

CABINET

11 October 2006

WINCHESTER DISTRICT LOCAL DEVELOPMENT FRAMEWORK – CORE STRATEGY

REPORT OF CHIEF EXECUTIVE

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RECENT REFERENCES:

CAB1215 - Statement of Community Involvement, Consultation Draft - 1 March 2006

CAB1302 - Statement of Community Involvement, Results of the Public Consultation Exercise - 26 July 2006

CAB1310 - Statement of Community Involvement, Submission Version – 21 August 2006

CAB1217 - Local Development Scheme - 1 March 2006

EXECUTIVE SUMMARY:

The Local Development Framework (LDF) is a key vehicle for putting into action the aims and vision of the District's Community Strategy, and for the promotion of shared activities within and outside the Council. It is a key priority for the Council and will require the commitment of both officers and Members across the Council, as well as partners throughout the District, if it is to be delivered.

The LDF comprises a 'portfolio' of documents as set out in the Council's local Development Scheme. The first Development Plan Document to be produced will be the Core Strategy. This will include broad spatial planning objectives for the District rather than detailed policy advice. Being expressed in spatial terms it will require a more holistic approach and will bring together policies for the development and use of land with other strategies and programmes produced both by the Council and its partners which influence the nature of places and how they function.

This report therefore advises Members of the procedures involved in the preparation of the LDF and in particular the Core Strategy for Winchester District. To date the Winchester District LDF comprises the Local Development Scheme – a project plan for the preparation

of the LDF - and the Statement of Community Involvement – which sets how and when the community and other organisations will have an opportunity to comment on LDF documents.

The report highlights the key stages in LDF preparation and production and advises on matters that need immediate attention to enable the Core Strategy in particular to commence preparation and to be delivered on time. This includes the issue of resources in terms of staff and finance. Whilst detailed budget commitment will be discussed as part of the corporate budget and business planning process, Member support for the collective corporate commitment LDF preparations will require is sought now.

Due to the complexity of the LDF process and the need to expedite preparation and production of documents, the report requests that Members give consideration to the creation of a Cabinet Committee, where a small number of Members will lead and champion LDF delivery.

RECOMMENDATIONS:

- 1 That Cabinet agree to the establishment of the Cabinet (LDF) Committee to oversee the preparation and production of Development Plan Documents, and to resolve those matters raised at section 4 of this report including the need for the preparation of terms of reference for the Committee to be agreed.
- 2 That the allocation of further funds to the Local Development Framework reserve fund to enable the LDF to be delivered be considered as part of the forthcoming budget process.
- 3 That Cabinet support the collaborative approach being pursued through the LDF which presents an opportunity to draw together resources within and outside the Council and to maximise the skills and expertise of staff outside the Strategic Planning Team to contribute to its preparation and production to enable a more effective and efficient use of the Council's and partners' resources.

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DETAIL:

1 Introduction and Background

- 1.1 Members will be aware that the Planning and Compulsory Purchase Act 2004 introduced the new Local Development Framework (LDF) system to replace Local Plans. LDFs are intended to provide planning authorities with an opportunity to take a fresh look at their areas, developing strategic approaches to spatial planning that will deliver sustainable development and reflect the aspirations of the local community. It will be the key component for delivering the aspirations of the Community Strategy insofar as they relate to the development and use of land.
- 1.2 In particular there is a recognition that there are a number of opportunities to link Community Strategies with Local Development Frameworks from both a policy context and process perspective, in terms of :-
- a) Promotion of an integrated approach towards future development based upon sustainable development objectives,
 - b) Joined-up approach to community planning,
 - c) Recognition of Local Development Frameworks as a delivery mechanism for not only the Community Strategy but also other local initiatives
 - d) Promotion of shared resources in terms of data collection, monitoring and sustainability appraisal
- 1.3 The Council has commenced its LDF with the preparation and subsequent approval of its second Local Development Scheme (LDS), which was brought into effect on 3rd April 2006. The key milestones set out in the LDS are one of the Government's Key Performance Indicators. The success in meeting these milestones is likely to be directly linked to the future level of Planning Delivery Grant that a Council may receive.
- 1.4 In addition the Council's Statement of Community Involvement (SCI) has recently been submitted to the Secretary of State via Government Office for the South East for consideration and approval.
- 1.5 The Core Strategy is a key document in the LDF in that it will set out the strategic framework which the other Development Plan Documents and Supplementary Planning Documents identified in the LDS, will follow. In adopting the Local Plan Review Members expressed their wish to see the 'Local Reserve Sites' reviewed at the earliest opportunity and to consider policies in relation to economic development. The Core Strategy will enable the start of this process as it will need to address the

