing Objectives,
 - in accordance with their Statement of Policy.
- 2.17 Before the Licensing Authority can consider an application for a premises licence an operator's licence must have been obtained or applied for from the Gambling Commission.

Delegation

- 2.18 With the exception of the approval and review of its Statement of Licensing Policy and any other matters prescribed, decisions on licensing matters will be taken in accordance with an approved scheme of delegation aimed at underlining the principles of timely, efficient and effective decision-making.
- 2.19 Appendix C contains a table setting out delegations in respect of how the Licensing Authority intends to discharge its various functions.

Statement of Licensing Policy

- 2.20 The Licensing Authority is required by the Gambling Act 2005 to publish a statement of the principles that they propose to apply when exercising their functions.

- 2.21 The statement must be published at least every 3 years and must also be reviewed periodically and, where appropriate, amended.
- 2.22 The Licensing Authority will consult with those groups mentioned in paragraph 1.5 above prior to amending any part of the policy and in preparing its Statement of Licensing Policy for each future 3-year period.

Approval of Policy

- 2.23 This Statement of Licensing Policy was approved at a meeting of the full Council on 18 December 2012 and takes effect on 31 January 2013.
- 2.24 Any comments concerning this statement should be sent via e-mail to **licensing@rochford.gov.uk** or by letter to the address shown at paragraph 1.7.
- 2.25 This statement will not override the right of any person to make an application, to make representations about an application, or to apply for a review of a licence, as each will be considered on its own merit and according to the requirements of the Gambling Act 2005.
- 2.26 The policy can be viewed at the Council's offices or on the Council's website on **www.rochford.gov.uk**

Declaration

- 2.27 In producing this Statement of Licensing Policy, the Licensing Authority declares that it has had regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission under the Act and any responses from those consulted on the policy statement.
- 2.28 The Licensing Authority recognises its diverse responsibility under equality legislation and will monitor the impact of their statutory duties through the Council's Equalities & Diversity Policy.

Disclaimer

- 2.29 Appendices have been attached to this statement providing further information and guidance that is intended only to assist readers and should not be interpreted as legal advice or as constituent of Rochford District Council's Statement of Licensing Policy (Gambling Act 2005). Readers are strongly advised to seek their own legal advice if they are unsure of the requirements of the Gambling Act 2005, or of the Guidance or Regulations issued under the Act.

Responsible Authorities

- 2.30 The Gambling Act 2005 prescribes the Responsible Authorities that have statutory functions or are considered to be statutory consultees under the Act.

2.31 The Licensing Authority is required to designate in writing a body that is competent to advise it about the protection of children from harm. The Authority have applied the following considerations in discharging its responsibility:

- the competency of the body to advise the Licensing Authority;
- the need for the body to be responsible for an area covering the whole of the Licensing Authority's area;
- the need for the body to be answerable to democratically elected persons rather than any particular invested interest group etc.

2.32 The Licensing Authority designates the Essex County Council Children's Safeguarding Service for this purpose.

2.33 Appendix D contains the contact details of all the Responsible Authorities under the Gambling Act 2005.

Interested Parties

2.34 Interested Parties can make representations about licensing applications or apply for a review of an existing licence.

2.35 The principles the licensing authority will apply to determine whether a person is an interested party are that:

- each case will be decided upon its merits;
- the authority will not apply a rigid rule to its decision-making and will consider the examples of considerations provided in the Gambling Commission's guidance for local authorities,
- the authority will also consider the Gambling Commission's guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.

2.36 A person is an Interested Party in relation to an application for or in respect of a Premises Licence if, in the opinion of the Licensing Authority the person:

- (a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,
- (b) has business interests that might be affected by the authorised activities, or
- (c) represents persons who satisfy paragraphs (a) or (b).

2.37 Interested Parties can be persons who are democratically elected such as District and parish councillors and MP's. No specific evidence of being asked to represent an interested person will be required as long as the councillor / MP represents the ward likely to be affected. Likewise, parish councils likely to be affected will be considered to be interested parties.

- 2.38 District councillors who are members of the Licensing Committee will not qualify to act in this way.
- 2.39 This Authority will generally require written evidence that a person is authorised to represent an Interested Party.
- 2.40 The Licensing Authority considers that Trade Associations, Trade Unions and Residents and Tenants Associations qualify as Interested Parties where they can demonstrate that they represent persons in paragraph 2.35 (a) or (b).
- 2.41 This authority will not however generally view these bodies as Interested Parties unless they have a member who can be classed as an Interested Party.
- 2.42 In determining if a person lives or has business interests sufficiently close to the premises that are likely to be affected by the authorised activities the Licensing Authority will consider the following factors:
- The size of the premises.
 - The nature of the premises.
 - The distance of the premises from the location of the person making the representation.
 - The potential impact of the premises (e.g. number of customers, routes likely to be taken by those visiting the establishment).
 - The nature of the complaint. This does not mean the personal characteristics of the complainant but the interest of the complainant, which may be relevant to the distance from the premises.
 - The catchment area of the premises (i.e. how far people travel to visit).
 - Whether the person making the representation has business interests that might be affected in that catchment area.

Considerations in Licensing of Premises

- 2.43 The Licensing Authority will consider whether the grant of a licence or permit will result in issues of crime and disorder or exposing children or vulnerable adults to harm or of being exploited by gambling.
- 2.44 In considering applications, the Council will particularly take into account evidence of measures, which might include:
- the procedures in place to conduct age verification checks and/or a proof-of-age scheme, where premises are subject to age restrictions;
 - physical security features in the premises, e.g. the position of cash registers, CCTV installation;
 - the design and layout of the premises, including physical separation of areas and location of entrances/entry points;

- door supervision and supervision of entrances/entry points and machine areas;
- training given to staff appropriate to the premises;
- notices or signage;
- specific opening hours.

- 2.45 As regards to the protection of vulnerable persons, measures such as the use of self-barring schemes, provision of information, leaflets, help line numbers for organisations such as GAMCARE, will be considered.
- 2.46 The list above is neither mandatory nor exhaustive and is merely indicative of example measures.
- 2.47 The Licensing Authority will give favourable consideration to licence applications resulting from re-siting of premises within the same locality and extensions in order to enhance the quality of facilities provided but this is without prejudice to the determination of any planning application that may be required.
- 2.48 Appendix G contains further information on premises licences, the application process and additional documentation the Licensing Authority requires in determining the application.

Door Supervisors

- 2.49 Any person that is employed as a door supervisor at any premises, other than those employed in-house in a casino or bingo hall has to be licensed by the Security Industry Authority.

Moral Objections/Unmet Demand

- 2.50 Moral objections to gambling are not a valid reason to reject applications for premises licences and unmet demand is not a criterion for a Licensing Authority to consider.

Location

- 2.51 The question of where a premises is located will only be considered by the Authority within the context of the licensing objectives and each application will be decided on its own merit.

Exchange of Information

- 2.52 In its exchange of information with parties listed in schedule 6 of the Act the Licensing Authority will have regard to:
- the provisions of the Gambling Act 2005, which includes the provision that the Data Protection Act 1998 will not be contravened;
 - the guidance issued by the Gambling Commission;
 - the Data Protection Act 1998;

- the Human Rights Act 1998;
- the Freedom of Information 2000;
- the Environmental Information Regulations 2004;
- the Common Law Duty of Confidence;
- the Electronic Communications Act 2000
- Computer Misuse Act 1990
- Criminal Procedure and Investigations Act 1996
- Crime and Disorder Act 1998.

2.53 Exchanges of information will be conducted in a timely and accurate fashion and confirmed in writing in all cases to form an audit trail of:

- record of data disclosed;
- project chronology; and
- notes of the meeting with other partners and recent correspondence from phone calls.

Licensing Register

2.54 The Licensing Authority is required to keep a public register and share information in it with the Gambling Commission and others. Regulations prescribe what information should be kept in the register. Copies of the register may be obtained on payment of a fee.

Enforcement

2.55 In exercising its functions with regard to the inspection of premises and to instituting criminal proceedings in respect of offences specified, the Licensing Authority will follow best practice as promulgated by the Better Regulation Executive and the Hampton/McCory Reviews will endeavour to be:

- Proportionate – intervention will only be when necessary. Remedies should be appropriate to the risk posed and costs identified and minimised.
- Accountable – authorities must be able to justify decisions and be subject to public scrutiny.
- Consistent – rules and standards must be joined up and implemented fairly.
- Transparent – enforcement should be open and keep regulations simple and user friendly.
- Targeted – enforcement should be focused on the problems and minimise side effects.

Appendix 2

- 2.56 The Licensing Authority will endeavour to avoid duplication with other regulatory regimes, so far as is possible and adopt a risk based inspection programme.
- 2.57 Where a single point of contact has been supplied by the operator of a number of premises within Rochford District, the Authority will endeavour to contact that person first in respect of any enforcement issues that might arise.
- 2.58 The main enforcement and compliance role of the Licensing Authority in terms of the Gambling Act 2005 is to ensure compliance with the Premises Licences, Permits and Registrations that it issues.
- 2.59 The Gambling Commission is the enforcement body for Operator and Personal Licences and for concerns about the manufacture, supply or repair of gaming machines.
- 2.60 The Licensing Authority will keep itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of Local Authorities.
- 2.61 The Licensing Authority's enforcement/compliance protocols and written agreements and details of the risk-based approach to inspection will be available by contacting the Licensing Section, Rochford District Council, 3–19 South Street, Rochford, SS4 1BW, telephone 01702 318036/58 or by email to: **licensing@rochford.gov.uk**

3 Premises Licences

- 3.1 Premises Licences will be subject to the permissions/restrictions set out in the Gambling Act 2005 and Regulations, as well as specific mandatory and default conditions detailed in regulations issued by the Secretary of State. Licensing Authorities are able to exclude default conditions or to attach others, where it is thought appropriate.
- 3.2 Licensing Authorities are required by the Gambling Act to aim to permit the use of premises for gambling so far as it thinks it is:
- in accordance with any relevant code of practice issued by the Gambling Commission;
 - in accordance with any relevant guidance issued by the Gambling Commission;
 - reasonably consistent with the licensing objectives; and
 - in accordance with the Authority's Statement of Licensing Principles.

Definition of Premises

- 3.3 A premise is defined in the Act as "any place". It is for the Licensing Authority to decide whether different parts of the building can be properly regarded as being separate premises which will always be a question of fact in the circumstances that will be considered in light of guidance issued by the Gambling Commission.
- 3.4 The Authority does not consider that areas of a building that are artificially or temporarily separate can be properly regarded as different premises.
- 3.5 Where applications are submitted for multiple licences for a building or for a specific part of a building to be licensed, the Authority expects that entrances and exits from a part or parts of a building covered by one or more licences should be separate and identifiable. This is to ensure a separation of different premises and that people do not 'drift' into a gambling area from another area that is not.
- 3.6 The Licensing Authority will pay particular attention to applications where access to the licensed premises is through other premises, which themselves may be licensed or unlicensed, and will consider, for example, whether children can gain access; compatibility of the two establishments; and ability to comply with the requirements of the Act.
- 3.7 In addition an overriding consideration will be whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would or should be prohibited under the Act.

Duplication with other Regulatory Regimes

- 3.8 Duplication with other statutory/ regulatory regimes will be avoided where possible. This Authority will not consider whether a licence application is likely to be awarded Planning or Building Control consent, in its consideration of it.

Premise Licence Conditions

- 3.9 Any conditions attached to premises licences will be proportionate and will be:
- relevant to the need to make the proposed building suitable as a gambling facility;
 - directly related to the premises and the type of licence applied for;
 - fairly and reasonably related to the scale and type of premises; and
 - reasonable in all other respects.
- 3.10 Decisions upon individual conditions will be made on a case-by-case basis. Consideration will be given to using control measures, such as the use of door supervisors, supervision of adult gaming machines, appropriate signage for adult only areas, etc. should there be a perceived need. Applicants will also be expected to offer their own suggestions as to the way in which the licensing objectives can be effectively met.
- 3.11 The Licensing Authority will not refuse an application for a premises licence where relevant objections can be dealt with by use of appropriate conditions.
- 3.12 For buildings subject to multiple premises licences, the Licensing Authority will consider specific measures that may be required, such as:
- the supervision of entrances;
 - segregation of gambling from non-gambling areas frequented by children; and
 - the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives.
- 3.13 It is noted that the Licensing Authority cannot attach conditions to premises licences that:
- makes it impossible to comply with an Operating Licence condition;
 - relate to gaming machine categories, numbers or method of operation;
 - provide that membership of a club or body be required;
 - relate to stakes, fees or winning of prizes.

Provisional Statements

- 3.14 The Licensing Authority must not have regard to whether or not a proposal by the applicant is likely to be permitted in accordance with Planning or Building Law.

Casinos

- 3.15 As provided by section 166 of the Gambling Act 2005, the Licensing Authority has resolved not to issue casino premise licences for the 3-year duration of this policy.
- 3.16 This decision was taken following consideration of the current regulations in respect of casino licences, the government criteria for authorities to issue such licences and responses to the consultation process carried out in preparation of this policy.
- 3.17 This matter will continue to be reviewed as part of the on-going review process of the Statement of Licensing Policy.

Casinos and Competitive Bidding

- 3.18 The Licensing Authority is aware that where a licensing authority area is enabled to grant a premises licence for a new style casino there are likely to be a number of operators which will want to run a casino.
- 3.19 If such situations arise in the future, this Authority will run a competition in line with Regulations and Codes of Practice issued under the Gambling Act 2005 by the Secretary of State.

Bingo Premises

- 3.20 Bingo premises are not generally age-restricted, although certain areas within them may be, e.g. where machines of category C or above are situated.
- 3.21 The Licensing Authority will consider any further guidance to be issued by the Gambling Commission in relation to the suitability and layout of bingo premises.

Door Supervisors

- 3.22 The Licensing Authority requires any person employed at a casino or bingo premises as a door supervisor to hold the BIIAB Level 2 National Certificate for Door Supervisors or an approved qualification accredited by the Department for Culture, Media & Sport.

Credit and Cash Dispensers

- 3.23 Credit facilities are prohibited from being provided.
- 3.24 Cash machines may be installed in licensed premises but the Licensing Authority may apply conditions on their siting where they are installed in casinos or bingo premises.

Betting Offices and Machines

- 3.25 The Licensing Authority can restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a Betting Premises Licence or, where applicable, to a Casino Premises Licence.
- 3.26 When considering whether to impose a condition to restrict the number of betting machines in particular premises, the Licensing Authority will consider:
- each application its own merit;
 - the size of the premises;
 - the number of counter positions available for person to person transactions;
 - the ability of staff to monitor the use of the machines by children and young persons or by vulnerable persons:
 - evidence that such machines have been or are likely to be used in breach of licensing objectives;
 - the relevant Codes of Practice or Guidance issued under the Gambling Act 2005 by the Secretary of State.
- 3.27 In addition, details of GAMCARE and the facilities offered, will be included in the appendices to the policy, on the Council's website and also made available in Council reception areas.

Tracks

- 3.28 Tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track.
- 3.29 The licensing authority will consider the need to ensure that entrances to each type of premises are distinct and that children are prevented from entering gambling areas where they are not permitted.

Adult Gaming Centres and Family Entertainment Centres

- 3.30 The Licensing Authority will consider the need to apply appropriate conditions in respect of delineating any area containing category C machines from other forms of amusement.

Representations and Reviews

- 3.31 Responsible Authorities (including the Licensing Authority) and Interested Parties may make representations in respect of applications for the grant or variation of a premise's licences and may apply for review of a premises licence.
- 3.32 For the purposes of exercising the Licensing Authority's discretion, the persons authorised to make representations and apply for reviews of a premises licence are:
- Members of the Licensing Authority, other than Members of the Licensing Committee, and
 - the staff of the Council's Licensing Unit.
- 3.33 The Licensing Authority may determine that a representation:
- is frivolous or vexatious,
 - will certainly not influence the Authority's determination of the application or review or wish to alter/revoke/suspend the licence.
- 3.34 The Licensing Authority may reject an application for review of a premises licence if they determine the grounds for the review:
- do not raise a relevant issue to the principles contained in paragraphs 2.1 – 2.10 above;
 - are frivolous or vexatious;
 - will certainly not cause the Authority to alter/revoke/suspend the licence;
 - are substantially the same as representations made in respect of the application for the premises licence.
- 3.35 There is no appeal against the Authority's determination of the relevance of a representation or an application for review.
- 3.36 Appendix E contains further information on making representations and applying for reviews of premise's licences.

Travelling Fairs

- 3.37 It will fall to this Licensing Authority to decide if the statutory requirements that the facilities for gambling amount to no more than an ancillary amusement at the fair is met where Category D machines and/or equal chance prize gaming without a permit is to be made available for use at travelling fairs.
- 3.38 The Licensing Authority will also consider if the applicant falls within the statutory definition of a travelling fair.

Appendix 2

- 3.39 It should be noted that the statutory maximum of 27 days for the land being used as a fair is per calendar year and that it applies to the piece of land on which the fairs are held regardless of whether or not it is the same travelling fair occupying the land.
- 3.40 Where the 27-day statutory limit is exceeded, a TUN will have to be issued or Premises Licence applied for, as appropriate.
- 3.41 This Licensing Authority will work with our neighbouring authorities to ensure that land that crosses our boundaries is monitored so that the statutory limits are not exceeded.

4 Gaming Machine Permits

Unlicensed Family Entertainment Centre Gaming Machine Permits

- 4.1 A premises licence is unnecessary in respect of premises where gaming machines of category D only are to be provided. In such cases an application may be made to the Licensing Authority for a permit but the Authority has to be satisfied that the premises will be wholly or mainly used for making gaming machines available for use.
- 4.2 The Licensing Authority may refuse an application for renewal of a permit only on the grounds that an authorised local authority officer has been refused access to the premises without reasonable excuse, or that renewal would not be reasonably consistent with the pursuit of the licensing objectives.
- 4.3 Where the Licensing Authority intend to refuse an application, the applicant will be given the opportunity to make written or oral representations or both. A hearing will be held before the Licensing Sub-Committee for this purpose, unless all parties agree that it is unnecessary.

Statement of Principles

- 4.4 The Licensing Authority will specifically have regard to those matters contained within section 2, paragraph 2.43–2.46 concerning matters to be considered in licensing of premises.
- 4.5 The Licensing Authority will expect the applicant to show that there are written policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.
- 4.6 The efficiency of such policies and procedures will be considered on their merits and may, for example, include such measures as:
- CRB checks for staff;
 - staff training in how to deal with suspected truant school children, or unsupervised, very young children on the premises, or children causing perceived problems on/around the premises.
- 4.7 The licensing authority will also expect that:
- applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FEC's;
 - the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and
 - staff is trained to have a full understanding of the maximum stakes and prizes.
- 4.8 Appendix H contains further information on unlicensed family entertainment centres, the application process and additional documentation the Licensing Authority requires in determining the application.

(Alcohol) Licensed Premises Gaming Machine Permits

- 4.9 A permit under this section cannot be issued in respect of premises for which a premises licence under the Gambling Act 2005 has been granted.
- 4.10 The holder of a premises licence under the Licensing Act 2003 that authorises the sale and consumption of alcohol on premises, which contain a bar at which alcohol is served but without the requirement that food is also served, is automatically entitled to operate two gaming machines of categories C or D.
- 4.11 In order to do so they must first notify the Licensing Authority of their intention to do so and pay the prescribed fee.
- 4.12 It should be noted that those restaurants that did not seek to remove the restriction on the sale of alcohol with food that applied if they had a restaurant licence under the Licensing Act 1964, will not qualify to an automatic entitlement to gaming machines.
- 4.13 Where a permit has been issued under section 34 of the Gaming Act 1968, the licence-holder must notify the Licensing Authority at least 2 months prior to its date of expiry.
- 4.14 The Licensing Authority may issue licensed-premises gaming machine permits authorising the use of any number of categories C or D machines. In determining an application for an increase in the number of machines, the Licensing Authority will consider:
- the size of the premises;
 - the ability of staff to monitor the use of the machines by children and young persons or by vulnerable persons;
 - any documentary evidence, e.g. supporting statistical evidence providing details of usage, etc.;
 - each application on its own merits;
 - the Codes of Practice or Guidance issued under the Gambling Act 2005.
- 4.15 Once issued there is no requirement to renew a permit. An annual fee has to be paid.
- 4.16 Where the Licensing Authority intend to refuse an application, or grant it for a different number or category of machines to that requested, the applicant will be given the opportunity to make written or oral representations or both. A hearing will be held before the Licensing Sub-Committee for this purpose, unless all parties agree that it is unnecessary.
- 4.17 The Licensing Authority may consider removing the automatic entitlement for a permit if:
- provision of the machines is not reasonably consistent with the licensing objectives;
 - gaming has taken place on the premises that breaches a condition of the Act, e.g. machines have been made available other than in a way that complies with requirements concerning their location and operation;

- the premises are mainly used for gaming;
- an offence under the Gambling Act 2005 has been committed on the premises.

4.18 Where the Licensing Authority consider exercising their powers to remove the entitlement, the permit-holder must be given the opportunity to make written or oral representations or both. A hearing will be held before the Licensing Sub-Committee for this purpose, unless all parties agree that it is unnecessary.

4.19 Appendix H contains further information on gaming machines in alcohol-licensed premises, the application process and additional documentation the Licensing Authority requires in determining the application.

Prize Gaming Permits

4.20 Prize gaming is gaming in which the nature and size of the prize is not determined by the number of players or the amount paid or raised by the gaming, the prizes having been determined before play commences, e.g. bingo with non-cash prizes. (Note: bingo with cash prizes and that carried on in commercial bingo halls will need to be licensed by the Gambling Commission.)

4.21 Prize gaming may be carried on in premises under a permit issued by the Licensing Authority.

4.22 The Licensing Authority may refuse an application on the grounds that its grant or renewal would not be reasonably consistent with the pursuit of the licensing objectives.

4.23 In determining an application, the Licensing Authority need not have regard to the licensing objectives but must have regard to any Gambling Commission guidance.

4.24 Where the Licensing Authority intend to refuse an application, the applicant will be given the opportunity to make written or oral representations or both. A hearing will be held before the Licensing Sub-Committee for this purpose, unless all parties agree that it is unnecessary.

Statement of Principles

4.25 The Licensing Authority will specifically have regard to those matters contained within section 2, paragraph 2.43–2.46 concerning matters to be considered in licensing of premises.

4.26 The Licensing Authority will expect the applicant to show that there are written policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.

4.27 The efficiency of such policies and procedures will be considered on their merits and may, for example, include such measures as:

- CRB checks for staff;
- staff training in how to deal with suspected truant school children, or unsupervised, very young children on the premises, or children causing perceived problems on/around the premises.

4.28 The Licensing Authority also expects that applicants:

- set out the type/s of gaming that it is intended to be offered;
- demonstrate a full understanding of the maximum stakes and prizes of the gaming that is permitted, and that staff receive appropriate training in relation to those matters;
- have no relevant convictions (those that are set out in Schedule 7 of the Act).

4.29 Appendix H contains further information on prize gaming, the application process and additional documentation the Licensing Authority requires in determining the application.

Club Gaming and Club Machine Permits

Members' Clubs and Miners' Welfare Institutes

4.30 Members' Clubs and Miner's Welfare Institutes may apply for either a Club Gaming Permit or Club Gaming Machine Permit.

4.31 Club Gaming Permits authorise the provision of equal-chance gaming, games of chance and a maximum of 3 gaming machines of category B4, C or D, equal chance gaming and other games of chance (as prescribed in regulations).

4.32 A Club Gaming Machine Permit enables the premises to provide a maximum of 3 gaming machines only, of category B, C or D.

Commercial Clubs

4.33 Commercial or proprietary clubs may only apply for a Club Gaming Machine Permit enabling the premises to provide a maximum of 3 gaming machines only, of category B, C or D.

4.34 Premises that have work-based members' social clubs, but which may not be licensed to sell or supply alcohol, may apply for a permit. This type of premises includes, for example, those where machines are sited in works' canteens.

4.35 Before granting a permit to premises described in the preceding paragraph, the Licensing Authority will need to be satisfied that the premises meet the requirements of a members' club and that the majority of members are over 18 years of age.

4.36 Both categories of permits have effect for 10 years. An annual fee has to be paid on the anniversary of the permit's grant.

4.37 Appendix H contains further information on gaming in club premises, the application process and additional documentation the Licensing Authority requires in determining the application.

5 Temporary and Occasional Use Notices

Temporary Use Notices (TUN's)

- 5.1 A TUN may only be granted to a person or company holding an operating licence relevant to the temporary use of the premises.
- 5.2 The type of activity for which a TUN may be issued is determined by the Secretary of State. Currently, a TUN may only be issued in respect of Equal Chance Gaming.
- 5.3 A set of premises is the subject of a TUN if any part of the premises is the subject of the notice. This prevents one large premise from having a TUN in effect for more than 21 days per year by giving a notice in respect to different parts.
- 5.4 In considering whether a place falls within the definition of "a set of premises", the Licensing Authorities will consider, amongst other things, the ownership/ occupation and control of the premises.
- 5.5 The Licensing Authority will object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises.
- 5.6 Appendix G contains further information on these notices

Occasional Use Notices (OUN's)

- 5.7 OUN's apply only to tracks, which can be any part of a premise on which a race or other sporting event takes place or is intended to take place. Tracks need not be a permanent fixture.
- 5.8 OUN's are intended to permit licensed betting operators who have the appropriate permission of the Gambling Commission to use tracks for short periods for conducting betting. The OUN dispenses with the need for a betting premises licence for the track.
- 5.9 The Licensing Authority has very little discretion as regards these notices, aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded.
- 5.10 The Licensing Authority will, however, consider the definition of a "track" and whether the applicant is permitted to avail him/herself of the notice.
- 5.11 Appendix G contains further information on these notices.

6 Lotteries

- 6.1 A lottery is unlawful unless it is run in accordance with an Operating Licence issued by the Gambling Commission, or is exempt from such a licence.
- 6.2 There are 4 types of exempt lottery: -
- An Incidental Non – commercial Lottery
 - A Private Lottery
 - A Customer Lottery
 - A Small Society Lottery
- 6.3 A Small Society Lottery must be registered with the Licensing Authority.
- 6.4 Local authorities may promote a lottery for the benefit of the community under an operating licence issued by the Gambling Commission.
- 6.5 Appendix K contains further information concerning lotteries, generally, and requirements for registration.

REPORT TO THE MEETING OF THE EXECUTIVE 5 DECEMBER 2012

**PORTFOLIO: PORTFOLIO HOLDER FOR PLANNING AND
TRANSPORTATION**

REPORT FROM HEAD OF PLANNING AND TRANSPORTATION

**SUBJECT: LONDON SOUTHEND AIRPORT & ENVIRONS JOINT
AREA ACTION PLAN (JAAP) – PRE-SUBMISSION PLAN**

1 DECISION BEING RECOMMENDED

1.1 To recommend to Council:-

1.2 That the London Southend Airport & Environs Joint Area Action Plan (JAAP) be published for public consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, and that, following consultation, the plan be submitted to the Secretary of State for Communities and Local Government, prior to Examination in Public, under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

1.3 That the inclusion of any minor amendments, which may result from *inter alia* analysis of the representations from public consultation and any additional evidence considered, be delegated to the Head of Planning and Transportation in consultation with the Portfolio Holder for Planning and Transportation.

2 REASONS FOR RECOMMENDATION

2.1 The draft pre-submission JAAP was considered at a joint meeting with Southend on 12 November and approval is now sought to publish the plan for pre-submission public consultation under Regulation 19 and, once consultation has taken place, to then submit the JAAP to the Secretary of State under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

2.2 It is proposed that any minor amendments to the JAAP, which may result from representation received during the public consultation and further evidence, be made by the Head of Planning and Transportation in consultation with the Portfolio Holder for Planning and Transportation.

2.3 The Council must make a copy of the proposed submission documents and a Statement of the representations procedure available for public inspection for 6 weeks. Any person may make representations on whether the document is 'sound' and legally compliant.

- 2.4 The JAAP is a Development Plan Document, as defined under the Planning and Compulsory Purchase Act 2004. It will have statutory Development Plan status with regard to Section 38 (6) of the Act which states: "... for the purpose of any determination to be made under the Planning Act the determination must be made in accordance with the plan unless material considerations indicate otherwise."
- 2.5 The plan must be formally approved by Full Council, but to ensure that publication and consideration of the plan is carried out in parallel with Southend Council this report has been brought to the Executive for initial consideration and recommendation onto Council on the 18 December. A copy of the JAAP has been sent to all Members.

3 SALIENT INFORMATION

- 3.1 The London Southend Airport and Environs Joint Area Action Plan (JAAP) will set the Planning Framework for delivery of development, infrastructure and services at London Southend Airport, two new business parks and other locations specified in the JAAP. It also details measures that will be necessary outside the JAAP area to facilitate the successful functioning of the area, including improvements to wider transport infrastructure, particularly key junctions along the strategic road network.

- 3.2 The JAAP sets out a clear vision, which is:-

'An area that realises its potential as a driver for the sub-regional economy, providing significant employment opportunities and ensuring a good quality of life for its residents and workers. To achieve this, the area's assets and opportunities for employment need to be supported and developed'

- 3.3 The objectives for the JAAP are:-

- Creation of sustainable, high quality and high value employment and other land uses within the study area;
- Maximising the economic benefits of a thriving airport and related activity;
- Ensuring good connectivity to the development area by all modes of transport, with appropriate improvements to sustainable transport and the highway network;
- Ensuring a high quality public realm and environment for residents and workers;
- Maximum return on public investment through attracting inward investment; and
- Efficient use and upgrading of existing employment land resources.

- 3.4 The JAAP sets out the planning policies governing the use and development of land in the plan area. These policies are consistent with higher order policies and with the Government's priorities for economic growth. However,

there are also strong environmental policies, as well as policies that aim to protect residential amenity. The JAAP will be subject to a Strategic Environmental Assessment and Sustainability Appraisal, which considers the social, economic and environmental impacts of policies.

- 3.5 The JAAP has been through two rounds of public consultation in accordance with Planning Regulations. An Issues and Options consultation took place in June 2008. It explored a number of growth scenarios for the airport and the development of the surrounding area. Following analysis of the representations received and development of the evidence base a Preferred Options Report was published for consultation in February 2009. This outlined the preferred approach to development at the airport and the surrounding area.
- 3.6 Since the Preferred Options Report was published an application to extend the runway at London Southend Airport has been granted permission and the airport is now fully operational with a number of routes to Europe and beyond. A decision was taken to delay pre-submission consultation on the JAAP until there was an outcome with the runway planning application and period to allow for legal challenge.
- 3.7 Preparation of the pre-submission JAAP has taken place since then, and following a meeting of the Special Joint Committee, which involved Councillors from Rochford and Southend in October 2011, extensive work has been carried out in relation to transportation issues as well as other matters that were raised by Members. Traffic modelling work has been carried out by Essex, as Highway Authority, and Southend during this period taking account of development of the JAAP area as well as new housing in Rochford, particularly in Hall Road. The modelling work (Saturn and Vissim transport models) investigated the ability of the road network to accommodate increased road traffic owing to development in the JAAP area in conjunction with further housing development in Hall Road, and to consider what measures may be necessary to ensure that network viability is maintained.
- 3.8 An updated version of the pre-submission JAAP was presented to the Special Joint Committee on 12 November 2012 and the approach was agreed by Members on behalf of each Authority. This version takes account of the public consultation that took place during the Preferred Options consultation and additional evidence developed, particularly in relation to transport issues detailed above. It has also considered changes in development on and around the airport and wider area.

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- 3.9 A Transport Strategy is also being prepared with Essex County Council as the partner Highway Authority as part of the evidence base, which will reflect the results of the modelling work and other transport evidence and provides an approach to the delivery of infrastructure improvements required alongside development of the JAAP. Furthermore, development briefs/masterplans will be developed for the business parks planned in the JAAP area. These will provide the more detailed development and design principles, including matters related to *inter alia* accessibility, sustainability, layout and massing.
- 3.10 The Submission Draft of the JAAP is being prepared as the final stage in public consultation prior to its submission to the Secretary of State. Unlike earlier stages of public participation, representations at this juncture can only be made on legal compliance and the soundness of the plan, as set out in planning regulations and reiterated in National Planning Policy, which sets out that to be sound, a plan should be "...justified, effective and consistent with national policy."
- 3.11 Should objections be received to the JAAP on this basis, then the local Planning Authorities will submit these to the Secretary of State, who will then arrange for an Examination in Public. This Examination will be undertaken by the Planning Inspectorate on behalf of the Secretary of State. Those who have made representations may be invited to appear. The Examination will comprise a number of hearing sessions to discuss in more details matters which the Planning Inspectorate considers necessary to make a decision on whether the JAAP may be found 'sound'. The Planning Inspectorate will issue a report on the soundness and legal compliance of the plan, and make recommendations, which under current legislation are not binding for the Councils. The Inspector will produce a Report with recommendations. Following this, and subject to the plan being sound, the JAAP may be put before Council for adoption. The document, when adopted, will form part of the Development Plan for each of the two Authorities.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 In this case, no alternative options have been considered. The arrangements for the preparation of a development plan document are set out in the relevant regulations.

5 RISK IMPLICATIONS

- 5.1 Any development plan document can be subject to legal challenge.

6 ENVIRONMENTAL IMPLICATIONS

- 6.1 The JAAP proposes a change to the Green Belt boundary to enable the development of the proposed employment areas, though a key component of the plan is the development of new public open space and recreational facilities.
- 6.2 The JAAP includes policies to address environmental sustainability, including the requirement for travel plans.

7 RESOURCE IMPLICATIONS

- 7.1 The preparation to adoption of the JAAP is being met from existing resources.

8 LEGAL IMPLICATIONS

- 8.1 The JAAP must be prepared in accordance with the relevant statutes and regulations as set out in the report.

London Southend Airport and Environs Joint Area Action Plan – Submission Draft

Confidential



Rochford District Council
Southend Borough Council
November 2012

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1. Introduction

1.1 What is a Joint Area Action Plan (JAAP)?

The Joint Area Action Plan (JAAP) has been prepared by Rochford District Council and Southend-on-Sea Borough Council in response to the challenges and opportunities offered by London Southend Airport together with an airport related employment cluster. The plan is intended to integrate land use, transport, environmental and regeneration proposals with clear mechanisms for delivery.

The JAAP provides the basis for coordinating the actions of a range of partners with an interest in airport and the surrounding environs, and establishes planning policies up to 2031 and beyond. It will:

- Managing the level of growth and change in the area by establishing an approach to development and associated planning principles;
- Safeguard areas and places sensitive to change;
- Direct investment and provide key planning policies for regeneration in the area; and
- Be effective and deliverable.

Advice on the detailed development principles and design of the new employment areas will be contained in a masterplan/design framework published separately.

The JAAP is one of a number of plans being prepared by both local authorities, and must be read in conjunction with those other plans, and the National Planning Policy Framework. Policies within the adopted Southend-on-Sea Core Strategy and adopted Rochford Core Strategy provide the strategic context in which the JAAP proposals have been prepared, and it is important, in formulating development schemes and proposals, that account is taken of these documents, together with the policies in this plan and, national planning policy.

1.2 The Evidence Base

The policies and proposals in the JAAP have been prepared following consultation on an Issues and Options (June 2008) and Preferred options (February 2009) documents, together with a detailed examination of a collective evidence base. The evidence base consists of national planning and local planning policies, best practice guidance, background studies, socio-economic statistics and other published data. The key documents are as follows:

- Evidence base prepared for the East of England Plan 2008
- Evidence base for the Regional Economic Strategy 2008-2031

- JAAP Evidence Report 2008 (transport, environment and economic assessments)
- Hepworth Acoustic Report 2008
- Rochford Employment Land Study 2008
- Southend Employment Land Review 2010
- Rochford and Southend Employment Land Review Update 2009
- JAAP Sustainability Appraisals
- Habitats Regulations Assessment 2009
- Ecological Study 2009
- NPPF Flooding Sequential Test
- Flood Risk/Surface Water Assessment 2009
- London Southend Airport Transport Assessment (Jacobs) 2009
- The Future Development of Air Transport in the United Kingdom: South East 2002
- The Future of Air Transport White Paper 2003
- Rochford Core Strategy 2011
- Southend Core Strategy 2007
- London Southend Airport Environmental Controls 2009
- Atkins London Southend Airport network model 2012
- Essex Local Transport Plan (2011)
- Southend-on-Sea Local Transport Plan (2011)
- South East Local Economic Partnership (SELEP) Airport Study (2012)

Note: The JAAP has been prepared against a background of uncertainty about the timing of the revocation of the East of England Plan. The Localism Act (paragraph 109) will revoke the plan in due course, and that being the case, there is no reference made in the JAAP to the East of England Plan. However, the JAAP does take account of the extensive evidence base prepared as background to the East of England Plan, as well as to the local employment studies and other evidence listed here.

1.3 Sustainability Appraisal and Strategic Environmental Assessment

The JAAP has been informed and modified by the process of independent Sustainability Appraisal and Strategic Environmental Assessment (SA/SEA), which is intended to test out the Plan's affect on agreed sustainability objectives. The first stage in the SA/SEA process was the preparation of a Scoping Report, which considered other plans or programmes and sustainability objectives, collected baseline information, identified sustainability issues and developed a framework for assessing the sustainability of the Plan. The Scoping Report was completed in January 2008 and was subject to statutory consultation. The scoping report was followed by a Sustainability Appraisal and Strategic Environmental Assessment of the Issues and Options Report, and this was used to inform the preparation of the Preferred Options. An updated SA/SEA accompanies this pre-submission version of the plan.

1.4 What will the JAAP include?

The JAAP provides the framework for the regeneration and expansion of London Southend Airport and its environs through economic growth, by providing opportunities for a range of economic, social, environmental and transport benefits. It builds on policies in the Rochford District Council and Southend-on-Sea Borough Council Core Strategies, which provide the overarching strategic policy frameworks for the development of London Southend Airport and Environs.

The JAAP includes site specific allocations and general policies for the area, and:

- Considers land use options;
- Considers the broad scale and form and type of development; and
- Sets out specific standards which will be applied to the area.

In preparing the plan, the following matters have been taken into account:

- Existing and surrounding uses and context;
- The impact of the proposals on other parts of Rochford District Council and Southend-on-Sea Borough Council areas;
- The broad social, environmental and economic impacts;
- Impact on the surrounding highway network;
- Existing and future transport links and the need for improved infrastructure and managing demand;
- Impact on the landscape, amenity and the existing built environment, including listed buildings; and
- The importance of delivering sustainable development.

1.5 The Submission JAAP

A key step in the process of establishing the JAAP was the preparation of an 'Issues and Options' Report that provided an opportunity for the general public and all interested parties to comment on the future development of London Southend Airport and Environs. It set out the initial analysis and potential spatial scenarios for the development of London Southend Airport and Environs in the period to 2028 derived from the evidence base and analysis. It also set out the vision and objectives of the area, and key issues and options for future development.

The feedback received from the Issues and Options Report was carefully considered and used to prepare a Preferred Options Report for future development in the area. In turn, the feedback received to the informal consultation on the preferred options, together with further development of the evidence base has contributed to the pre-submission consultation document.

The purpose of this stage (pre-submission consultation) is to consult on whether the document is considered to be 'sound', has been positively prepared, and is justified, effective and consistent with national planning

policy. If you wish to make a representation seeking a change to the JAAP at this stage you should make clear in what way the JAAP or part of the JAAP is not sound, having regard to the legal compliance checks and the tests of soundness¹.

You should try to support your representation by evidence showing why and how the JAAP should be changed. Representations should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further submissions based on the original representation made at publication.

After this stage, further submissions will be only at the request of the Planning Inspector, based on the matters and issues he/she identifies for an examination in public.

Once adopted, the Joint Area Action Plan will be kept under regular review and will be revised, as appropriate, to reflect any changing or new circumstances or objectives for the area. Any future revisions of the final plan will, of course, be subject to public consultation.

1.6 Policy Context for the JAAP

There exists a comprehensive framework of planning policy and economic guidance for policy makers to follow in relation to London Southend Airport and its surrounding area. The key feature of these policies is the adherence to similar principles, i.e. the need for development to be sustainable and balanced across the social, economic and environmental dimensions.

The growth of London Southend Airport is strategically aligned to the Future of Air Transport White Paper (2003) which recognises the wider economic benefits of the expansion in air travel. The growing pressures on airports in the South East are highlighted, as well as the important role smaller airports have to play in the future provision of airport capacity in the region. However the White Paper does recognise that growth must be tempered against potential environmental effects, and that there is a need to find a sustainable way forward in respect of air travel.