overall development strategy for the District, which will then be detailed in the Development Provision and Allocations DPD's.

- 1.6 The purpose of this report is to advise Members not only of the processes involved in the production of the Council's LDF, but also how it is intended to involve them, the community and the Council's partners in the production of the Winchester District Core Strategy.

2 What is a Core Strategy?

- 2.1 Government advice in Planning Policy Statement (PPS12) – Local Development Frameworks - states that Core Strategies will set out the spatial vision, spatial objectives, policies and monitoring framework for a local authority area, and draw upon its vision and the aspirations of the community. They must demonstrably link to and be based upon sustainable development principles and, *inter alia*, determine the broad location of new housing and employment land necessary to meet the requirements of the Regional Spatial Strategy. The policies and proposals in the Core Strategy must provide certainty for at least 10 years from the date of adoption, and should be expressed in a longer-term time horizon to coincide with the Regional Spatial Strategy, which in the case of Winchester District is the emerging South East Plan that will cover the period to 2026.
- 2.2 PPS12, in addition to the Town and Country Planning (Local Development) (England) Regulations 2004, sets out a number of very specific processes that the LDF must adhere to. The production timetable for the Core Strategy is outlined in Appendix 1.

3 Core Strategy Project Plan

- 3.1 The Core Strategy will be a key project for the Council and will be subject to the Council's Project Management System. A Project Plan is being prepared, which will identify in detail the level of resources required and timing of key components of the Core Strategy, together with an analysis of the involvement of stakeholders and an assessment of the potential risks. The project sponsor will be Steve Opacic and the project manager Jenny Nell. A steering group will include representatives from across the Council and from key partners. The remainder of this report outlines core components of that project.

4 LDF Evidence Base

- 4.1 Having up-to-date and meaningful evidence lies at the heart of the plans and strategies of the Council and its partners. Production of an LDF evidence base provides another opportunity for collaborative working between the Council and its partners, through the collection and analysis of data. It is worth noting that a robust evidence base will have a much wider value to the Council and our partners.
- 4.2 The purpose of the LDF evidence base is to assist with the identification of opportunities, constraints and issues for the area. In general there is an assumption that the stronger the evidence base then the more robust the LDF is likely to be. Guidance in PPS12 lists a number of components of the evidence base.

4.3 Appendix 2 summarises the topics to be included and identifies existing studies and strategies that may contribute. A number of these strategies were, however, prepared some time ago and to be of use and make a positive contribution to the LDF will need to be updated in time to inform the preparation of the Core Strategy. This obviously has resource implications which are discussed in more detail below. It will also require a commitment from those staff leading in each area of City Council activity identified to make contributing to the LDF a priority within their business plans.

4.4 Failure to demonstrate that the policies and proposals set out in the LDF are based on up-to-date and relevant evidence will result in the Development Plan Documents being determined as unsound. It is notable that the first two Core Strategies to have undergone public examination (Stafford and Lichfield) have been found to be 'unsound', largely because of shortcomings in their evidence base. It is therefore pertinent that a corporate approach to data collection is established and recognised throughout the Council by both officers and Members as being a valuable asset in managing and delivering key policy documents, including the LDF.

5 Member Involvement

5.1 Member involvement, both by guiding LDF development and "owning" the final document, is critical to the success of the LDF, and essential if we are to realise our corporate priorities.