Draft National Aviation Policy Framework

The Government published a draft Aviation Policy Framework for consultation in July 2012. The document sets out overall objectives for aviation and considers how existing policies and additional policy options can achieve these objectives.

¹ NPPF, paragraph 182.

The key objectives set out in the framework are:

- To ensure that the UK's air links continue to make it one of the best connected countries in the world. This includes increasing our links to emerging markets so that the UK can compete successfully for economic growth opportunities.
- To ensure the aviation sector makes a significant and cost effective contribution towards reducing global emissions.
- To limit, and where possible, reduce the number of people in the UK significantly affected by aircraft noise.
- To encourage the aviation industry and local stakeholders to strengthen and streamline the way in which they work together.

Whilst the main focus of the framework is the largest airports located in the South East, there is nevertheless, strong recognition of the important role that smaller airports play in providing domestic and international connections and the contribution made to regional economies.

Specifically, the Government wants to see the best use of existing airports capacity, and as a general principle, support the growth of regional airports in England, including London Southend Airport. Nevertheless, proposals for expansion of regional airports should be judged on their individual merits, taking careful account of all relevant considerations, particularly economic and environmental impacts.

The framework recognises that some regional airports are already responding to local demands and notes that:

“Southend Airport has completed a programme of investment that has transformed the airport. A new terminal has been constructed, a runway extension that allows the operation of newer generation, high efficiency, medium capacity aircraft has been completed and an airport railway station that offers direct rail links to London opened in September 2011. As a result, Southend Airport expects to handle one million passengers in 2012 and create 500 new jobs.”

Airports play an important role through delivering wider economic benefits and significant job opportunities, and it is expected that London Southend Airport will contribute to meeting the needs of local and niche markets. In addition the airport is recognised as a key economic site and will act as a key driver for growth and expansion. It will play an important and significant role in improving the competitive strength and attractiveness of the area as a business location and tourism destination.

Local Policy Framework

The local policy framework prepared by both authorities supports national policy and recognises that the development of the airport and the adjacent employment area will deliver significant economic and social benefits, with the airport, in particular, acting as a key driver for economic development, inward investment and regeneration.

There is a developing debate about the future of aviation in the UK and particularly in the South East. The SELEP has employed consultants to advise on the options and opportunities for the LEP area and the government's consultation recognises the need for significant investment to enable the UK to remain competitive. However, it is considered that a small sub-regional airport like London Southend Airport will continue to be important and make a valuable contribution to the aviation needs of South Essex.

The Southend Core Strategy (adopted in December 2007) identifies the strategic and local importance of the London Southend airport for employment generation, and for the supply chains in the surrounding area, which employ a significant number of local people.

Policy KP3 acknowledges the need to prepare a Joint Area Action Plan in partnership with Rochford District Council, and Policy CP1 seeks to promote economic regeneration recognising the contribution of London Southend Airport.

The Rochford Core Strategy (adopted in December 2011) includes Policies ED2 and ED4, which support the development of the airport and allocation of land for employment to be delivered through an Area Action Plan prepared jointly with Southend Borough Council.

Improvements to transport infrastructure and services are supported in the Local Transport Plans (LTP) prepared separately by Essex County Council (ECC) and Southend Borough Council (SBC).

ECC LTP (June 2011) states that – London Southend Airport is an important asset and is set to increase in importance as it expands over the next few years. This will create many new jobs and attract new businesses to the area. However, it will result in a growth in traffic, which must carefully managed to ensure that access to the airport and surrounding transport network remain reliable.

Rochford's Local Development Framework recognises the need for a combination of infrastructure and sustainable transport improvements and policy T1 states that Developments will be required to be located and designed in such a way as to reduce reliance on the private car. However, some impact on the highway network is inevitable and the Council will work with developers and the Highway Authority to ensure that appropriate improvements are carried out. Policy T2 identifies surface access to the airport as a priority.

Southend-on-Sea's Third Local Transport Plan (LTP3) (2012-2026) builds on the success of LTP2, taking forward and refining the existing long term strategy and encompassing key local and national developments and changes in policy, together with the findings of relevant transportation and evidence based studies. LTP3 further tackles the agendas of carbon reduction and sustainable means of travel to protect and enhance quality of life for all, as well as the pressing need for economic recovery and growth. One of the policies within LTP3 is to ensure appropriate improvements in sustainable transport, accessibility and facilities to London Southend Airport. In particular, LTP3 continues to focus upon transport policies and schemes which are vital in securing the provision of a transport system to support the Borough's aims to:

- Have a thriving and sustainable local economy;
- Minimise environmental impact and promote sustainability for a greener Borough;
- Create a safer Borough; and
- Reduce inequalities in health and wellbeing and for a more accessible Borough.

Southend Borough Council's successful bid for £4.82m from the Department for Transport funding for the Local Sustainable Transport Fund (LSTF) was announced in June 2012.

The main Government objectives of this project are to create economic growth and revitalise the economy and reduce carbon emissions to help tackle climate change. This funding will provide SBC the opportunity to continue working in partnership with their local businesses, including Southend Airport, and communities to identify the right solutions to meet the economic and environmental challenges we are all facing.

The project comprises a package of sustainable travel measures boosting access to the growing employment areas of London Southend Airport/Business Park and Town Centre, designed to reduce the current and future demand for short distance car journeys and CO2 emissions. This package contains a series of interdependent measures building on quality cycling and walking routes, marketing and communications, partnerships, travel planning, and complimentary Integrated Transport Management Systems. Developed with widespread support from the community and local businesses, it will take forward the significant results achieved by the second Local Transport Plan, the MoveEasy Network and Cycle Southend.

In consultation with the local bus operators, Southend's Better Bus Area Fund (BBAF) bid to DfT for a grant of £1.577m was successful. This finance is to be used for the development of a smart card system, improving key bus interchanges in Southend and tackling local congestion at key hot spots. The bus operators will also undertake training to enhance the customer travel experience. These improvements will all contribute to enhanced bus travel reliability to London Southend Airport by reducing journey times and congestion.

Detailed transport modeling work has been carried out to analyse the impacts of the additional journeys resulting from the housing and employment

opportunities and identify solutions to ensure future capacity and reduce congestion.

The key messages being a desire to secure a 'step change' in provision of infrastructure, to achieve a modern integrated transport system necessary to unlock key development sites and to secure sustainable jobs led regeneration.

London Southend Airport, whilst modest in size compared to Stansted, is planned to grow into a successful regional airport for London and the wider south-east, taking advantage of limited capacity at London's other airports. A new railway station for the airport is now complete..

The Southend Airport Surface Access Strategy (ASAS), including an Airport Travel Plan (ATP), has been developed as a condition of the Planning Approval granted in 2010 for the extension of the runway at Southend Airport.

The ASAS has been developed in detailed consultation with ECC, RDC and SBC and the Airport Transport Forum to provide a strategy which focuses on improving public transport and finding ways to encourage passengers, new and existing staff to use sustainable modes for their journeys to and from the airport.

The document provides details regarding the key targets, commitment and actions required to help achieve appropriate levels of passengers and staff travelling sustainably as the airport develops and expands. The ASAS provides the strategy whilst the ATP provides the measures and actions to achieve the strategy.

The key targets are to seek to ensure that the public transport mode share of air passengers should be at least 20% by 1.5million passengers per annum (mppa) and 25% by 2mppa. In addition, staff transport mode share should not exceed 65% by using the car alone. The key actions are to monitor travel patterns of both staff and passengers working at, or using the airport, to ensure the appropriate provision of bus and train services, car and cycle parking, travel information, accessibility to the airport to achieve the public transport mode share targets. The overall aim is to seek to achieve growth of the airport as sustainably as possible.

The Integrated County Strategy (ICS) provides a shared vision for Essex, Southend, and Thurrock, to identify the priorities needed to achieve increased economic growth. The ICS will ensure that available funding is invested towards priorities which are most likely to generate long-term economic growth.

By producing the ICS and prioritising aspirations for growth, the area is taking a clear lead in responding to the current economic climate. The ICS will be used by decision makers to guide the use of funding towards priorities that can achieve the greatest possible benefit for the area.

In South Essex, the ICS recognises the need to, in particular, promote and maximise potential benefits at key sites for employment and further economic development. This includes the opportunities presented by development in the London Southend Airport and Environs JAAP.

Overall, the growth and vitality of London Southend Airport is seen as important to the economic development and prosperity of Southend and Rochford. Local policies support the growth of the airport; prioritise the safeguarding of the important Maintenance, Repair and Overhaul (MRO) sector; and require the provision of adequate employment land (in terms of quantity and quality) to accommodate future employment needs of the area.

The future growth and well-being of the airport is only one strand of the ambitions for the JAAP. The creation of two new business parks is intended to open-up new, significant opportunities for investment in the area and to act as a catalyst for the regeneration of the existing Aviation Way industrial estate.

2. Vision and Objectives

2.1 Vision

The JAAP Vision is set within the context of the regeneration and growth of Southend and Rochford as part of the Essex Thames Gateway South Essex. The shared vision for the future development of London Southend Airport and its environs is:

‘An area that realises its potential as a driver for the sub-regional economy, providing significant employment opportunities and ensuring a good quality of life for its residents and workers. To achieve this, the area’s assets and opportunities for employment need to be supported and developed’

The Vision acknowledges that London Southend Airport is already a major employment location, for both aviation related businesses and general businesses. This is in spite of the airport having significant spare capacity for flights and the potential for new industrial and business premises to be developed in the surrounding area.

Development of the airport and wider JAAP area will provide employment growth and regeneration contributing to the delivery of both authorities’ job requirements. The vision is supported in the current and emerging policy frameworks for the area.

The Southend-on-Sea Core Strategy has as its aim

‘To secure a major refocus of function and the long term sustainability of Southend as a significant urban area which serves local people in the Thames Gateway. To do this there is a need to release the potential of Southend’s land and buildings to achieve measurable improvements in the town’s economic prosperity, transportation networks, infrastructure and facilities; and the quality of life for all its citizens’.

The Regeneration Framework (2007-2021) has as its vision:

‘Southend-on-Sea – the regional centre, hub for higher education and culture, a centre for international air services in South Essex – a great place to live, do business and visit!’

The Rochford Core Strategy vision is to ‘make Rochford the place of choice in the county to live, work and visit’. Supporting this, the vision sees a flourishing new employment area underpinned by the growth on London Southend Airport that attracts high technology businesses and high value employment to the area.

The Thames Gateway Economic Development Investment Plan (September 2008) points out that:

‘London Southend Airport occupies an important and growing niche in aircraft repair and servicing as well as private business flights with flight paths over the estuary – and with only a fraction of the residential noise impacts of other airports.’²

The South East Local Enterprise Partnership (SELEP) was created in 2010 and recognises the importance of securing growth in the Thames Gateway area. Objective 1 for the partnership is:

“This is the largest single regeneration area in Europe and the strategic focus of our wider LEP area. With DP World’s new container facility and the Port of Tilbury in Thurrock, Ebbsfleet’s fast rail services to Europe, and Southend Airport, the Thames Gateway alone provides four key drivers of economic growth for our LEP area. As a national priority, the growth planned in the Thames Gateway provides significant opportunities for new businesses in new sectors and new employment opportunities”.

2.2 Objectives of the JAAP

The following objectives have been developed within the planning context and are in conformity with current national, and existing and emerging local policy. They are the guiding principles underpinning the policies and proposals in the JAAP.

The objectives are:

- Creation of sustainable, high quality and high value employment and other land uses within the study area;
- Maximising the economic benefits of a thriving airport and related activity;
- Ensuring good connectivity to the development area by all modes of transport, with appropriate improvements to sustainable transport and the highway network;
- Ensuring a high quality public realm and environment for residents and workers;
- Maximum return on public investment through attracting inward investment; and
- Efficient use and upgrading of existing employment land resources.

2.3 What will the JAAP area look like in the future?

The vision for the JAAP focuses on sustainable economic growth and the delivery of new jobs. However, it is important to understand how that vision for growth will change the area. In effect, with a successful delivery of the plan’s policies and proposals, how will the airport and environs look in 10 to 15 years?

² Thames Gateway Economic development Investment Plan, EEDA, LDA and SEEDA, 2008

It is envisaged that London Southend Airport will be a successful regional passenger airport, operating with an extended runway, and transporting up to 2 million passengers per annum. The runway extension is a key factor in the ability of the airport to accommodate the latest advances in medium sized passenger aeroplanes (100 to 150 seats), which are quieter and more fuel efficient than their predecessors, and can take-off in shorter distances and depart more quickly from local airspace. Passengers will travel to destinations in Europe and beyond (including transfers to long haul destinations) from a modern terminal building linked to a mainline railway station and with good road access to the A127.

In addition to a thriving passenger business, the maintenance, repair and overhaul (MRO) facilities at the airport will have been developed, with new facilities constructed in the Northern MRO extension. The airport will continue to carry some high value cargo with good connectivity to other hubs such as DP World port, but there will be significant restrictions on night flights, together with a comprehensive range of other environmental controls that will maintain the quality of life for residents.

The award winning exemplar Saxon Business Park will provide modern, sustainable, spacious, and well designed office accommodation and be enhanced by a green lung linking to Rochford town centre in the east and the Cherry Orchard Country Park in the west. With space for a range of high-tech businesses, and new start-up businesses, the business park will provide quality jobs for local people, with employment opportunities in higher paid jobs, and support for economic activities that have the capacity to generate employment growth.

Of particular note within the business park is the Anglia Ruskin Medtech Campus which was created to drive the growth of the medical technology business sector and to transform the innovation process, gaining health system-wide adoption of the latest advances in technology and patient care.

The venture is a partnership between Anglia Ruskin University (with its Postgraduate Medical Institute (PMI) providing a network of hospital and mental health trust partners), Chelmsford City Council, Harlow District Council and Southend-on-Sea Borough Council – the founding Partners – supported by a number of other key stakeholders in industry, local and central government and the NHS. The physical campus will be spread across these three locations while a virtual business network service will be available regardless of location.

In order to facilitate the construction of the runway extension, a new route has been provided to link Eastwoodbury Lane with Nestuda Way. The new link road improves access to the airport from Nestuda Way and other road improvements will have enhanced the capacity of the wider network.

The JAAP area will be accessible by public transport (both bus and rail) and networks of walking and cycle routes linking to the wider network. Where

feasible it may be possible to enhance the existing networks further to include
bridleways.

The area will also see major improvement to the natural environment. New
areas of public open space will compliment the upgrading of existing
landscape to provide a high quality green environment for resident, visitors
and workers. A significant improvement will be the delivery of a new access to
Cherry Orchard Jubilee County Park on the west side of Cherry Orchard Way.

3. Development Proposals for the JAAP

Introduction

This chapter provides an overview of the policy approach to the development of the airport and the new employment land within the JAAP area. A detailed commentary that supports and provides the context for development is provided with each policy in the next chapter.

1 – The future development and role of London Southend Airport

The Airport Masterplan 2005, prepared by London Southend Airport, sets out a vision for how the airport could grow into a regional airport based on using its current runway (length 1,610 metres), but with the provision of new passenger infrastructure, including a new railway station and passenger terminal facilities. The railway is fundamental to increasing the attractiveness of the airport to potential airline operators as it increases the size of the passenger catchment to include core markets within London (by reducing the travel time to the airport). With this investment, the Airport Masterplan concluded that there is the potential to increase passenger movements at the airport to around 1 million passengers by 2012 and up to 2 million passengers by 2030.

An increase in the operational length of the runway to 1,799 metres, after planning permission was given, has had an important impact in terms of the capacity potential of the airport and its resultant attractiveness to airline operators, notably easyJet. Lengthening the runway across Eastwoodbury Lane enables aircraft with a seating capacity of 100-150 to be operated fully laden out of the airport for business and leisure passenger uses, making the airport a more attractive fixed base for a wider range of operators.

Lengthening the runway is not simply about allowing larger aircraft to use the airport. The modern generation of medium sized passenger aeroplanes³ that may be accommodated as a result of the runway extension are quieter and more fuel efficient – the end result is that the environmental impact of enabling the operation and efficient use of larger aircraft is lessened on the surrounding area.

It is expected that, the extension to the runway will allow the airport to grow faster to a maximum capped passenger capacity of two million passengers per annum (mppa). Evidence suggests that the likelihood of reaching the passenger forecasts is strong, which in turn improves the potential for investment in the other assets such as the extended passenger terminal, and supporting facilities such as a new hotel. In economic terms, it is considered that the airport will act as a driver for the local economy, providing direct employment as well as enhanced opportunities for wider aviation related and business employment.

³ Embraer 195, Airbus A319

The expansion of the airport will also include new opportunities for directly related maintenance and overhaul businesses to develop on the extension to the northern MRO area.

2 – The future of the JAAP as an employment area

It is considered that high scale employment growth within the area will make a significant contribution towards delivering new employment opportunities for both JAAP authorities. The JAAP area must take a pro-active role in encouraging employment development for both aviation-related growth (associated with airport growth) and targeting the delivery of accommodation for high-tech industries and offices (specifically in planning use classes B1 and B2). Given the current constraints of the local property market, this will provide the area with the greatest chance of creating employment capacity and attracting investor demand. The market analysis⁴, while accepting the current market limitations resulting from the credit crunch and recession, recognises that the area will be attractive to companies and investors over the long-term and that new development within the JAAP will be a key economic driver for the area and will help to provide an exceptional offer that is currently lacking in south-east Essex.

A high growth approach will require sufficient employment land to be allocated to allow for the potential of the area to be fully realised. The plan allocates land to accommodate up to 109,000 square metres of additional floorspace, with 99,000 square metres to be located in the new Saxon Business Park and the balance on a smaller business park at Nestuda Way, which together will accommodate up to 5,450 additional jobs in the area over the planning period to 2027. It is also anticipated that 15,000 square metres will become available for redevelopment within the existing Aviation Way Industrial Estate. All together these sites will deliver 6,200 additional jobs (excluding direct airport related employment).

3 – Balancing development with environmental enhancement

More activity from the airport and the allocation of new business parks will inevitably result in some environmental impacts that must be managed considerably and appropriately, and the plan includes a mix of physical measures and a policy approach which, when combined, will help manage and maintain a sustainable future for the area. It is accepted that the environmental impacts (noise and air quality, in particular) will need to be carefully monitored as a result of the increased number of aircraft and vehicle movements in the area.

To address these concerns the plan's policies and proposals consider the location for new development in combination with opportunities for new public open space to enhance the environment, as well as proposing detailed controls on the operation of the airport to ensure quality of life is maintained for residents. In addition sustainable transport measures will be implemented

⁴ Rochford and Southend Employment Land Review 2009

to minimise traffic impacts and congestion. Furthermore, the JAAP has been subject to independent Sustainability Appraisal and Habitats Regulation Assessment to ensure that environmental and social issues are considered and addressed, where necessary.

4 – Transport and movement

The approach to transport is intended to ensure that development within the JAAP is sustainable, and that there is integration with, and appropriate financial support for, proposals to improve the functioning of both the local and wider highway network (including improvements in Rochford District and the A127 junctions at The Bell, Tesco and Kent Elms Corner) as well as provide internal solutions to movement and accessibility. The transport requirements for the JAAP have taken the following issues into account:

- i. The need for further capacity on the highway network as traffic flows increase, to ensure congestion will not grow further and limit the ability for economic growth;
- ii. Environmental constraints in terms of highway improvements due to availability of land and property boundaries;
- iii. The principal, signed route for highway access will be via the A127/B1013 to ensure that new trips in and out of Southend and Rochford do not impact significantly on the local highway network, which has limited capacity for improvement;
- iv. The options for transport improvements within the JAAP area and on the local and wider networks, including the provision of new routes, junction improvements and key points of access to new development areas;
- v. The location of new development within the JAAP area, in relation to the existing and proposed transport links should be considered early in the masterplanning stage to optimise accessibility; and
- vi. The need for a major effort to be focussed on managing traffic growth and encouraging greater use of alternative sustainable transport modes to reduce predicted levels of car borne traffic through traffic management and demand solutions and provision of appropriate infrastructure.

5 – Areas for Change (See diagram on page 22)

The development proposals for each part of the JAAP are summarised below and illustrated in the accompanying diagram. These proposals are set out in detail in the next chapter of the plan and on the Proposals Map.

- *Area I-- The Brickwork" site – this area contains a row of residential properties in front of the now cleared works site. The quality of the area is poor. This area has long been identified as an area in need of improvement.*

Proposal-- The site is located close to one proposed option for new access to Saxon Business Park from Cherry Orchard Way as set out in

Policy E3. The allocation is Class B1. There are no plans to remove the residential properties to facilitate development. The area is shown as 1A on the Proposals Map.

- *Area ii(a)– Land to the north of Aviation Way Business Park – this area consists primarily of agricultural land. The proximity of this area to existing development and the airport means that, of current Green Belt land, this area is the most suitable to accommodate an extension to employment activity.*

Proposal— Shown as 1B on the Proposals Map, this land is allocated for Class B1 development as set out in Policy E3.

- *Area ii(b) – Land to the east of the Brickworks’ site – this area consists primarily of agricultural land.*

Proposal – The site is allocated for leisure uses and open space, with the Westcliff Rugby Club being relocated here with provision of a facility to at least its current standard as shown on the Proposals Map and set out in Policy ENV2. The land remains in the Green Belt.

- *Area ii) – Land to the west of the airport – this area consists of agricultural land and includes an area of high biodiversity.*

Proposal – The land is set aside as a public open space to link to area ii(b) and to provide a green lung for surrounding development as shown on the Proposals Map and set out in Policy ENV2. The land remains in the Green Belt.

- *Area ii(d) – Green Belt land to the south of the Brickworks’ site – this land is currently set out as playing pitches.*

Proposal – This land, shown as Area 2 on the Proposals Map, is allocated for Class B1 development as set out in Policy E3.

- *Area –ii - Land adjacent to the airport boundary at the end of Aviation Way – this area is a naturally defined site where potential expansion of the airport boundary might be appropriate.*

Proposal – This land will be incorporated into a northside extension of the Maintenance, Repair and Overhaul land within the airport boundary as shown on the Proposals Map and set out in Policy MRO2.

- *Area–iv - Aviation Way Industrial Estate – this existing business park has been identified for change because its current use is inefficient as an employment area, it has a poor environment visually and it holds further potential that could be realised. It is intended that the tennis courts at the northern end of the estate will remain in situ and do not form part of the JAAP area.*

Proposal – The aim is to see the existing industrial estate significantly improved in terms of the quality of its public realm and to promote, through policy, opportunities for redevelopment, which will contribute to additional jobs in the JAAP area, as set out in Policy E2.

- *Area– v - Agricultural / amenity area to the south of the airport boundary – this area lies between two residential areas and currently includes a cricket pitch, agricultural land and private allotments. The area is of low amenity value and improvement to the area could enhance the overall character of the JAAP.*

Proposal – This area of land is to be utilised to create a new public open space to provide amenity for neighbouring residents as set out in Policy ENV3.

- *Area–vi - Northern maintenance zone within the airport boundary – an operational airport area, this zone contains a number of opportunity sites identified in the Airport Masterplan.*

Proposal – This area will provide opportunities for enhancement of the airport’s MRO offer as set out in Policy MRO1. Part of the area to the north is identified separately to provide for the extension of MRO activities as set out in Policy MRO2.

- *Area –ii - The Flying Club strip – this area is underused in land terms, holding a small number of flying clubs. Airport proposals see this area becoming the passenger focus for the airport, located around the new railway station and terminal building.*

Proposal - Planning consent was granted for the provision of a new passenger terminal and railway station (both completed) and this area is identified on the proposals map (terminal operations hub) for that purpose, recognising there is likely to be a requirement for expansion of the terminal building and the provision of more car parking facilities, as set out in Policy TF1.

- *Area v–ii - Southern maintenance zone and passenger terminal area – improvements to the airport will lead to opportunity sites within this area to accommodate aviation-related activity.*

Proposal - This area is identified on the Proposals Map as the Southern MRO and Airport Development Zone as per Policies MRO3 and ADZ1.

- *Area–ix - Land east of the railway line – this thin strip of land abuts the railway and Southend Road.*

Proposal - This strip of land is to be retained within the Metropolitan Green Belt to provide a green buffer between the airport and the

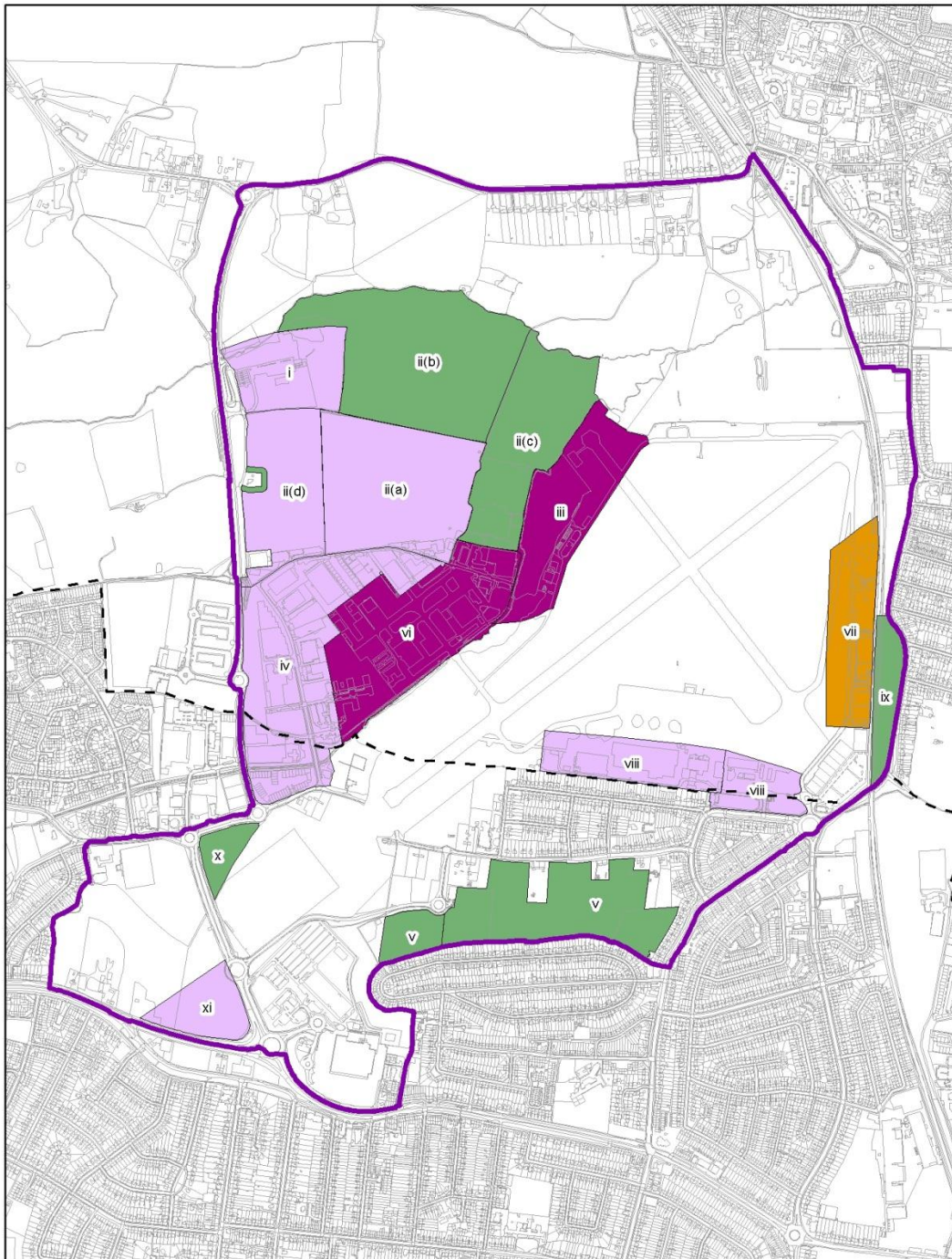
residential properties to the east, as shown on the Proposals Map and set out in Policy ENV6.

- *Area x - Airport RESA – this area is south of the runway and is the safety zone required for airport operation.*

Proposal - This area of land accommodates the extension to the existing runway, and the new link road between Nestuda Way and Eastwoodbury Lane. The new link road has been constructed so as to avoid the safety zone associated with the extended runway. See Policies T1 and LS5.

- *Area–xi - Land south-west of Nestuda Way – the area currently contains football pitches and facilities and agricultural land. While parts of the site are restricted in terms of development, and there are no proposals related to the football facilities, the area does have the potential to provide some additional employment land.*

Proposal –An area of land to the south of the public safety zone is allocated for B1 development, as shown on the Proposals Map and set out in Policy E8 (Nestuda Business Park).



**JAAP Areas for Change -
See text for definitions**

Legend

- JAAP Area
- Borough Boundary



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4. Policies

Summary of Policies

NPPF Sustainability Policy

Employment Policies

Policy E1 - General Development Considerations

Policy E2 - Aviation Way Industrial Estate

Policy E3 - Saxon Business Park

Policy E4 - Phasing of Saxon Business Park

Policy E5 - Development of Area 1A –Saxon Business Park

Policy E6 - Development of Area 1B –Saxon Business Park

Policy E7 - Development of Area 2 – Saxon Business Park

Policy E8 - Nestuda Way Business Park

Airport Policies

Policy LS1 - General Policy

Policy LS2 - Development at London Southend Airport

Policy LS3 - Noise

Policy LS4 - Noise Compensation and Purchase Scheme

Policy LS5 - Airport Surface Access Strategy

Policy LS6 - Public Safety Zones

Policy LS7 - Operation of the New Runway

Policy LS8 - Air Quality Monitoring

Policy TF1 - Expansion of New Terminal

Policy MRO1 - Northern MRO

Policy MRO2 - Northern MRO Extension

Policy MRO3 - Southern MRO Zone

Policy ADZ1 - Existing terminal area

Transport Policies

Policy T1 - Access to development Areas

Policy T2 - Access to Saxon Business Park

Policy T3 - Travel Planning

Policy T4 - Public transport

Policy T5 - Walking and Cycling

Policy T6 - Freight and Network Management

Policy T7 - Network Capacity Improvements

Environmental Policies

Policy ENV1 - Revised Green Belt Boundary

Policy ENV2 - New Public Open Space – North

Policy ENV3 - Green Buffer South

Policy ENV4 - Country Park; Access and Facilities

Policy ENV5 - Green Corridor to Business Park

Policy ENV6 - Green Buffer East of Railway

Policy ENV7 - Environmental Sustainability

Introduction

This chapter of the plan sets out the policies that are intended to deliver the development proposals outlined in Chapter 3. The chapter is divided into four key policy areas dealing with employment, the airport, transport and the environment.

NPPF Sustainability Policy

When considering development proposals the Councils will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this AAP (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- Specific policies in that Framework indicate that development should be restricted.

Employment policies

Introduction

As explained in Section 3, the policy approach is to pursue high scale employment growth within the area that will make a significant contribution to the sub-regions employment aspirations. The aim is to encourage employment for both aviation-related growth (associated with airport growth) and for wider B-class sector growth in the form of a new business park (Saxon Business Park) to the north of the existing Aviation Way Industrial Estate and at land to the west of Nestuda Way alongside an intensification of use with Aviation Way Industrial Estate itself.

General Development Considerations

The employment policies propose that land be allocated to accommodate up to 109,000m² of additional floorspace, with 99,000m² of that total being in a major new business park, Saxon Business Park, north of the existing Aviation Way Industrial Estate, which will accommodate up to 4,950 additional jobs in the area over the planning period to 2031 and beyond. The balance will be located on a small new business park at Nestuda Way, which will accommodate 500 jobs. In addition, it is anticipated that intensification and redevelopment on the existing Aviation Way Industrial Estate will provide a further 15,000m² of floorspace and deliver 750 jobs.

Together, the above allocations will deliver 4,200 additional jobs (excluding direct airport related employment) in the period to 2021 and 2,000 additional jobs in the period post 2021. A further 1,180 additional jobs will be created within the boundary of London Southend Airport in the period to 2021.

Policy E1 - General Development Considerations

The JAAP area will be developed as a strategic employment area to support the delivery of an additional 5380 jobs in the period to 2021, including employment directly related to the airport. This total will contribute to the delivery of the jobs totals for Rochford DC and Southend BC – the apportionment to each district will be based on a 50-50 split of the overall jobs total to be provided within the JAAP area.

The JAAP area will support the delivery of an additional 2,000 jobs in the period post 2021 through further development of the Saxon Business Park and the development of the Nestuda Business Park.

The general principles for the development of the business parks will be set out in design briefs to be prepared and published prior to any development commencing. The design briefs will set out a framework for the general layout, appearance and design principles of the business parks.

Aviation Way Industrial Estate

Aviation Way is a 22 hectare employment area located to the west of the airport and offers a range of office, industrial, and leisure-type premises with current provision amounting to approximately 80,000m². The Airport's Maintenance, Repair & Overhaul (MRO) Northside area is located within the centre of Aviation Way. The JAAP allocated MRO Northside extension area lies adjacent to the north-eastern edge of Aviation Way.

Aviation Way Industrial Estate offers a variety of employment stock ranging from small 'lock-up' establishments to purpose built office accommodation. Generally over 75%- of the employment stock is in a good or very good condition. Large parts of the estate are in non B-class use, most notably the Athenaeum Club and spa, whilst there are a number of areas of vacant or

underutilised land. This offers the opportunity to increase employment space through a combination of restructuring and intensification.

The Aviation Way estate road runs through the employment area and is generally regarded by users to be below standard for this type of access road with some poor surfacing, a lack of street lighting and limited facilities for pedestrians and cyclists. To support these proposals to intensify and enhance the existing employment area, the road has been identified as in need of upgrading to adoptable highway standards, together with designated routes for pedestrian and cyclists and improvements to the southern road junction at Eastwoodbury Lane

Aviation Way provides the closest access to Eastwoodbury Lane, existing bus services and cycle routes. There is an opportunity to link the new business park with Aviation Way for bus access, walking and cycle routes.

Small parts to the south of the Estate, adjacent to Eastwood Brook, are within Flood Zones 2 & 3. As such, development proposals should, in the first instance, be focussed on areas of the Estate that fall within Flood Zone 1. Site specific Flood Risk Assessments (FRAs) will be required to support all planning applications affecting the Flood Zone 2 and 3 areas.

Policy E2 - Aviation Way Industrial Estate

Within Aviation Way Industrial Estate, the area shown as existing employment on the Proposals Map, applications for development within use classes B1 and B2 will be welcomed. It is expected that redevelopment and intensification within this area will accommodate an additional 750 jobs.

A flood risk assessment will be required to be submitted with all planning applications to demonstrate that any development will be safe for its lifetime, without increasing flood risk elsewhere.

Saxon Business Park

The release of land for the provision of a high quality business park is required in order to enable Rochford and Southend-on-Sea to meet the demand for B1 and associated B2 Use Class development generated by the growth of London Southend Airport as well as broader demand in the economic sub-region.

In their review of Rochford District Council's Employment Land Study, GVA Grimley state:

'Our analysis shows that growth in business numbers at Bournemouth Airport was 25% between 2003 and 2007 which coincided with exponential growth in passenger numbers. This gives an indication of the potential for a similar increase in employment demand relating to the expansion of Southend Airport. Further analysis of the B Class commercial floorspace provision at Bournemouth Airport shows that around 180,000 m² is provided within its

environs. This compares to the current provision of 84,000 m² of B Class employment floorspace at Southend Airport. Considering these two factors we estimate that an expansion of Southend Airport may provide additional demand for B Class floorspace of 100,000 m² which can be met by the JAAP proposed provision at Saxon Business Park'

The Homes and Communities Agency's 'Employment Densities Guide – 2nd Edition 2010' sets out 'employment density ratios' for forms of employment development. For office uses these are based upon Net Internal Area (NIA), which is calculated as 80% of gross internal area (GIA).

For business park developments the guide suggests an area of 10m² per full time equivalent job and 36m² per FTE for B2 uses. However, general office development is calculated at one FTE per 12m² and the document suggest a density figure of one FTE per 11.4m² in out of town locations.

In respect to the proposed development at Saxon Business Park this would provide for the following job numbers per phase:

Area 1A – 20,000m² GIA providing for 16,000m² NIA. Assuming a figure of one FTE job per 11.4m² would provide 1403 jobs. However, factoring in a 25% vacancy rate at any time the development would provide 1,052. This is rounded down to 1,000 for the purposes of this document. Consideration may also be given to education uses to complement and support the business park.

Area 1B – 49,000m² of development. Assuming an 80/20 split this would provide 39,200m² GIA of B1 accommodation and 9,800m² of B2 accommodation. For the B1 accommodation, factoring in a 25% vacancy rate, this would provide for circa 2,060 FTE jobs. For the B2 accommodation circa 400 FTE jobs would be provided.

Area 2 - 30,000m² GIA providing for 24,000m² NIA. Assuming a figure of one FTE job per 11.4m² would provide 2105 jobs. However, factoring in a 25% vacancy rate at any time the development would provide 1,578. This is rounded down to 1,500 for the purposes of this document.

The general principles for the development of the business park will be set out in a Masterplan/design brief to be prepared and published prior to any development commencing. The Masterplan/design brief will set out a framework for the layout, appearance and design principles of the business park.

Policy E3 - Saxon Business Park

Within the proposed employment areas shown as 1A, 1B and 2 on the Proposals Map, applications for development will be welcomed which at least deliver, or proportionately contribute in land take towards achieving, the following schedule:

Area	Use class	Floorspace	Jobs
Area 1A	B1/Education	20,000	1,000
Area 1B	B1 and B2	49,000	2,450
Area 2	B1	30,000	1,500

In the case of Area 1B, Use Class B2 uses will be considered acceptable where they complement and support the B1 uses, and strengthen the role of the new employment land as a high quality business park, as set out in other policies within this plan. Whilst, the local authorities do not want to be overly prescriptive about the uses that will be accommodated within the business park, it is expected that the layout will include a number of sustainable and eco-friendly business start-up units.

Supporting non B1/B2 uses may be acceptable where it can be demonstrated that these uses are necessary to support the operation and/or the requirements of employees working in the business park. It is expected that the release of the allocated land will be in phases as specified in Policy E4.

All phases of development will be required to contribute towards new public open space to the north and east of the business park, as shown on the Proposals Map.

Phasing of Saxon Business Park

It is expected that, owing to the current economic climate and to ensure a balance of development between the new business park and established town centre locations, the business park will be released for development in phases. Phases 1A and 1B will be released in the period to 2021 with phase 2 being released thereafter unless it is demonstrated that the phase is required sooner.

Policy E4 - Phasing of Saxon Business Park

The phased release of the business park will be as follows:

It is expected that Area 1A will be developed as the first phase of the business park. Area 1B may be developed in parallel if a development proposal requiring B1 and B2 uses is proposed.

Area 2 will be reserved for development post 2021, unless shown to be required sooner. In any event, this final phase of the business park can proceed only once the Westcliff Rugby Club has been relocated and is operational

Development of Area 1A –Saxon Business Park

This 5.5 hectare site was previously a brickworks which is now no longer operational. Eight terraced properties back onto the brickworks site. An underpass with foot/ cycle/ equestrian access links the site to land west of

Cherry Orchard way (proposed access point for Cherry Orchard Silver Jubilee Country Park). It is understood that the brickworks is now closed as the reserves are exhausted. The buildings have been removed however there are hardstandings remaining and the site has not been restored fully to agriculture.

Development of the site will be subject to the Masterplan/design brief to be prepared and published prior to any development commencing. The Masterplan/design brief will set out a framework for the layout, appearance and design characteristics of the business park.

The Masterplan will include a landmark building providing a key entrance feature to the site. This should be augmented by public art and business park signage clearly articulating the sites identity as a high quality business park. Development of the site will also be required to fund enhancements to walking and cycling provision alongside the provision of a contribution to enhancing public transport.

Policy E5 - Development of Area 1A –Saxon Business Park

The development of Area 1A will include a landmark building and entrance feature/gateway establishing the identity of the area as a high quality business park. In addition, the development of this area will be required to provide a new junction to provide access to the business park from Cherry Orchard Way. The initial section of the new access road and green corridor from the new junction required to enable access to the development may be funded by Southend Borough Council or via other mechanisms such as the Growing Places Fund, but the cost will be recouped as development progresses.

Development of Area 1B – Saxon Business Park

Area 1B lies to the north of the eastern end of Aviation Way Industrial Estate. The site is approximately 12.5ha, is currently used for agricultural purposes and lies within metropolitan Green Belt.

Development of the site will be subject to the Masterplan/design brief to be prepared and published prior to any development commencing. The Masterplan/design brief will set out a framework for the layout, appearance and design principles of the business park.

Development of the site will also be required to fund enhancements to walking and cycling provision alongside the provision of a contribution to enhancing public transport.