5.2 This will require the close involvement of a core group of Members who will need to regularly consider and debate the various components of the LDF. At each of the stages set out in Appendix 1 it will be necessary to forward a variety of background papers, including evidence based topic papers, the sustainability appraisal and detailed reports of consultation responses to members for consideration. It is therefore suggested that Members give consideration to the creation of a Cabinet Committee to be referred to as the Cabinet (LDF) Committee.

5.3 In outline, the terms of reference of this Committee will be to :-

- a) Consider and agree on all matters in relation to the preparation of the LDF and to make recommendations to Cabinet as necessary.
- b) To consider and agree, or recommend to Cabinet, the contents of the proposed Development Plan Documents at specific stages of production in line with the roles summarised in Appendix 3.
- c) To consider any other matters directly concerning the LDF or related projects or studies where a decision is required or a recommendation needs to be made to Cabinet.

Cabinet will be asked separately to agree detailed terms of reference.

5.4 It is proposed that the Committee be chaired by the Portfolio Holder for Planning and Transport and include other Cabinet Members, the quorum being three. Cabinet are invited to consider how they wish to involve other Councillors in their deliberations. The Committee should agree, at its first meeting, a full programme of work and guidelines for public participation in accordance with the SCI.

5.5 Appendix 3 summarises the key stages of the production of the Core Strategy where approval by the Cabinet (LDF) Committee, Cabinet and Council will be required.

6 Community Involvement

6.1 Community involvement is a fundamental requirement of the new LDF regime and the Council has through its Statement of Community Involvement (SCI) set out the mechanisms to involve the community and other interested parties at various stages in the LDF process. In addition the SCI provides the Council with an opportunity to become more efficient and effective in using the processes identified, to maximise the use of limited resources when seeking the opinion of the community and stakeholders.

6.2 Preparation of the Core Strategy will be based upon the various mechanisms and techniques set out in the SCI and will draw on community events and consultations held for a number of purposes. It will be necessary to commence a programme of 'front loading' events – Members will be advised of these in due course after they have been agreed by the Cabinet (LDF) Committee.

7 Risk Assessment

7.1 The Local Development Scheme approved in March 2006 identifies key stages and timescales in the preparation and production of the Core Strategy. Failure to comply with these timescales will have an impact on how much Planning Delivery Grant funding the Council can expect to receive, and more broadly on our ability to deliver improvements in local quality of life measures.

7.2 Compliance with the timescales depends upon a number of key requirements :-

- Sufficient staff within the Strategic Planning Team with the necessary skills to contribute to data collection and analysis to inform the preparation of the Core Strategy.
- Availability of skilled staff outside the Strategic Planning Team to contribute to the data collection and analysis of specific topic areas.
- Need for additional evidence/advice to support policy approach being proposed
- Need for additional evidence to address changes in legislation or government advice
- Support staff to enable data collection to be recorded and retrieved
- Support staff to comply with the publication requirements set out in the Town and Country Planning (Local Development) (England) Regulations 2004.
- Ability to proceed to next stage of the documents' production, may be jeopardised due to :- additional data required, Committee reports not being finalised due to their length and complexity, Members not approving the content of draft documents for public consultation.
- The Regional Spatial Strategy timetable being met
- Delays caused by the introduction of additional policy guidance to be complied with.