Policy E6 - Development of Area 1B –Saxon Business Park

The development of Area 1B will include the extension of the access road so far as this is required to enable the development of the business park prior to the occupation of any buildings.

Development of Area 2 –Saxon Business Park

Area 2 of the proposed Saxon Business Park comprises approximately 8 hectares of land currently used as rugby pitches by Westcliff Rugby Club.

The development of Area 2 will be required to fund the relocation of the rugby club, including setting out the pitches and provision of new club house facilities. This replacement must be at least equivalent to the existing site in terms of the quantity and quality of facility provided and at least equivalent in terms of tenure/management arrangements.

The site is also bordered by the grade II listed building, Cherry Orchard Farm. The Masterplan/Development Brief for the site will be required to incorporate a green buffer zone and landscaping around the building to preserve the rural character of its setting

Policy E7 - Development of Area 2 – Saxon Business Park

The development of Area 2 will be required to fund the relocation of the rugby club, including setting out the pitches and provision of new club house facilities. This replacement must be at least equivalent to the existing site in terms of the quantity and quality of facility provided and at least equivalent in terms of tenure/management arrangements.

Nestuda Way Business Park

The site at Nestuda Way is situated in a prime location with good accessibility to the A127, and the major road network. It lies on the corner of Prince Avenue and Nestuda Way and is currently open land which falls adjacent to the Airport runway public safety zone.

The Homes and Communities Agency's 'Employment Densities Guide – 2nd Edition 2010' sets out 'employment density ratios' for forms of employment development. For office uses these are based upon Net Internal Area (NIA), which is calculated as 80% of gross internal area. Nestuda Way would provide 8,000m² of NIA. The HCA guide suggests an area of 12m² per full time equivalent job. This would provide for circa 666 FTE jobs at Nestuda Way. However, factoring in a 25% vacancy rate would provide for the development supporting 500 FTE jobs.

In view of the current suppressed economic market it is envisaged that the development at Nestuda Way will take place in the period post 2021. This will enable the establishment of the Business Park at Saxon Business Park whilst also supporting the regeneration of Southend Town Centre.

Owing to its location, development of the site will need to be carefully considered to ensure a strong visual frontage to the A127 to the south of the site. The form of the building(s) will also need to be in accordance with the height limitations dictated by its proximity to the Airport Runway Public Safety Zone.

The site is well located in relation to local amenities. However, development will need to fund enhancements to walking and cycling provision alongside the provision of a contribution to enhancing public transport.

The general principles for the development of the business park will be set out in a Masterplan/design brief to be prepared and published prior to any development commencing. The Masterplan/design brief will set out a framework for the layout, appearance and design characteristics of the business park.

Policy E8 - Nestuda Way Business Park

Within the proposed Nestuda Way Business Park applications for development within Use Class B1 will be expected in the period post 2021. It is expected that the site is capable of accommodating 10,000 sq. metres of floorspace, delivering at least 500 jobs. The design, sustainability and quality of buildings within the business park will need to be carefully considered and provide an appropriate visual frontage to the A127.

London Southend Airport

Introduction

It is expected that London Southend Airport will provide a significant boost to the economy of Southend, Rochford and the wider economic area of South Essex both through direct employment at the airport as well as raising the profile of the area for inward investment. However, to support this growth London Southend Airport must be able to accommodate new and future aircraft models that are quieter and more fuel efficient as well as ensuring that aircraft with a seating capacity of up to 150 passengers can reach appropriate and desirable destinations. Therefore, the JAAP sets out a policy framework to support the development of the airport to grow to handle a capacity of up to 2 million passengers per annum (mppa), and significant progress has already been made through an extension of the runway to provide a net useable length of 1,799 metres, a new railway station, terminal, aircraft handling facilities and a hotel.

It is anticipated that the airport will be used primarily for passengers supporting a number of Fixed Based Operators (FBOs). However, it is also expected that the airport will see growth in its existing maintenance, repair and overhaul facilities (MRO) supporting the provision of a range of high skilled jobs in the area. It is not considered desirable for the airport to handle significant volumes of freight due to its location and the pressure that this would place on the local and wider highway network, although it is recognised that some growth in the handling of niche (high value, low volume) cargo could be taken forward without compromising the airport's core passenger and MRO functions.

Expansion is, however, only acceptable if it is undertaken subject to strict environmental controls, which will ensure that the environment of Southend,

Rochford and the wider area is not significantly affected. This will include environmental scrutiny of any proposed developments (including Environmental Impact Assessment). Controlling aircraft noise is particularly important as the airport is situated close to residential areas. The airport operator will be required to publish for scrutiny an annual statement reporting on the performance of the airport. Details of the matters to be included in the annual statement are set out below and may be included in the joint planning authorities respective Annual Monitoring Reports. The runway extension and increased terminal facilities will enable the imposition of operational controls designed to mitigate environmental impacts.

London Southend Airport is located close to the A127 (part of South Essex's strategic highway network), whilst the Southend-London Liverpool Street railway runs adjacent to the eastern boundary of the airport. Notwithstanding these strong connections the transport infrastructure is, at present, inadequate to cope with expansion of the airport to 2mppa and various improvements have taken place including: a new railway station (complete); the provision of a link road between Nestuda Way and Eastwoodbury Lane to link the airport directly to the A127; and others are required including junction improvements and investment in public transport, walking and cycling (particularly for those working on the airport). These improvements are set out in more detail in the transport section of the plan.

General principles

It is important to recognise that London Southend Airport (LSA) is a fully operational, regional airport. The central principle of the JAAP is that the airport can expand its operations to enable up to 2 million passengers to be carried annually. The Future of Air Transport White Paper published in 2003 recognised that LSA could play a valuable role in meeting local demand, and contribute to regional economic development, and its development is supported subject to relevant environmental considerations.

More than half of the national total of air journeys are made through South East airports, and the total population within a 60 minute journey time to LSA is approaching one million. That being the case, it is expected that LSA will play a valuable role as a regional airport carrying a modest number of passengers from the catchment, thus obviating the need for longer journey times to the other South East airports.

The grant of planning consent for the runway extension has provided the opportunity to introduce a comprehensive set of controls over night flights, and a route preference scheme through a new s106 agreement. The new section S106 is expected to apply to subsequent planning applications as appropriate.

The JAAP seeks to promote economic development in South East Essex through the expansion of the airport and the development of new high quality business parks. The much needed economic development must not be at the expense of a worsening of the environment and quality of life for those living

in the area, but the extended runway with the appropriate controls has enabled the operation of modern, quieter, fuel efficient planes that have a smaller environmental impact on the area.

In the mid-60s, 60,000 tonnes of freight were carried through the airport, but this has declined to the extent that there are very few heavy cargo planes using the airport. It is though envisaged there is a market for niche freight operations, particularly high value freight, to be carried through LSA, but the JAAP does not promote the airport as a freight hub or a location where significant volumes of low value freight will be handled. It is not envisaged that the development of the airport business will be through a significant expansion of the air freight business and controls over routing of aircraft on both take off and landing will be included in any planning permissions that are granted for the development of the airport. In addition, there will be an agreed noise quota applied to all flights outside the specified operational hours for the airport.

Planning does not normally deal directly with the value of properties, but it should be recognised this is not a new facility; the airport has been fully operational in one form or another for more than 75 years and its role as a regional airport has long been recognised.

Matters have been raised about noise and its potential impact generally on quality of life, but also on specific locations such as schools. Noise is dealt with in detail under Policies LS2, LS3 and LS7, but is recognised as being a key issue for attention if the airport is to realise its potential without impacting on quality of life. Given the MRO businesses operating at the airport, the noise from ground testing is also recognised as an environmental impact that must be controlled.

There has been much speculation about the frequency of commercial passenger flights were the airport to reach an operational level of 2 million passengers per annum (mppa). The planning authorities take the view that by 2020 growth to about 2 mppa would be made up of:

- Regional airlines carrying 0.4 mppa and flying 60+ services weekly on 6 UK domestic and Irish routes.
- Low cost carriers carrying 1.2 mppa on a network of services to southern/central European destinations.
- A regional low cost airline flying 2 daily services to internal or nearby continental European destinations⁵.

It is assumed that by 2020, with the extended runway and other development including the railway station delivered, there would be a total of about 53,300 aircraft movements per year. It is anticipated this total would breakdown as follows:

Table 1

⁵ Avia Solutions – report name and date

Aircraft movements in 2020	Total
Commercial air transport movements	
- regional passenger air transport movements	13,600
- low costs passenger movements	10,700
- cargo air transport movements	2,100
Total	26,400
Other aircraft movements	
- business aviation, air taxis and private movements	14,000
- aero club movements	7,500
- maintenance, test & training, military, etc	5,400
Total	26,900
Total aircraft movements in 2020	53,300

In order to monitor and manage the operation of the airport, as well as putting in place a series of strict controls, the airport operator will be required to publish an annual statement to include a report on each of the following matters:

- The effectiveness of Airport Surface Access Strategy (ASAS) and associated travel plan;
- Details of local employment initiatives and the effectiveness of arrangements to give priority to local workers;
- The effectiveness of the quiet operations policy and performance of noise monitoring procedures, as per the details set-out in this plan;
- A summary of any noise complaints received within the preceding twelve months from the public associated with the airport and any action taken to mitigate adverse effects identified;
- A summary of air quality monitoring results from an air quality monitoring programme;
- Details of progress on the implementation of a carbon and environmental management plan;
- A summary of progress on sustainable procurement;
- The number of ATMs falling within the exceptions allowed for in the airport controls set out in this plan, including reasons why such flights were considered as exceptions;
- The performance of the preferred runway procedures;
- Details of any breaches of ground noise, night operations or other restrictions on operations.

Airport Policies

The JAAP supports, in principle, the expansion of London Southend Airport to handle up to 2 million passengers per annum. The expected mix of air traffic movements that would deliver 2 mppa is shown in table 1. Both Councils expect the number of ATMs in 2020 to be of the order of 53,300, based on the development case with an extended runway as proposed in Policy LS6.

Policy LS1 – General Policy

The operational boundary of London Southend Airport will be as shown on the Proposal Map, and both Councils will support the growth of the airport to a capacity of up to 2 million passengers per annum.

Planning applications for development

The plan sets out a framework against which to judge the suitability and acceptability of planning applications. Policy LS2 is intended to provide parameters against which to judge planning proposals, with a key consideration being the application of environmental controls. The policy is linked to a schedule detailing a comprehensive list of noise and operational controls that will be applied to any consent for airport development. It is expected that these controls will be incorporated into a Section 106 obligation and/or planning conditions.

The airport operator is preparing several policy documents to set-out how the airport will function both in terms of minimising environmental impacts, but following a sustainable operating strategy. The policy documents include:

- Airport Surface Access Strategy (ASAS)
- Travel plan
- Local employment policy
- Noise Action Plan
- Quiet operations policy
- Air quality monitoring programme
- Carbon and environmental management plan
- Sustainable procurement policy
- Preferred runway procedures plan

Policy LS2 – Development at London Southend Airport

Applications for planning permission will be welcomed provided they:

- ***are airport related;***
- ***deal with noise issues as set out in the controls appendix and other policies in this plan;***
- ***include measures to monitor air quality;***
- ***contribute to the transport infrastructure needs of the area; and***
- ***incorporate sustainable transport measures that will make an appropriate contribution towards the targets for modal shift of passengers, visitors and staff travelling to the airport.***

Noise controls

The controls appendix specifies the arrangements for controlling noise and operations, but it is important to ensure arrangements are in place for regular reporting of activities and progress on the delivery and implementation of the various plans, including the quiet operations plan, airport surface access strategy and the preferred runway procedures plan. The policy requires the preparation of an annual statement to report on all matters relevant to the operation of the airport, but particularly noise.

The airport has prepared a Noise Action Plan in accordance with the Environment Noise (England) Regulations 2006 and this covers noise reduction measures for the base case and development case scenarios. The Action Plan sets out the measures to be implemented over the next five years, or as relevant development schemes are completed. The policy requires an annual statement to be published to explain in full how the Noise Action Plan is performing, but also refers to the detailed measures for controlling noise, air quality, etc. set out in the controls appendix, part of this plan.

Policy LS3 – Noise

The airport operator will be expected to publish an annual statement demonstrating how the Quiet Operations Policy is performing against limits and what measures are being implemented to address noise. In addition, the airport operator must have regard to the controls appendix and other policies in this plan.

Noise Compensation and Purchase Scheme

The Noise Action Plan prepared by the airport demonstrates that a small number of properties will be affected by noise levels of 69dB_{L_{Aeq}} and a further number will be affected by lower noise levels of 63dB_{L_{Aeq}}. In the case of the former, a property purchase scheme will be created so that residents in affected properties are given the opportunity to sell their house to the airport at an agreed valuation. For properties affected by the lower level of noise, a noise insulation grant scheme will be created to cover the costs of installing double glazing or other appropriate means of sound insulation.

Policy LS4 – Noise Compensation and Purchase Scheme

The airport operator will introduce a Noise Compensation and Purchase Scheme within 18 months of bringing into use the extended runway, in accordance with the controls appendix and other policies in this plan.

Airport Surface Access Strategy (ASAS)

An airport surface access strategy is considered to be an essential prerequisite to any scheme for development at the airport. This must be prepared in accordance with the guidance prepared by the then Department of Environment and Transport in July 1999, and include a travel plan.

The ASAS considers appropriate arrangements for all modes of transport, with a particular focus on modal shift and sustainable travel. In particular, it considers the implications of development for the road network, the opportunities for better public transport, and access for cyclists and pedestrians. The first version of the ASAS has been prepared, but this must be regularly updated in accordance with the policy.

Policy LS5 – Airport Surface Access Strategy

The airport operator will ensure that the Surface Access Strategy is updated when the passenger throughput at the airport reaches 1 mppa and again at 1.5 and 2 mppa. The Strategy should have regard to other policies of this Plan, the Local Transport Travel Plans for Essex and Southend, and national policy and programmes. Progress on, and performance of, the Surface Access Strategy must be reported annually, to include identification of emerging issues and proposed actions. The local and highway authorities will request a review of the Strategy as necessary in response to performance of the Strategy, emerging issues, changed circumstances or changes to national, strategic or local policies.

Public Safety Zone

The details of arrangements for the control of development in airport public safety zones are set out in DfT Circular 01/2010 (replacing Circular 1/2002). The Circular sets out the basic policy governing the restriction on development near civil airports that there should be no increase in the number of people living, working or congregating in public safety zones (PSZs).

PSZs are based on risk contour modelling, a process which assesses the likelihood of a person remaining in the same location for a year being subjected to a particular level of risk of being killed as a result of an aircraft accident. The areas of the PSZ correspond to the 1 in 100,000 individual risk contours calculated for each airport and based on forecasts about numbers and types of aircraft movements fifteen years ahead. That being the case, whilst the policy seeks to reinforce that, in accordance with the Circular, limited types of activity or development will be accepted within a PSZ. It also recognises there will be a potential need for the Civil Aviation Authority to review the boundaries of the existing PSZs to take account of the expected change in traffic over the coming years and runway extension.

Policy LS6 – Public Safety Zones

Within the defined Public Safety Zones (PSZ), as shown on the Proposals Map, planning permission will not be granted for:

- ***development or changes of use, which would result in an increase in the number of people within the zone; or***
- ***development that would adversely impact upon the safe operation of London Southend Airport;***

Further details of the restrictions on development within the PSZ can be found in Department for Transport Circular 01/2010. It is expected that the current Public Safety Zone for London Southend Airport will be reviewed following the extension to the runway.

Runway extension

The extension of the existing runway by about 300 metres is an essential component of the overall package that will support the development and growth of the airport to be able to handle up to 2 mppa.

The extended runway has an operational length of 1,799 metres as the declared maximum take-off distance available (TODA). This means that airport continues to be categorised as a Code 3 aerodrome. The extended runway is in fact 1,905 metres in length to allow for a take-off length on runway 06 equivalent to that provided for runway 24. Effectively, this would mean the runway becoming balanced to allow, subject to air traffic control, weather conditions, etc. the opportunity for better utilisation and take-off in either direction. The runway extension also incorporates a turning head.

The extension to the runway results in the following operational changes:

- for aircraft landing on runway 24, the runway threshold is displaced about 100 metres to the south-west. As a result the runway end safety area (RESA) extends from 90 to 150 metres with a width of 150 metres which means that aircraft will be slightly higher as they come into land over Rochford.
- In the case of take-offs from runway 24, the start of the roll remains at the north-east end of the runway paved surface and finishes allowing sufficient space within the proposed airport boundary to provide a 240 metre overrun RESA in line with CAA requirements.
- For aircraft landing on runway 06, the landing threshold is displaced about 420 metres further to the south west than the existing runway - aircraft using an ILS would approach with a slightly higher angle of descent.
- In the case of take-offs from runway 06, larger aircraft will commence from the turning head, and would be 380 metres further to the south-west when they start to roll.

In summary, the runway extension allows airlines to operate larger aircraft with increased passenger seating capacity, such as the Embraer 195, Airbus 319 and smaller models of the Boeing 737.

Whilst the operational benefits arising from the runway extension are important, it is the economic impacts of the development that provide the significant benefits for the community, with substantial benefits for people in the local area and the wider region, through income growth, economic structure, regeneration, skills and employment⁶.

⁶ Southend Airport Economic Impact Assessment, Optimal Economics, September 2009

Operation of the extended runway

The joint planning authorities consider it to be essential for strict operating conditions to be applied to the airport for operation of the new runway extension.. The controls are set out in the controls appendix referred to in the policy.

Policy LS7 – Operation of the New Runway

In relation to the operation of the new runway extension the Airport must adhere to the details set out in the environmental controls schedule, to be delivered through conditions or a S106 Agreement, as appropriate.

Air Quality Monitoring

It is considered that an essential part of the monitoring and controls for a modern airport must include careful monitoring of air quality. The policy sets out the key requirements for monitoring and action to be taken if there is evidence of a breach of air quality standards.

Policy LS8 – Air Quality Monitoring

The airport operator will be required to maintain an air quality monitoring system to include:

- ***periodic measurement and publication of air quality data;***
- ***the preparation of an Air Quality Management Plan; and***
- ***A rolling five year review of air quality using the year that the runway extension becomes operational as the base year (2012).***

Should the increased operations lead to breaches of statutory air quality standards then the Councils will be required to consider introducing an Air Quality Management Area, notwithstanding any lease or S.106 provisions.

Emissions from surface transport will be tackled through the implementation of a travel plan.

Expansion of the new terminal

Outline planning permission was granted in 1999 for the construction of a new terminal with a floor area of 4,500 m², together with a railway station, car park and new apron to accommodate five aircraft parking stands. In 2004, reserved matters were approved for the outline consent and construction of the railway station commenced in 2009 and was completed in 2011

When the outline consent for a new terminal building was considered, it was expected it would have a nominal capacity of about 500,000 passengers per annum. Since it is now expected the airport will grow to be able to handle up to 2 mppa, there will be a need to extend the new terminal.

Policy TF1 – Expansion of New Terminal

Applications for planning permission for the expansion of terminal facilities will be welcomed in the area shown on the Proposals Map to enable growth to 2 mppa, but subject to the details set out in the environmental controls schedule, to be delivered through conditions or a S106 Agreement, as appropriate.

Maintenance, repair and overhaul functions

The airport has a long history of offering maintenance, repair and overhaul facilities, and it is considered that any opportunities to enhance and develop these facilities will be a key part of the employment offer.

Northern MRO and Northern MRO Extension

The Northern MRO and Northern MRO extension are within an area at high risk of flooding. It will therefore be necessary to consider the requirements for a sequential test and subsequent flood risk assessment before development is brought forward. MRO development by its very nature cannot be delivered outside the operational boundaries of the airport, since airside access is an essential pre-requisite. That being the case, it is possible to demonstrate that there are no reasonably available sites in areas with a lower probability of flooding that would be appropriate to MRO development, other than sites within the airport which are also earmarked for development. MRO development would fall within the 'less vulnerable' category set out in the Technical Guidance to the National Planning Policy Framework (March 2012).

For development in the Northern MRO and Northern MRO extension, there will be a requirement for improvement to be carried out to Aviation Way. This requirement is set out in Policies MRO1 and MRO2, but the details are specified in Policy T1.

Policy MRO1 – Northern MRO

Applications for airport related MRO developments (e.g. increased hangerage and aircraft maintenance facilities) will be welcomed in the Northern MRO Zone as shown on the Proposals Map. All applications will be required to make a financial contribution towards the upgrade of the junction at the southern end of Aviation Way and improvement of Aviation Way in accordance with Policy T4. A flood risk assessment will be required to demonstrate any development will be safe, without increasing flood risk elsewhere.