8 Research, Consultancy and Inquiry Costs

- 8.1 Production of the first parts of the LDF as set out in the LDS is projected to cover the period up to end 2011. Thereafter further Development Plan Documents will be needed and existing ones will be subject to 3-5 yearly reviews. The LDS highlights production arrangements and the need for a corporate approach involving a variety of Council officers as well as the Strategic Planning Division.
- 8.2 The LDF presents an opportunity for the whole Council to collaborate and contribute towards such a key statement of Council policy. The breadth of the LDF in terms of giving spatial expression to a range of existing plans and strategies will require extensive assistance from both officers and partner organisations not only from a data collection perspective but also to formulate policy and the approach to be pursued through the LDF and other corporate policies.
- 8.3 The Strategic Planning Team currently consists of 6.6 full-time equivalent professional posts (1 full time planning officer post is currently vacant). It is a small team with a broad range of responsibilities, in addition to the LDF production. They will not have the time or the skills to undertake key elements of work, including:
- Sustainability Appraisal/Strategic Environmental Assessment are a key part in the preparation of the LDF, and work on these will have to commence with immediate effect to enable all the relevant plans, strategies and policies of the Council and its partners to be scoped to ensure that they contribute to the soundness of the LDF and to enable a baseline assessment of the District to be undertaken. It is also increasingly pertinent for a Council to apply the concepts of sustainability appraisal to its emerging plans and policies beyond the land use planning system. To enable this to commence it will be necessary for consultants to be appointed to develop a corporate appraisal system. The concept of sustainability appraisal and its application within the Council is also important improvement recommended by the Audit Commission Inspection of the Sustainable Environment services and policies of the Council.
 - The LDF and its implementation requires regular monitoring and review. The production of a LDF Annual Monitoring Report is now a statutory requirement with formal submission to the Secretary of State every December. This monitoring report will contain data on a range of indicators to demonstrate how well the District is contributing to sustainable development. In addition the District will be required to monitor the sustainability indicators set out in the sustainability appraisal and a number of policy indicators in the Regional Spatial Strategy.
 - External specialist advice will be required for key pieces of work, particularly in relation to Strategic Flood Risk Assessment, retail and employment matters and Strategic Environmental Assessment/Sustainability Appraisal. To comply with the timescales set out in the LDS it will be necessary to determine the level of consultancy advice required as soon as possible, to be able to make appropriate appointments and for work to commence to inform the issues and options stage of the Core Strategy.
 - The additional consultation requirements set out in the SCI and PPS12 will require dedicated administration support for significant periods of time to ensure

that the right organisations are not only involved in the front loading process but are continuously consulted and that the various statutory notices / adverts are issued. Failure to do so will result in the Development Plan Document being determined as 'unsound'. The LDF process also requires all consultation responses to be logged on a database, summarised and made available on the Councils' website. The CAPS LDF package has been ordered to assist with these requirements including a 'public access' facility for the website. At the formal examination stage the Council will require extensive administrative support for the preparation and distribution of a range of documents from topic papers to proofs of evidence.

- 8.4 The formal Examination process which has replaced the local plan inquiry procedures will have to follow the guidelines set down by the Planning Inspectorate. An Inspector will be allocated to the City Council, however the Council will need to appoint a dedicated Programme Officer (on scale 5 from mid 2008). The Council will be expected to meet the costs of the Inquiry.
- 8.5 To help provide a reserve to support this necessary work the Local Plan Reserve fund (now known as the Local Development Framework Reserve) receives a sum of £40,000 annually. At present there is an additional contribution of £40,000 from the Planning Delivery Grant received by the Council. There is no certainty however that the latter funding will continue.
- 8.6 Appendix 4 summarises the estimate of LDF expenditure on an annual basis, this should be treated with some caution as the estimates have been derived on the basis of a number of assumptions, for example the examination expenses will depend upon the number of days required for the hearing which will again depend upon the number of representations received which at this stage is unknown. Likewise consultants will be required to undertake specialist surveys as part of the evidence base, and the level and detail of this requirement is currently being formulated.

OTHER CONSIDERATIONS:

9 CORPORATE STRATEGY:

- 9.1 The Core Strategy will include broad spatial planning objectives for the District rather than detailed policy advice. Being expressed in spatial terms it will require a more holistic approach and will bring together policies for the development and use of land with other strategies and programmes produced both by the Council and its partners which influence the nature of places and how they function. The LDF is therefore a control document as we seek to realise the aims and vision of both the Councils' Corporate Strategy and the District's Community Strategy.

10 RESOURCE IMPLICATIONS:

- 10.1 It is evident from preliminary work undertaken to date (and summarised in section 8), that from 2007/08 expenditure on LDF matters will exceed the planned income received from the LDF Reserve Fund. This deficit is expected to increase substantially by the end of 2011/12 (the end date of the first tranche of LDF documents) where there is potentially a deficit of over £400,000. Consequently it is necessary to consider the financial implications of the LDF and plan for this level of

growth as part of the process for agreeing the 2007 / 2008 budget and future expenditure plans.

11 BACKGROUND DOCUMENTS:

11.1 none

12 APPENDICES:

Appendix 1 – Production timetable for Core Strategy

Appendix 2 – Components of the LDF Evidence Base

Appendix 3 – Key member decisions on the Core Strategy

Appendix 4 – Annual LDF Expenditure

APPENDIX 1

Key Stages – Winchester District Core Strategy	Timescale
<p><u>Pre – production :</u></p> <ul style="list-style-type: none"> • Commencement of document preparation to include the development and maintenance of an evidence base to ensure policies and strategies are based on a thorough understanding of the area, to include data on social, economic and environmental characteristics. This evidence will be relied upon to test the soundness of the Core Strategy and will be critical in the identification of issues that the strategy needs to address. • Commencement of an overview of the existing plans and strategies prepared by the City Council and its partners, this is referred to as a scoping assessment, which is also critical to the development of a sound spatial plan. • Community involvement to contribute to the early identification of the issues to be explored 	July – Dec 2006
<p><u>Production :-</u></p> <p>This stage falls into four parts:-</p> <p>A) Consultation on issues and options following earlier community and stakeholder involvement on the identification of the issues to be explored further. Preparation of the initial sustainability appraisal.</p> <p>B) Development of preferred options following (A), and the results of the evidence base and the scoping assessment. Further sustainability appraisal, to ensure the preferred approach is based on sustainability principles and objectives. Formal consultation on preferred option (6 weeks).</p> <p>C) Consideration of responses to (B) and subsequent amendment of document. Preparation of submission version, together with a proposals map, including a statement as to how the Statement of Community Involvement has been complied with.</p> <p>D) Formal submission of the document to the Government, together with the Sustainability Appraisal, the evidence base and other background material, for consideration and examination. Formal consultation for 6 weeks.</p>	<p>Jan – May 2007</p> <p>June–Nov 2007</p> <p>Dec 2007</p> <p>Jan–March 2008</p>
<p><u>Examination :-</u></p> <p>This stage falls into four parts :-</p> <p>A) receipt of representations to the submitted document, summaries to be</p>	

<p>prepared by the local planning authority and submitted to the Planning Inspectorate, together with copies of the representations and a summary of the main issues raised.</p>	Apr-Jun 2008
<p>B) Pre-examination meeting – organised by the Planning Inspectorate to allow the Inspector to discuss the management of the examination.</p>	Jul 2008
<p>C) Examination</p>	Sep – Oct 2008
<p>D) Receipt of Inspector’s binding report</p>	March 2009
<p><u>Adoption of the Core Strategy (including the Inspector’s binding report) by the Council</u></p>	June 2009

Components of the LDF Evidence Base

Topic	LDF Requirement	Source of data/author of report	Status	Publication Date	Existing WCC strategies - reports	Action required/priority
Housing Land Availability	Checklist 5a PPS12 guidelines	HCC/WCC	2006 report being finalised	December 2006	LDF - AMR	
Urban Capacity Study	Checklist 5a PPS12 guidelines	WCC	2001 study to be updated			update to commence ASAP
Central Hampshire and New Forest Housing Market Assessment	Checklist 5a PPS12 guidelines Emerging PPS3	Consultants to be appointed	To commence early 2007	May 07	Winchester District Housing Needs survey 2002 Housing Strategies	Assess to establish whether report meets LDF requirements
Southern Hampshire Housing Market Assessment	Checklist 5a PPS12 guidelines Emerging PPS3	Consultants DTZ on behalf of PUSH	Final draft report September 2006	Late 2006	Winchester District Housing Needs survey 2002 Housing Strategies	Assess to establish whether report meets LDF requirements