Policy MRO2 – Northern MRO Extension

Applications for airport related MRO developments (e.g. increased hangerage and aircraft maintenance facilities) will be welcomed in the Northern MRO Zone Extension as shown on the Proposals Map. Access to the new MRO Zone will be from an extension to Aviation Way funded

by the development. All applications will be required to make a financial contribution towards the upgrade of the junction at the southern end of Aviation Way and the improvement of Aviation Way in accordance with Policy T4. A flood risk assessment is required to demonstrate any development will be safe, without increasing flood risk elsewhere.

The development will be required to make a contribution towards the new public open space to the west of the site as shown on the Proposals Map – the details are set out in Policy ENV2.

Southern MRO

Land at the southern end of the airport presents a further opportunity for additional MRO development, and this may include options for fixed base operators and limited handling of freight.

Policy MRO3 – Southern MRO Zone

Applications for airport related MRO developments (e.g. increased hangerage and aircraft maintenance facilities) will be supported in the Southern MRO Zone as shown on the Proposals Map, including a fixed base operator and limited freight handling, and any other operations or activities required to support the development of the airport, in accordance with other policies in the plan.

Existing terminal area

The existing terminal building and related land present development opportunities. However, it is not considered appropriate to accept any form of retail development within this part of the airport.

Policy ADZ1 – Existing terminal area

Within the Airport Development Zone, applications for airport related development will be welcomed, provided it can be demonstrated they will support the expansion of the airport to its capacity of 2 mppa or support the enhancement of the airport's MRO capabilities. Applications for retail development will not be supported.

Environmental controls schedule

- The daytime operating hours will be 06:30 to 23:00 local time;
- There will be an annual cap on total aircraft movements of 53,300, excluding emergency flights, military flights, government business flights, police flights or flights of QC exempt aircraft - diversions will not be classified as emergency flights;
- The total number of ATMs by Boeing 737-300 aircraft shall not exceed 2,150 per annum (the 300 is a first generation version of the 737).
- There will be a limit of 120 ATMs per month (termed 'the quota') outside of the daytime operating hours, excluding emergency flights, etc.;

- No aircraft with a QC of more than one (EPNDB > 92.9), or any helicopter shall operate outside of the daytime hours except for emergency flights, unforeseen diversions, or where there are delays resulting from weather conditions, industrial action, etc. that are beyond the control of the aircraft operator;
- A maximum of 90 passenger flights each month can be scheduled to arrive between 23:00 and 23:30 local time, subject to such flights being included in the monthly quota for aeroplanes outside the operating hours;
- The total number of cargo related ATMs to be limited to 5,330 per annum or 10% of the total number of aircraft movements, whichever is the lesser;
- There will be a Preferential Runway Usage Scheme whereby all aircraft will land from the north east (using runway 24) and take-off to the north east (using runway 06), where movement volumes allow, and subject to this arrangement being adjusted for safety reasons, to take account of weather conditions, the performance of the aircraft and requirements of air traffic control;
- Fewer than 50% of landings in daytime hours to be from the south-west, and fewer than 50% of all landings and departures in daytime hours to be from the south-west when assessed annually.
- No aircraft with a noise level exceeding QC2 shall take off or land at any time, unless they are emergency flights, military flights, government business flights, police flights or there are unforeseen circumstances such as weather conditions or industrial action. In addition, during the daytime operating hours, aircraft up to QC4 may use the airport for maintenance purposes and the total QC2 to QC4 aircraft movements will be limited to 60 per annum, but if the number exceeds 60, compensatory adjustment may be acceptable in the following quota year;
- The level of aircraft movements will be based on a 12 month rolling monitoring period to allow for adverse weather conditions. This will ensure that flying activity will minimise any nuisance to densely populated areas during the operating hours;
- Departing aircraft over 5.7 tonnes shall follow a specified preferential route, subject to safety, weather, air traffic control and aircraft performance. The airport will monitor airlines and levy fines on operators who consistently fail to comply with the agreed procedures. Regular reports will be presented to the Airport Consultative Committee, to include details of any fines collected and how the funds will be used;
- The airport operator will be required to fund the installation of fixed noise monitoring stations to enable the appropriate monitoring and control of the preferential routes and night time noise, and to prepare annual reports;
- Introduce and manage a noise complaints service;
- Within 18 months of the bringing into use of the extended runway the airport shall introduce:
 - i. a Property Purchase Scheme - providing for the offering to purchase of properties affected by both high levels of noise (69 LeqdB(A) over the period 0700-2300hrs or more) and an increase in noise equating to 3 LeqdB(A) or more; and
 - ii. a Noise Insulation Grant Scheme - offering to pay 100% of the cost of installing secondary double glazing or 50% of the cost of

installing primary double glazing to any residential property which suffers from both a medium to high level of noise (63 LeqdB(A) over the period 0700-2300hrs or more) and an increase in noise equating to 3 LeqdB(A) or more.

For the purpose of these schemes the standard mode long term average noise contour for the first full 92 day summer period in which the extended runway is in operation shall be taken as the base year from which to apply these measures;

- Repairs to be carried out to any roofs damaged by wake vortex turbulence;
- The provision of a second instrument landing system to cater for approaches from the south west.
- Appropriate arrangements to deal with ground noise, including limitations on the hours allowed for engine testing (0800 to 2000 Monday to Friday, 0800 to 1800 on Saturday and 0900 to 1800 on Sunday);
- The introduction of an air quality monitoring programme, and a carbon and environmental management plan.

Transport Issues

The following key principles outlined below will be applied in relation to all development within the JAAP area:

- direct development to sustainable locations;
- minimise travel demand (through the implementation of travel plans);
- manage residual demand to constrain flows within the existing capacity of the highway network;
- traffic generated by JAAP development will be directed to the principal routes and discouraged from using local access roads; and
- implement capacity enhancement only as a final measure, delivered through the Plan-making process.

Introduction

Better transport infrastructure and connections, improved accessibility and frequency of public transport services as well as greater transport choice are vital components for, and key to, the successful delivery and implementation of the JAAP policies and proposals.

Improvements to the existing highway network to manage the increasing demand placed upon the transport system, as well as the introduction of new highway infrastructure will support these outcomes along with the encouragement and use of sustainable, low carbon transport.

The proposed high quality and sustainable business parks and the existing industrial estate will benefit from improved infrastructure allowing employees and customers to easily access employment opportunities and services by appropriate modes. A similar approach will be taken with transport and movement at London Southend Airport for passenger and employees accessing the terminal and maintenance repair and overhaul related employment zones.

The improvements proposed will not just be focused on improved accessibility by car through junction improvements and new roads. Southend Borough Council and Rochford District Council are seeking to achieve a modal shift away from reliance on the car. The JAAP area provides a good opportunity to widen travel choice, support behavioural change and encourage employees and customers to seek alternative ways of travelling to work and to access services. Through the widespread application of Travel Plans, the aim will be to provide a realistic, cost effective and reliable alternative option to the car. Significant improvements to public transport services, walking and cycling facilities to the employment areas and the implementation of company/area wide travel plans together with a package of mobility management measures (smarter choices) will be put in place.

In addition to these improvements the London Southend Airport has provided a new railway station with access to London Liverpool Street and Southend Victoria via all connecting stations.

Wider strategic transport issues, such as capacity, connectivity, movement and management of the A127, will be addressed through the Local Transport Plans for Southend and Essex County Council and opportunities for funding for Major Schemes via the South East Local Enterprise Partnership (SELEP) and the emerging Local Transport Body as well as appropriate contributions from developers.

Essex County Council, Southend on Sea Borough Council and Rochford District Council have agreed a joint approach to strategic transport modelling and network analysis in order to identify the potential increase in vehicle and passenger movements into and through the JAAP area. This supports the development of transport solutions and measures to address them over the medium to long term in the immediate and wider area affected. This will be followed by a joint approach by the highways authorities to the pursuit of funding opportunities in order to deliver the necessary transport solutions.

Transport Assessments will be required as part of the planning application process in line with Essex County Council/DfT TA guidelines. Developers will be required to agree the scope of the submitted material. All TAs will be required to demonstrate compliance with the Southend on Sea Multi Modal Transport Model.

Access to Development Areas

It is essential that this new employment land is supported by improvements to, and upgrading of, junctions to provide improved capacity, connectivity and access to the existing industrial area on the Aviation Way. In order to provide this, it will be necessary to consider what the minimum access requirements might be needed to service the phased development of the Saxon Business

Park in advance of constructing the new access from Cherry Orchard Way. To release land for early phased development, and to allow greater flexibility, a link from Aviation Way would be required, which would also include access for future bus services.

This approach would require the same strategic transport modelling as described above and would provide a greater level of flexibility for balancing traffic flows and demand on the network.

In the longer term development of the Masterplan will inform decisions as to the most appropriate access arrangements for the whole site.

It is proposed that a modified junction (Aviation Way/Eastwoodbury Lane) will be required to provide better access to Aviation Way, including greater provision for pedestrian access and cycling. Overall improvements to Aviation Way, which includes the highway, will provide a safer, more legible and accessible environment for employees and customers wishing to access employment and services.

Policy T1 - Access to Development Areas

An access road and junction from Cherry Orchard Way will be required as outlined in policies T2 and E5.

Consideration will be given to access to the new business park from Aviation Way dependent on the need identified in the phasing of development and provision for future bus services.

In order to support the above and redevelopment of the Aviation Way Industrial Estate and to allow for the expansion of the Northern MRO, a modified junction will be required at the intersection of Aviation Way and Eastwoodbury Lane as a result of planned intensification of uses at the industrial estate. In addition highway and traffic management improvements will be required to Aviation Way, including public realm, safety and greater provision for walking, cycling and bus services linking to the wider business park.

New development on Aviation Way Industrial Estate and within both the existing and extended northern MRO zone will be expected to make a contribution towards the cost of the upgrade to the junction at Eastwoodbury Lane and Aviation Way, and the public realm and road improvements on Aviation Way.

Infrastructure improvements will be phased to require the junction improvements to be undertaken first, followed by improvements to Aviation Way

A Green Link through the site will be required as part of the master planning and linking into the surrounding network as mentioned in E3.

Access to Saxon Business Park

It is anticipated that access to the new Saxon Business Park will be from a new junction on Cherry Orchard Way as shown indicatively on the Proposals Map. The detailed planning for the location of access road will be developed with the Development Brief/Masterplan for the Business Park so that phasing of development and the requirements of potential occupiers may be taken into account. Nevertheless, consideration has been given to the impact of traffic turning right from the Saxon Business Park to use Hall Road and other local roads in Rochford for their journey. Whilst the traffic modelling shows there is expected to be no negative effects on the road network caused by traffic turning right from the new junction, there is nevertheless concern about the impact this may have and, as a result, it is proposed to prevent right turning movements for traffic leaving the business park to direct traffic to the major road network, while still allowing buses to make this movement. Further analysis of traffic movements and the design of the traffic controls will be considered through the preparation of the masterplan.

Policy T2 - Access to Saxon Business Park

A new junction access will be required to serve the Saxon Business Park from Cherry Orchard Way. The new access to Saxon Business Park will incorporate a no right-turn restriction for traffic (except buses) leaving the estate. The location for the junction and access road to the Business Park will be developed through the Development Brief/Masterplan.

Travel Planning

A significant element of the transport strategy for the JAAP area will be the development and implementation of robust Workplace Travel Plans. A well coordinated area wide Travel Plan will help the Business Park achieve its full potential and facilitate economic growth in the local area.

The site is adjacent to the new rail station connecting it to the employment pools of London, Southend and the wider region. There is an extensive bus network in Southend which links to the JAAP area and with key improvements the site will be more directly accessible to a wider area. Improved information and reliability for passengers will make it an attractive mode of travel for employees. Most of Southend and Rochford is within a reasonable cycling distance of the JAAP area. Another attractive aspect of the site is its proximity to the A127 and a JAAP area travel plan has great potential to support an effective car sharing scheme, which will reduce travel costs for employees and the cost of providing extensive parking by employers. The Travel Plan will comprise infrastructure, initiatives and incentives to help realise the potential of sustainable transport to the area.

Developers will be encouraged to adopt an integrated approach to travel plans, whereby, the resources of developments within the JAAP area are pooled and co-ordinated to provide the opportunity for increased levels of

benefit to employees of the JAAP area; this may include a co-ordinated approach between developments, where feasible and practical.

Travel plans must be submitted alongside planning applications, and they should be developed in consultation with the local authority and local transport providers. They should outline the range of infrastructure and initiatives to be provided and pursued to ensure the plan's success and have measurable outputs, and targets agreed with the Highway Authorities and should set out the arrangements for monitoring the progress of the travel plan to ensure that agreed objectives are met.

It will be necessary for travel plans to be developed in conjunction with arrangements for parking management to ensure disruption is not caused to neighbouring residential areas.

London Southend Airport and businesses operating within the JAAP area will also be expected, where possible, to rationalise the movement of delivery vehicles i.e. the routes and times for delivery to ensure that their impact on road and junctions during peak hours is minimised.

Policy T3 - Travel Planning

All applications for development within the JAAP must be accompanied by a comprehensive travel plan explaining the arrangements for car parking and for managing the journeys of staff to and from the area, and also include stretching targets and details of arrangements for monitoring and review. In addition, individual businesses will be expected, where possible, to rationalise the movements of delivery vehicles to minimise their impact and penetration of the JAAP area during peak hours of operation, including providing a strategy and monitoring framework for vehicle movements for review over an agreed timeframe.

Public Transport, Walking and Cycling

The development must create places that connect with each other sustainably, providing the right conditions to encourage walking, cycling and the use of public transport. The aim will be to establish a high quality, safe, secure and reliable network of routes integrated into the local network, with good interchanges, which match patterns of travel demand in order to maximise the potential usage of public transport, walking and cycling.

High quality passenger sustainable transport services to both Rochford, Southend and wider Essex will be required. These must include access between the sites and the new airport rail station as well as high quality information and waiting areas and a well appointed transport hub.

A cycle journey of no more than 5km (15 minutes) in road distance would encompass the vast majority of the residential districts of Southend on Sea and Rochford. As such there will be a sizeable local population that could

easily travel by cycle to work in the JAAP area, if the infrastructure to allow for safe and practical travel is delivered.

A network of walking and cycling routes within the development area will be required which will be well integrated into the surrounding network and provide improvements to key links to and from the development.

Funding will be required to achieve improvements to public transport, walking and cycling, where such measures would be likely to influence travel patterns to the site involved, either on their own or as part of a package of measures, and to provide more sustainable forms of transport for those employed within the area and those using London Southend Airport and related facilities.

The successful Southend Local Sustainable Transport Fund application to the DfT supports a package of sustainable travel measures boosting access to the growing employment areas of London Southend Airport/Business Park and town centres, designed to reduce the current and future demand for short distance car journeys and CO2 emissions. This directly supports the creation of new jobs and planned housing in Southend and Rochford and contains a series of interdependent measures building on quality cycling and walking routes, public transport marketing and communications, partnerships, travel planning, and complimentary Integrated Transport Management Systems.

Policy T4 - Public Transport

In order to manage traffic growth, provide good levels of accessibility and ensure that the JAAP area is sustainable, a comprehensive network of quality bus services will be required serving the transport needs of the Southend/Rochford and wider Essex catchment area, particularly linking to the new airport railway station and other transport interchanges. The levels of frequency, quality, reliability, realtime information, provision of smartcards and quality of waiting facilities and interchange and any bus priorities required, will be established through the developing transport strategy. The Developers will be required to make a contribution to the establishment of quality bus services and related infrastructure, to meet the needs of those working at or visiting the JAAP area.

Policy T5 - Walking and Cycling

All development will be required to contribute towards the timely construction of new, as well as improvement to existing, walking and segregated cycling infrastructure and facilities in the JAAP area and the integration of these facilities into the wider network.

Specifically development will be required to contribute towards, but not exclusively, the following improvements:

- ***The establishment of a segregated route for walking and cycling to the north of the JAAP area linking to Hall Road funded through Saxon Business Park phases 1A and 1B;***

- ***Improving cycling and walking linkages between Cherry Orchard Way and Nestuda Way funded by Saxon Business Park phases 1A and 1B;***
- ***Improve walking and cycling by enhancing accessibility, providing secure cycle storage and changing facilities for workers and visitors and appropriate training for cyclists; and***
- ***Towards a network of routes identified in the emerging transport strategy.***

Freight and Network Management

Journey time reliability for employees, suppliers and customers is vital in order to attract businesses to an area. The management of the local and strategic network around the business parks will be necessary to ensure that congestion is kept to a minimum and that incidents are managed effectively. The Highways Authorities and businesses within the JAAP area will work together to develop a Traffic Management Plan for the network around the JAAP area, this will include interventions such as: Real Time Information, Variable Message Signing and incident management. In addition the plan will manage freight trips within, and to and from the JAAP area by specifying that where possible designated routes and times for freight movement are adhered to in order to minimise the impact on local residents and peak time operation of the business parks.

A review of local traffic management, parking and directional signage will be carried out to ensure that local roads are not adversely affected by traffic generated by the JAAP developments. Signage to the JAAP area will be consistent with good network management principals of keeping traffic on the main access routes ie A127, A1159 and B1013. Signage for airport traffic and business park will distinguish between the different locations to ensure that drivers have a clear understanding of routes destinations.

Policy T6 - Freight and Network Management

Development will be expected to contribute to the delivery and implementation of a joint network management plan. The plan will include interventions to provide information and manage incidents. It will expect businesses, where possible and appropriate, to adhere to designated routes and times for freight movement in order to minimise the impact on local residents and peak time operation of the area. This policy will be implemented in conjunction with Policy T2 – Travel Planning.

Network Capacity Improvements

It is important to keep the network around the development area flowing both for the optimum functioning of the Airport, businesses and for local residents.

Junctions which are forecast to be at or approaching capacity will require improvements to provide extra capacity and reduce congestion.

- i. Capacity improvements to the strategic network should ensure that the majority of traffic uses this route. Junctions on the A127 that will require capacity improvements over the period of the JAAP area development include (but not exclusively):
 - The Bell (A127/Hobleythick Lane/Rochford Road);
 - Kent Elms Corner (A127/A1015; and
 - Tesco's roundabout (A127/B1013).

- ii. Capacity improvements on key junctions on the local network will also be required, those that should be taken forward include (but not exclusively):
 - Southend/Sutton Road (The Ann Boleyn roundabout);
 - The Sutton Ford bridge scheme requires further capacity to cope with forecast PM peak demand;
 - Ashingdon Road/West Street Roundabout;
 - Minor improvements will be required to the Hall Road / Cherry Orchard Way junction to accommodate forecast flows; and
 - Further work is required to confirm the layout and control of the JAAP site access junction.

- iii. In the longer term it may be necessary to build more capacity into the network with an east-west link.

Policy T7 – Network Capacity Improvements

Development will be required to contribute to measures to improve affected junctions and provide the capacity required to ensure that the junctions work effectively during the peak period. In addition, both Councils will take every opportunity to seek investment from other sources to deliver network capacity improvements.

Environment policies

National Policy makes it clear that once the general extent of a Green Belt has been approved it should be altered only in exceptional circumstances through the preparation or review of a Local Plan. When drawing up or reviewing green belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development.

The airport is unique facility and it is essential that it is provided with every opportunity to grow and flourish. The existing Green Belt boundary exceptionally does not follow any recognisable features, but arbitrarily crosses the middle of the airport site. The ambitions of the JAAP, to see substantial

new allocations of employment land to meet employment targets for the two authorities, necessitate the need to review the Green Belt boundary and to move it northwards, but also allow somewhat greater flexibility in development opportunities for the airport.

There are no alternative locations without use of the Green Belt for the allocation of the quantum of the employment land identified in the JAAP. Furthermore, the same conclusion applies to the airport, which is, as has been stated, a unique facility.

It is therefore concluded that exceptional circumstances do exist to justify the adjustment of the Green Belt boundary to enable the airport to grow and develop and for the provision of new employment opportunities. The revised boundary is intended to follow recognised features, including hedges and ditches.

Policy ENV1 – Revised Green Belt Boundary

The boundary of the Metropolitan Green Belt will be amended as shown on the Proposals Map.

An important element of the plan is to see the provision of new open space as a resource for the area and to complement the development proposed on the business park. Open space to the north of the Saxon Business Park will provide a green buffer between the business park and Rochford District and will also accommodate the relocation of the Westcliff Rugby Club to allow redevelopment of the current site for employment.

Policy ENV2 – New Public Open Space – North

A new area of public open space, in two sections, will be created on land to the north of the Saxon Business Park as shown on the Proposals Map. Section 1 of the new open space will include provision for the relocation of the Westcliff Rugby Club (see Policy E4 and E7). The layout and development of section 1 will be funded by the development of phase 2 of the Saxon Business Park. Section 2 will be laid out as informal public open space, and include the enhancement of the area of land at the southern end for nature conservation. Section 2 will be funded by the development of the Northern MRO extension (see Policy MRO2).

The retention of a green buffer to the south of Eastwoodbury Lane will ensure there is a green space is maintained in this area as well as to help protect the amenity of neighbouring residents.

Policy ENV3 – Green Buffer South

A green buffer will be retained on land to the south of Eastwoodbury Lane as shown on the proposals map. No development will be allowed within this area.

The Cherry Orchard Jubilee Country Park is located on the east side of Cherry Orchard Way and is accessed by a temporary access. That being the

case, the development of the Saxon Business Park will provide an opportunity to construct a new permanent access to the country park in association with the access to the business park.

Policy ENV4 – Country Park; Access and Facilities

A link to the Cherry Orchard Jubilee Country Park will be provided in conjunction with the development of Area 1A of the Saxon Business Park and the construction of a new junction and access road (see Policy E5).

It is essential for the business park to be a high quality, sustainable development and given the proposals for open space to the north and west, it is considered the main access to the business park should be a green corridor to link the open spaces together and provide a pleasant environment for pedestrians and cyclists.

Policy ENV5 – Green Corridor to Business Park

The new road access to the Saxon Business Park will be contained within a green corridor running east/west and linking to the relocated Westcliff Rugby Club and the new public open space. This green corridor will be laid out and landscaped in conjunction with the construction of the new business park access road.

Green buffer East of Railway

There is a thin strip of land between the railway line and Southend Road that has for many years been identified as Green Belt, but also fulfilled the function of being a green buffer between the airport and railway line and residential properties on the East side of Southend Road. It is considered essential to retain this buffer given the scale of the development.

Policy ENV6 – Green Buffer East of Railway

This land to the East of the railway line will be retained in the green belt and act as a green buffer to provide protection to the amenities of the residential properties on Southend Road.

Environmental sustainability

It is expected that all new development will be constructed to deliver the highest levels of environmental efficiency and sustainability in accordance with the provisions of each of the Core Strategies of the two authorities. In particular, there is an expectation of minimising the impact of proposed development on water resources. Whilst it is not expected the JAAP will have any adverse effects on European site integrity, there is a need to ensure there is active use of rainwater harvesting and water recycling systems. This will help to avoid any long-term changes to salinity and therefore exposure of the interest features by minimising the effects of development on water resources.

The BREEAM⁷ sets out standards for sustainable building design using a simple scoring system supported by evidence based research. The aim is for there to be a positive influence on the design, construction and management of buildings. The BREEAM sets a clear technical standard for sustainable buildings, including quality assurance and certification.

Policy ENV7 – Environmental Sustainability

All new development must meet at least the BREEAM rating of 'excellent'. Both Councils will expect to see active use of rainwater harvesting and water recycling systems and SUDS through the JAAP area as well as the use of renewal technologies, where appropriate and the application of other techniques such as green roofs and walls to further contribute to sustainability.

⁷ Building Research Establishment Environmental Assessment Method – for more information see www.breeam.org/

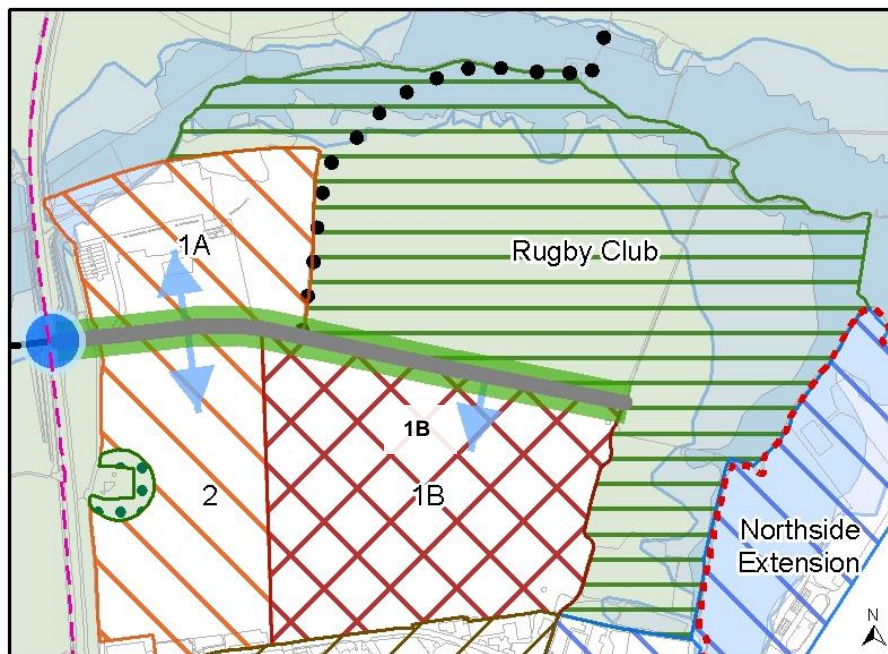
5. Implementation and Delivery Plan

For each project the schedules set out in this chapter:

- outline relevant JAAP policies;
- provide site background information;
- summarise the core infrastructure required to deliver the policies;
- consider the risks to delivery;
- identify mitigation measures;
- suggest potential delivery mechanisms; and
- propose suitable monitoring indicators.

Key JAAP Project 1: Saxon Business Park

Figure 5.1 Saxon Business Park: Proposals Map Extract



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The JAAP allocates land to accommodate up to 99,000 square metres of new employment space located north of Aviation Way and east of Cherry Orchard Way in an area to be known as Saxon Business Park. The allocation will accommodate up to 5,450 additional jobs in the area to 2021, and beyond. The proposed JAAP phasing and floorspace breakdown is as follows:

Table 5.1 Saxon Business Park Proposals

Area	Use class	Floorspace (sqm)	Jobs	Phasing
Area 1A	B1	20,000	1,000	Pre 2021
Area 1B	B1 and B2	49,000	2,450	Pre 2021
Area 2	B1	30,000	1,500	Post 2021

Project 1a: Saxon Business Park

Project 1a	Saxon Business Park: Land at 1A
JAAP Policy	<p><u>Core Policies:</u> E3 –Saxon Business Park E4 – Phasing of Saxon Business Park E5 – Development of Area 1A Saxon Business Park</p> <p><u>Linked Policies:</u> ENV1 – Revised Green Belt Boundary ENV2 – New Public Open Space – North ENV4 – Country Park: Access & Facilities ENV5 – Green Corridor to Business Park T3 –Travel Planning T4 - Public Transport T5 - Walking & Cycling T6 - Freight and Network Management T7 - Network Capacity Improvements</p>

Infrastructure improvements	<ul style="list-style-type: none"> • New junction from Cherry Orchard Way into Saxon Business Park • Initial section of the new estate road & green corridor • Public open space to north and east of Saxon Business Park • Walking & cycling provision including linking to Hall Road to the north & Nestuda Way to the south along Cherry Orchard Way • Public transport improvements • Spur Road from new junction off Cherry Orchard Way into Cherry Orchard Jubilee Country Park • Cherry Orchard Park Environment & Visitor Centre • Freight and network management systems and network capacity improvements 					
Risks & Mitigation See also summary risks table in Conclusion	Risk & Impact	Initial Risk Score		Suggested Mitigation	Residual Risk Score	
		Probability	Impact		Probability	Impact
	The land is in two different ownerships and is subject to tenancies which could cause complexities for bringing forward the development in the short term.	Medium	High	Ensure early and effective engagement with the landowners to ensure willingness to bring the site forward in the short term and for employment use as per JAAP	Low	Medium
Potential contamination, archaeology and environmental issues may lead to significant remediation costs affecting scheme viability and ability to pay onerous S106 contributions. It is suggested an environmental and geo-	High	High	Whilst developer contributions can help provide important benefits to the wider area, it is important to ensure the collective S106/CIL monies and commitments required are not so onerous as to render schemes unviable; particularly on complex brownfield sites which may be costly to	Low	Low	

	<p>technical assessment is carried out in due course to determine extent of any residual environmental works required alongside likely remediation costs. Cherry Orchard Homes & Villages plc has stated that should they progress with sale of the land from Hanson, they will cover the costs of any remediation required. Whilst they are willing to accept these environmental costs, any significant or unreasonable S106 costs on top of these may affect the overall scheme viability and there is a risk the developer may not proceed with the site.</p>			<p>remediate. Once all costs are known across the JAAP area a developer contribution assessment will be undertaken to determine reasonable developer contributions or each infrastructure theme whilst considering site-specific issues such as contamination, infrastructure and remediation, and that a pragmatic approach is taken to archaeology.</p>		
	<p>Lack of demand for increased employment provision within the JAAP area. Although this is more likely to be a risk as subsequent phases come forward, it is a risk for the provision of any new floorspace that comes onto the market.</p> <p>Evidence suggests that demand for new employment provision is likely to match supply as the Airport increases its capacity, although it is important that the demand for space is at a pricing level which will encourage and facilitate development.</p>	Medium	High	<p>It is suggested that SBC and RDC monitor employment demand through updates to their Monitoring Reports (see below for suggested indicator) and ensure that Employment Land reviews are updated when necessary. If it becomes apparent there is an oversupply of employment land, a decision may need to be made to stagger or reduce the amount of land that goes on the market at any one time. It will also be important to ensure a strong Marketing Strategy is prepared for Saxon Business Park and implemented.</p>	Low	High
Delivery Mechanism & Delivery Bodies	<p>The brickworks site may be brought forward by a private developer. Currently Cherry Orchard Homes & Villages plc has an option on the land. An effective S106 agreement will ensure infrastructure is delivered to the requirements of the JAAP, however It is yet to be determined whether the estate road will be provided by SBC or will be a requirement on the developer.</p> <p>It is proposed a partnership-led steering group is tasked with preparing a masterplan in the short term along with a number of assessments to inform future direction, including potentially transport and flood-risk/ surface water to enable a strategic, site-wide masterplan for the entire Saxon Way Business Park. This will be supported by a design brief to ensure an appropriately high quality, sustainable scheme is brought forward along with</p>					

	<p>guidance for developers outlining planning application and S106 requirements. Whilst the public sector i.e. SBC & RDC will lead this masterplan and assessment work, the buy-in and support of private sector interests and statutory undertakers will be vital. Essex County Council and Southend-on-Sea Borough Council will work jointly to undertake further transport modelling and assessment work across the JAAP area.</p>
<p>Suggested Monitoring Indicators</p>	<p>Preparation of Masterplan & Design Brief Access and number of metres of estate road in place (if progressed) Sq. m of employment floorspace provided Number of months new units are on the market before take up (will assist in monitoring demand for new employment provision) Number of jobs provided Number of metres of footpaths and cyclepaths Number of employees travelling by means other than the car Travel Plan(s) in place</p>

Project 1b: Saxon Business Park – Area 1B

Project 1b	SaxonBusiness Park: Area 1B
JAAP Policy	<p><u>Core Policies:</u> E3 –Saxon Business Park E4 – Phasing of Saxon Business Park E5 – Development of Area 1A Saxon Business Park</p> <p><u>Linked Policies:</u> ENV1 – Revised Green Belt Boundary ENV2 – New Public Open Space – North ENV4 – Country Park: Access & Facilities ENV5 – Green Corridor to Business Park T3 –Travel Planning T4 - Public Transport T5 - Walking & Cycling T6 - Freight and Network Management T7 - Network Capacity Improvements</p>
Infrastructure improvements	<ul style="list-style-type: none"> • New junction from Cherry Orchard Way into Saxon Business Park • Initial section of the new estate road & green corridor • Public open space to north and east of Saxon Business Park • Walking & cycling provision including linking to Hall Road to the north & Nestuda Way to the south along Cherry Orchard Way , and diversion of Footpath 36 to improve airport safety and facilitate the Saxon Business Park development. • Public transport improvements • Spur Road from new junction off Cherry Orchard Way into Cherry Orchard Jubilee Country Park

	<ul style="list-style-type: none"> Cherry Orchard Park Environment & Visitor Centre Freight and network management systems and network capacity improvements
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Risks & Mitigation See also summary table in conclusion	Risk & Impact	Initial Risk Score		Suggested Mitigation	Residual Risk Score	
		Probability	Impact		Probability	Impact
	<p>IPECO decides to relocate elsewhere and does not proceed with development at Saxon Business Park. IPECO's interest is a boost to the deliverability of Saxon Business Park in the short term. IPECO has indicated they are keen to remain in the vicinity of London Southend Airport if possible.</p>	Medium	Medium	<p>SBC continue to engage with IPECO to help facilitate purchase and transition to new premises in Saxon Business Park. The balance of the land should also be marketed effectively to other potential investors. Evidence suggests that there is likely to be sufficient demand for employment provision within the JAAP area – it is likely that other companies will locate to Saxon Business Park in due course.</p>	Low	Medium (short term only)
<p>Lack of demand for increased employment provision within the JAAP area. Whilst it is apparent IPECO are keen to relocate, market interest is yet to be determined for any balance of land.</p>	Medium	High	<p>It is suggested that SBC and RDC monitor employment demand through updates to their Monitoring Reports (see below for suggested indicator) and regular updates to their Employment Land reviews. If it becomes apparent there is an oversupply</p>	Low	High	

				of employment land, a decision may need to be made to stagger or reduce the amount of land that goes on the market at any one time. It will also be important to ensure a strong Marketing Strategy is prepared for Saxon Business Park and implemented.		
	<p>Onerous S106 agreements may affect the viability of proposals possibly preventing developers from progressing with development on site.</p> <p>Whilst developer contributions can help provide important benefits to the wider area, it is important to ensure the collective S106 monies required are not so onerous as to render schemes unviable.</p>	Medium	High	Once all costs are known across the JAAP area a developer contribution assessment should be undertaken to determine reasonable developer contributions for each infrastructure theme whilst considering site-specific issues such as contamination.	Low	Low
Delivery Mechanism & Delivery Bodies	<p>SBC as owners of the land are likely (to be finally determined) to put in the necessary enabling works including the new estate road and then sell Area 1B off in a number of land parcels. IPECO currently have an interest in approximately 8ha (2/3rds) of the site. Other interests are expected to come forward once SBC market the site.</p> <p>An effective S106 agreement will ensure infrastructure is delivered to the requirements of the JAAP. It is proposed a partnership-led steering group is tasked with preparing a masterplan in the short term along with a number of assessments to inform future direction, including potentially transport and flood-risk/ surface water to enable a strategic, site-wide masterplan for the entire Saxon Way Business Park. This will be supported by a design brief to ensure a high quality, sustainable scheme is brought forward along with guidance for developers outlining planning application and S106 requirements. Whilst the public sector i.e. SBC and RDC could lead this masterplan and assessment work, the buy-in and support of private sector interests and statutory undertakers will be vital. Essex CC and SBC will need to work jointly to undertake further transport modelling and assessment work.</p>					
Suggested Monitoring Indicators	<p>Preparation of Masterplan & Design Brief</p> <p>Access and number of metres of estate road in place (if progressed)</p> <p>Sq. m of employment floorspace provided</p> <p>Number of months new units are on the market before take up (will assist in monitoring demand for new employment provision)</p>					

	Number of jobs provided Number of metres of footpaths and cycle paths Number of employees travelling by means other than the car Travel Plan(s) in place
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Project 1c: Saxon Business Park – Land at Area 2 Westcliff Rugby Club

Project 1c	Saxon Business Park: Land at Area 2 Westcliff Rugby Club
JAAP Policy	<p><u>Core Policies:</u> E3 – Saxon Business Park E4 – Phasing of Saxon Business Park E6 – Development of Area 1B Saxon Business Park ENV2 – New Public Open Space - North</p> <p><u>Linked Policies:</u> ENV1 – Revised Green Belt Boundary ENV4 – Country Park; Access & Facilities ENV5 – Green Corridor to Business Park T3 - Travel Planning T4 - Public Transport T5 - Walking & Cycling T6 - Freight and Network Management T7 - Network Capacity Improvements</p>

Infrastructure improvements requiring funding	<ul style="list-style-type: none"> Relocation of Westcliff Rugby Club Walking & cycling provision including linking to Hall Road to the north & Nestuda Way to the south along Cherry Orchard Way Public open space to north and east of Saxon Way Business Park Spur Road from new junction off Cherry Orchard Way into Cherry Orchard Jubilee Country Park and access to new Environment & Visitor Centre <p>Cherry Orchard Jubilee Country Park Environment & Visitor Centre</p> <ul style="list-style-type: none"> Freight and network management systems and network capacity improvements <p>NB: whilst policy E3 states that contributions to the above will be required for all phases of the business park, it is likely that post 2021 most of the infrastructure elements will be in place, the key infrastructure requirement is therefore the relocation of the rugby club to an appropriate standard.</p>						
Risks & Mitigation See also summary risks table in conclusion	Risk & Impact		Initial Risk Score		Suggested Mitigation	Residual Risk Score	
			Probability	Impact		Probability	Impact
	Lack of demand for increased employment provision within the JAAP area. As the site will be brought forward post-2021 it is not possible to predict likely market demand for employment provision at Area 1B at this stage, however, it is expected that with key infrastructure in place, a number of new businesses already established in Saxon Business Park, and the airport reaching 2million passengers per annum, demand will be sufficient and values suitable to ensure viability and encourage investment..	Medium	Medium (by 2021)	It is suggested that SBC and RDC monitor employment demand through updates to their Monitoring Reports (see below for suggested indicator) and regular updates to their Employment Land reviews. If it becomes apparent there is an oversupply of employment land, a decision may need to be made to stagger or reduce the amount of land that goes on the market at any one time. It will also be important to ensure a strong Marketing Strategy is prepared for Saxon Business Park and implemented.	Low	Medium (by 2021)	

	<p>Onerous S106 agreements may affect the viability of proposals possibly preventing developers from progressing with development on site.</p> <p>Whilst developer contributions can help provide important benefits to the wider area, it is important to ensure the collective S106 monies required are not so onerous as to render schemes unviable.</p>	Medium	High	<p>Once all costs are known across the JAAP area a developer contribution assessment should be undertaken to determine reasonable developer contributions for each infrastructure theme whilst considering site-specific issues</p>	Low	Low
<p>Delivery Mechanism & Delivery Bodies</p>	<p>One option is for SBC as owners of the land to put in the necessary enabling works including the new estate road, and then sell Area 2 off in a number of land parcels once the rugby club has been relocated. Developer interests are expected to come forward once SBC market the site.</p> <p>An effective S106 agreement will ensure infrastructure is delivered to the requirements of the JAAP. Realistic contributions post 2021 are likely to include: public open space, contributions to footpaths and cycleways, and public transport provision</p> <p>It is proposed a partnership-led steering group is tasked with preparing a masterplan in the short term along with a number of assessments to inform future direction, including potentially transport and flood-risk/ surface water to enable a strategic, site-wide masterplan for the entire Saxon Business Park. This will be supported by a design brief to ensure a high quality, sustainable scheme is brought forward along with guidance for developers outlining planning application and S106 requirements. Whilst the public sector i.e. SBC & RDC could lead this masterplan and assessment work, the buy-in and support of private sector interests will be vital.</p> <p>Essex CC and SBC will need to work jointly to undertake further transport modelling and assessment work.</p>					
<p>Suggested Monitoring Indicators</p>	<p>Rugby Club relocation</p> <p>Sq. m of employment floorspace provided</p> <p>Number of months new units are on the market before take up (will assist in monitoring demand for new employment provision)</p> <p>Number of jobs provided</p> <p>Number of metres of footpaths and cyclepaths</p> <p>Number of employees travelling by means other than the car</p> <p>Travel Plan(s) in place.</p>					

Key JAAP Project 2: Nestuda Business Park

The site at Nestuda Way is situated in a prime location with good accessibility to the major road network. It lies on the corner of Prince Avenue (A127) and Nestuda Way and is currently open land which falls adjacent to the Airport runway public safety zone. This site is owned by Southend Borough Council and is identified to provide 10,000 sqm of B1 Office Use in Phase 2 and create 500 new jobs. The design of the building would need to accord with the height limitations set due to its proximity to the Airport Runway Public Safety Zone.

Figure 5.2 Nestuda Business Park: Proposals Map Extract



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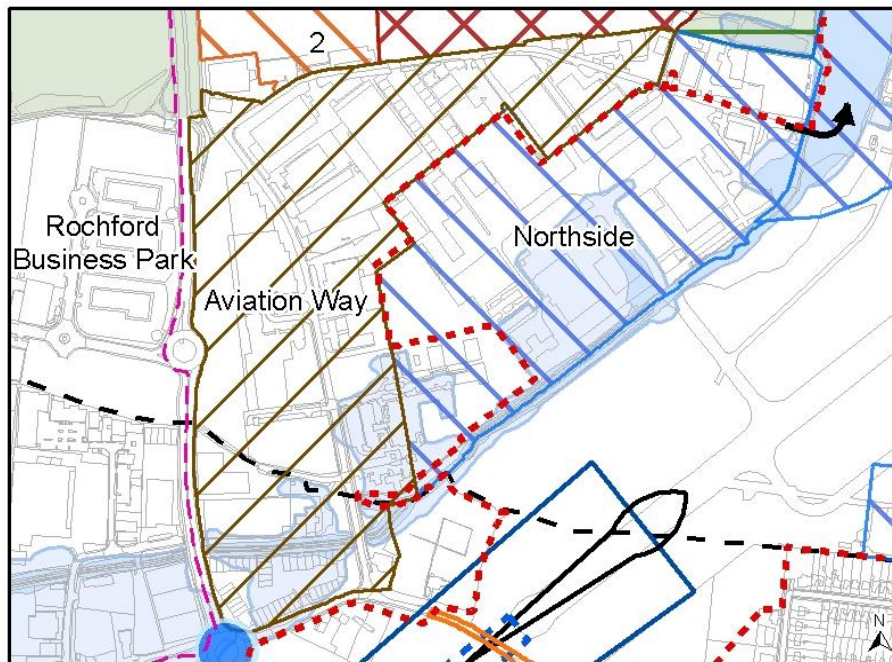
Project 2	Nestuda Way Business Park				
JAAP Policy	<p>Core Policies: Policy - E8 - Nestuda Way Business Park Policy - LS6 – Public Safety Zones</p> <p>Linked Policies: Policy - E1 - General Development Considerations Policy - T4- Public Transport Policy - T5 – Walking & Cycling Policy - T3 – Travel Planning T6 - Freight and Network Management T7 - Network Capacity Improvements</p>				
Infrastructure improvements requiring funding	<ul style="list-style-type: none"> Walking & cycling provision including linking to Hall Road to the north & Nestuda Way to the south along Cherry Orchard Way Public transport contribution Contribution to freight and network management and network capacity improvements 				
Risks & mitigation See also summary risks table in conclusion	Risk & Impact	Initial Risk Score		Suggested Mitigation	Residual Impact
	<p>Lack of demand for increased employment provision within the JAAP area. As the site is programmed to be brought forward post-2021 it is not possible to predict likely market demand for employment provision at Nestuda Way at this stage, however, it is to be hoped that with key infrastructure in place, a number of new businesses already established in Saxon Business Park, and the airport reaching</p>	Medium	Medium (by 2021)	It is suggested that SBC and RDC monitor employment demand through updates to their Monitoring Reports (see below for suggested indicator) and regular updates to their Employment Land reviews. If it becomes apparent there is an oversupply of employment land, a decision may need to be made to stagger or reduce the amount of new land that goes on the market at any one time.	Low

	2million passengers per annum, demand will be achieved. The site is also in an excellent location at the junction of the A127 and B1031.					
	<p>Onerous S106 agreements may affect the viability of proposals possibly preventing developers from progressing with development on site.</p> <p>Whilst developer contributions can help provide important benefits to the wider area, it is important to ensure the collective S106 monies required are not so onerous as to render schemes unviable.</p>	Medium	High	Once all costs are known across the JAAP area a developer contribution assessment may be undertaken to determine reasonable developer contributions for each infrastructure theme whilst considering site-specific issues such as contamination.	Low	Low
Delivery Mechanism & Delivery Bodies	The site is owned by SBC. SBC anticipate enabling works being put in place prior to marketing the site to a developer.					
Suggested Monitoring Indicators	<p>Sq. m of employment floorspace provided</p> <p>Number of months new units are on the market before take up (will assist in monitoring demand for new employment provision)</p> <p>Number of jobs provided</p> <p>Number of metres of footpaths and cyclepaths</p> <p>Number of employees travelling by means other than the car</p> <p>Travel Plan(s) in place.</p>					

Key JAAP Project 3: Aviation Way

Aviation Way has been allocated in the JAAP to provide an additional 15,000sq.m of additional B1/B2 floorspace accommodated from the intensification of the existing Aviation Way Industrial Estate.

Figure 5.3 Aviation Way: Proposals Map Extract



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Project 3		Aviation Way Business Park		
JAAP Policy	<p><u>Core Policies:</u> Policy E2 - Aviation Way Industrial Estate Policy T1 – Access to Development Areas Policy MRO1 - Northern MRO Policy MRO2 - Northern MRO Extension</p> <p><u>Linked Policies:</u> Policy ENV2 - New Public Open Space North Policy T3 - Travel Planning T5 - Walking & Cycling T6 - Freight and Network Management T7 - Network Capacity Improvements</p>			
Infrastructure improvements requiring funding	<ul style="list-style-type: none"> • Upgrade to the junction at the southern end of Aviation Way • Upgrade of Aviation Way road, including lighting and footpaths and the diversion of Footpath 36 • Public realm improvements • Provision of improved walking and cycling facilities within the JAAP area • MRO Northside extension to contribute to new public open space to the west of the site • Public transport • Freight and network management systems and network capacity improvements 			
Potential Risks	Risk & Impact	Initial Risk Score	Suggested Mitigation	Residual Risk Score

& Mitigation	Probability	Impact		Probability	Impact
Lack of demand for new and increased employment provision within Aviation Way. Although the employment area is already established, there are current vacant land plots and a number of units have yet to be taken up by the market. Whilst it is anticipated the market will improve in the medium to long term, Aviation Way may struggle to attract new tenants with higher profile business space provided in very close proximity at Saxon Business Park.	Medium	High	SBC and RDC will monitor employment demand through their Monitoring Reports (see below for suggested indicator) and regular updates to their Employment Land reviews. If it becomes apparent there is an oversupply of employment land, a decision may need to be made to stagger or reduce the amount of new land that goes on the market at any one time. It will also be important to ensure Aviation Way has its own Marketing Strategy to attract its target tenants/ investors. This could potentially be an early action of a Business Improvement District (see below).	Low	Medium
As Aviation Way is an established employment area with only a limited number of sites likely to be redeveloped, S106 contributions may be limited creating funding difficulties for estate wide improvements and road/ junction upgrade. In turn, this may impact on the marketability of new employment provision.	High	High	Obtain funds from existing leaseholders/ freeholders under current covenant agreement or investigate other means of delivery such as establishment of a BID. Funds may also be available from Essex County Council who may progress with the adoption of the road.	Medium	Medium
High flood risk designation may prevent MRO Northern Extension coming forward in the short to medium term As an area of high flood risk, the MRO Northern Extension will be subject to sequential testing prior to	Medium	High	The Airport should engage early and effectively with the Environment Agency to ensure appropriate flood management solutions and compensatory floodplain storage is provided as part of any future planning application(s). RDC and SBC should support the Airport through this process as	Low	High

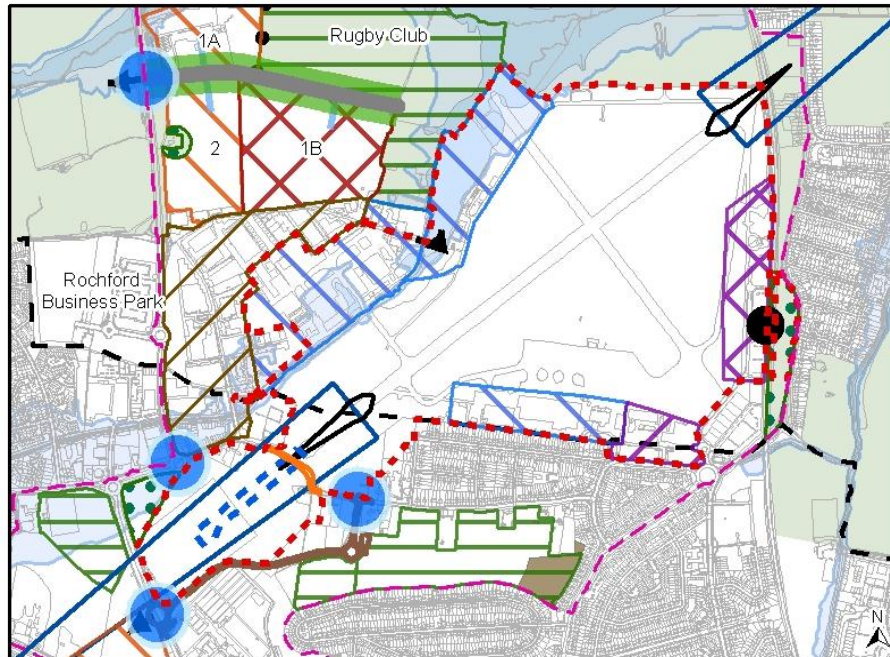
	<p>any application approval. The Environment Agency as a statutory consultee may object and recommend refusal for any proposals within the MRO Northern Extension area whilst vacant sites exist within Aviation Way. This may reduce the likelihood of the Airport extending their MRO operations in the short term.</p> <p>In turn, as the MRO extension area is likely to be the subject of the largest single planning application and S106 agreement, funds for extension and upgrade of Aviation Way estate road and the public open space to the west may be stalled until existing smaller sites are developed out within Aviation Way.</p>			<p>required.</p> <p>NB: In December 2009 Atkins was commissioned to undertake a sequential test of the JAAP, the report confirmed that there are no alternative sites at less risk of flooding that can reasonably considered, however individual applicants will be required to demonstrate appropriate measures are put in place to further reduce flood risk.</p>		
<p>Delivery Mechanism & Delivery Bodies</p>	<p>A Business Improvement District (BID) could be established. BIDs are defined areas within which businesses pay an additional tax or fee in order to fund improvements within the set boundaries. BIDs are democratic bodies established through a formal ballot which must achieve a majority in terms of number of ratepayers and percentage of rateable value. Once voted in, BIDs work on the principle of an additional mandatory levy on all defined ratepayers, collected in the same way as the Business Rate. This provides a ring-fenced budget for exclusive use in the immediate environment. Further funds can be leveraged against this core funding for added value. The BID, working closely with SBC and RDC, could jointly prepare an Aviation Way Improvement Scheme which would outline all measures required to improve the area and maximise development potential within the estate. Once all costs have been defined, a fund could be set up to deliver the improvements over time.</p> <p>Collation of S106 monies for upgrade where possible.</p> <p>Potential to utilise maintenance fee from covenants.</p>					
<p>Suggested Monitoring Indicators</p>	<p>Establishment of BID or alternative arrangement</p> <p>Number of sq. m of new floorspace created</p> <p>Number of months new units are on the market before take up (will assist in monitoring demand for new employment provision)</p> <p>Number of new jobs provided</p>					

	Number of metres of upgraded road in place. Provision of footpaths/ cycleways Travel Plan(s) in place
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Key JAAP Project 4: Airport Development

The JAAP sets out a policy framework to support the development of London Southend Airport to grow to a capacity of up to 2 million passengers per annum through an extension of the runway alongside the development of the new railway station, terminal and aircraft handling facilities. Whilst the airport expansion will be used primarily for passengers supporting a number of Fixed Based Operators, the JAAP also anticipates that the airport will see growth in its maintenance, repair and overhaul facilities (MRO) supporting the provision of a range of high skilled jobs in the area. There is therefore policy provision for both elements of airport development.

Figure 5.4 London Southend Airport: Proposals Map Extract



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Project 4	Airport Development
JAAP Policy	<p><u>Core Policies:</u> Policy LS1 – General Policy Policy LS2 – Development at London Southend Airport Policy TF1 – Expansion of New Terminal.</p> <p>Policy MRO1 – Northern MRO Policy MRO2 – Northern MRO Extension Policy MRO3 – Southern MRO Zone Policy ADZ1 – Existing terminal area</p> <p><u>Linked Policies:</u> Policy LS4 – Noise Compensation and Purchase Scheme Policy LS5 - Airport Surface Access Strategy. Policy LS6 – Public Safety Zones Policy E2 - Aviation Way Industrial Estate Policy T1 – Access to development Areas Policy T3 – Travel Planning Policy T4 – Public Transport Policy T5 – Walking & Cycling Policy T6 - Freight and Network Management Policy T7 - Network Capacity Improvements Policy ENV2 – New Public Open Space North</p>
Infrastructure improvements requiring funding	<ul style="list-style-type: none"> • Link road for long term safeguarded route east west from Nestuda Way including relocation and provision of public open space and recreation facilities • Public transport contribution • Improve walking and cycling to the airport to improve accessibility and safety • Noise Compensation & Purchase Scheme

	<ul style="list-style-type: none"> • MRO applications to contribute to towards the upgrade of the junction at the southern end of Aviation Way and the improvement of Aviation Way • Northern MRO Northern Extension to fund Public Open Space North • Freight and network management systems and network capacity improvements 					
Potential Risks & Mitigation	Risk & Impact	Initial Risk Score		Suggested Mitigation	Residual Risk Score	
		Probability	Impact		Probability	Impact
	<p>High flood risk designation may prevent MRO Northern Extension coming forward in the short to medium term</p> <p>As an area of high flood risk, the MRO Northern Extension will be subject to sequential testing prior to any application approval. The Environment Agency as a statutory consultee may object and recommend refusal for any proposals within the MRO Northern Extension area whilst vacant sites exist within Aviation Way. This may reduce the likelihood of the Airport extending their MRO operations in the short term.</p> <p>In turn, as the MRO extension area is likely to be the subject of the largest single planning application and S106 agreement, funds for extension and upgrade of Aviation</p>	Medium	High	<p>The Airport should engage early and effectively with the Environment Agency to ensure appropriate flood management solutions and compensatory floodplain storage is provided as part of any future planning application(s). RDC and SBC should support the Airport through this process as required.</p> <p>NB: In December 2009 Atkins was commissioned to undertake a sequential test of the JAAP, the report confirmed that there are no alternative sites at less risk of flooding that can reasonably considered, however individual applicants will be required to demonstrate appropriate measures are put in place to further reduce flood risk.</p>	Low	High

	<p>Way estate road and the public open space to the west may be stalled until existing smaller sites are developed out within Aviation Way.</p>					
	<p><u>Issue:</u> The MRO Northern Extension is an area of high flood risk and will be subject to sequential testing prior to any application approval. The Environment Agency as a statutory consultee may object and recommend refusal for any proposals within the MRO Northern Extension area whilst vacant sites exist within Aviation Way. This may reduce the likelihood of the Airport extending their MRO operations in the short term.</p> <p>In turn, as the MRO extension area is likely to be the subject of the largest single planning application and S106 agreement, funds for extension and upgrade of Aviation Way estate road and the public open space to the west may be stalled until existing smaller sites are developed out with Aviation Way. By this stage, the road is likely to be stretched beyond capacity.</p>					<p>Medium to High Risk</p>
<p>Delivery Mechanism & Delivery Bodies</p>	<p>London Southend Airport Ltd will deliver all airport-related works and associated infrastructure including requirements through S106 which will benefit the JAAP area as a whole. MRO northern extension area to potentially form part of a BID as obvious links through Aviation Way. (See Chapter 5 - Key JAAP Project 3 for more information).</p>					
<p>Suggested Monitoring Indicators</p>	<p>Annual passenger through-put at Airport Sq. m of additional MRO employment floorspace provided Number of jobs provided Number of metres of footpaths and cyclepaths Airport contribution to public transport Percentage of passengers arriving at airport by non-car modes Percentage of employee arriving at airport by non-car modes</p>					

6. Risks to delivery

The JAAP Key Project Infrastructure Schedules identify risks to JAAP delivery; these are summarised in Table 7.1.

Table 7.1 JAAP Risks

SUMMARY RISK TABLE					
Risk & Impact	Initial Risk Score		Suggested Mitigation	Residual Risk Score	
	Probability	Impact		Probability	Impact
JAAP WIDE RISKS					
Lack of demand for increased employment provision within the JAAP area.	Medium	High (medium for post 2021)	Appropriate monitoring of employment demand and staggering/ phasing the amount of land being marketed at any one time as required. Implementation of marketing strategies	Low	High (medium for post 2021)
S106 agreements may affect the viability of proposals possibly preventing developers from progressing with development on site.	Medium	High	Once all costs are known across the JAAP area a developer contribution assessment should be undertaken to determine reasonable developer contributions for each infrastructure theme whilst considering site-specific issues	Low	Low
Saxon Business Park Risks					
Area 1a is in two different ownerships	Medium	High	Ensure early and effective engagement with	Low	Medium

SUMMARY RISK TABLE					
Risk & Impact	Initial Risk Score		Suggested Mitigation	Residual Risk Score	
	Probability	Impact		Probability	Impact
which could cause complexities for bringing forward the site in the short term.			the landowners to ensure willingness to bring the site forward in the short term and for employment use as per JAAP		
IPECO decide to relocate elsewhere and does not proceed with development at Saxon Business Park impacting on short term deliverability.	Medium	Medium	SBC continue to engage with IPECO to help facilitate purchase and transition to new premises in Saxon Business Park, and encourage new investor/ developer interest in the employment area in the short term.	Low	Medium (short term)
Aviation Way Risks					
Limited number of sites likely to be redeveloped, reduced opportunity to create funding via S106 for estate wide improvements and road/ junction upgrade.	High	High	Obtain funds from existing leaseholders/ freeholders under current covenant agreement or investigate other means of delivery such as establishment of a BID. Funds may also be available from Essex County Council who may progress with the adoption of the road.	Medium	Medium
High flood risk designation	Medium	High	The Airport should engage	Low	High

SUMMARY RISK TABLE					
Risk & Impact	Initial Risk Score		Suggested Mitigation	Residual Risk Score	
	Probability	Impact		Probability	Impact
may prevent MRO Northern Extension coming forward in the short to medium term			early and effectively with the Environment Agency to ensure appropriate flood management solutions and compensatory floodplain storage is provided as part of any future planning application(s).		

Appendix X Abbreviations

SBC	Southend-on-Sea Borough Council
RDC	Rochford District Council
ECC	Essex County Council
JAAP	Joint Area Action Plan
LDF	Local Development Framework
DPD	Development Plan Document
SPD	Supplementary Plan Document
MRO	Maintenance, Repair & Overhaul
ASAS	Airport Surface Access Strategy
LTP	Local Transport Plan
SERT	South Essex Rapid Transit
SuDS	Sustainable Drainage Systems
GI	Green Infrastructure
MUSCO	Multi-Utility Service Company
BID	Business Improvement District
LEP	Local Enterprise Partnership
MAA	Multi Area Agreement
HCA	Homes & Communities Agency
SPSL	Surplus Public Sector Land
ATLAS	Advisory Team for Large Applications
PPA	Planning Performance Agreement
CIL	Community Infrastructure Levy
RDA	Regional Development Agency
EEDA	East of England Development Agency
ERDF	European Regional Development Fund
NPPF	National Planning Policy Framework
SELEP	South East Local Enterprise Partnership

Joint Area Action Plan Proposals Map

Legend

- Borough Boundary
- JAAP Area
- Airport Operational Boundary
- New Road - Diverting Eastwoodbury Lane
- New Road - Saxon Business Park
- New Access Point
- Junction
- Airport Railway Station
- Footpath & Cycle Link
- London Southend Airport**
- Runway Extension
- Airport Development Zone
- Terminal Operations Hub
- Maintenance Repair and Overhaul (MRO) Zone
- Existing Public Safety Zone**
- Boundary of Public Safety Zone
- 1 in 10,000 risk per year or greater
- Industrial Estate**
- Business Use - B1 & B2
- Business Park**
- Business Use - B1
- Business Use - B1 & B2
- Greenspace**
- Greenbelt
- Green Buffer
- Green Corridor for Saxon Business Park
- Public Open Space
- Allotment
- Tennis Courts (Private)
- Fishing Club (Private)
- Environment Agency Floodzone**
- Floodzone Level 3
- Floodzone Level 2