West Waterlooville Housing Market Assessment	Checklist 5a PPS12 guidelines Emerging PPS3	Consultants DTZ on behalf of WCC, Havant BC, Portsmouth BC, East Hampshire DC	Final draft report September 2006	Late 2006	Winchester District Housing Needs survey 2002 Housing Strategies	Assess to establish whether report meets LDF requirements
Hampshire Gypsy Study	Checklist 5a PPS12 guidelines ODPM Circular 01/06	Hampshire CC	report being finalised October 2006	Late 2006		Assess to establish whether report meets LDF requirements
Employment Land Review To include :- Underused land/buildings – reuse of land (allocated for employment purposes)/availability of brownfield land/need for office floorspace Economic Matters – skills audit/sector analysis, requirement of existing and future businesses	Checklist 5a PPS12 guidelines ODPM Review of Employment Land 2004 PPG3	WCC/Hampshire/ neighbouring LA's	To commence project ASAP		Contaminated Land Strategy 2005 Economic Development Strategy Tourism Strategy NLUD – annual return WCC Winnall Study WCC/HCC Contaminated land register	Assessment and review of existing studies required ASAP Check work undertaken by PUSH/HEP and neighbouring LA's

Strategic Flood Risk Assessment	Checklist 5a PPS12 guidelines PPG25/PPS25 Emerging PPS3	consultants				Appoint consultants ASAP due to length of time needed for full assessment Determine extent of PUSH study
Accessibility Assessment	Checklist 5a PPS12 guidelines PPG13	WCC/HCC?			Hampshire Local Transport Plan	Determine LDF requirement
Open Space and Recreation Study - PPG17 Assessment	Checklist 5a PPS12 guidelines PPG17	WCC/East Hampshire DC	Study commenced summer 2006	Summer 2007	Winchester District Open Space Strategy 2006	Determine LDF requirement
Green Infrastructure Audit	Checklist 5a PPS12 guidelines PPG17	WCC/HCC			Winchester District Landscape Character Assessment 2004 Tree Strategy Winchester District local BAP 2005	Assess against PPG17 study being undertaken and need to fill any gaps. PUSH appointing consultants to commence study late 06 – completion due mid 07.
Sustainability Appraisal and Strategic Environmental Assessment	Planning and Compulsory Purchase Act 2004 (39(2)) EU directive	WCC/consultants			Existing plans, policies and strategies of WCC and its partners to develop an understanding of the	First stage scoping and baseline assessment to commence ASAP

	2001/42/EC Appropriate Assessment Habitats Directive (Article 6(3) & (4)) 92/43/EEC Checklist 5a PPS12 guidelines				wider range of matters that are relevant to the LDF	
Shopping and Town Centres Health Checks – impact of retail proposals Accessibility	Checklist 5a PPS12 guidelines PPS6	WCC/consultants	2003 report to be updated		Assessment of retail floorspace in Winchester 2003	Assess extent of existing reports and update to fulfil LDF/PPS6 requirements
Social Issues Deprivation Educational achievement	Checklist 5a PPS12 guidelines	WCC – Community Strategy			Community safety strategy Health strategy People strategy Workforce strategy Social inclusion	Establish LDF requirement and any gaps in knowledge base

Community Aspirations	Checklist 5a PPS12 guidelines	WCC – Community Strategy			Future of Winchester Study 1999 Help Shape Winchester District consultation 1999 Parish Plans Village Design Statements	Establish LDF requirement and determine links with community Strategy
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APPENDIX 3

Stage in Process	Cabinet approval	Council	General Member involvement
<u>Pre- Production</u> evidence base, community involvement	Delegated to Cabinet (LDF) Committee		All Members advised of community events
<u>Production</u> Issues and Options consultation SA/SEA	Delegated to Cabinet (LDF) Committee		All Members to have access to relevant area of the intranet where documents are held.
Preferred options preparation and consultation (6 weeks)	yes	yes	All Members forwarded consultation documents (hard copy or electronic)
Submission version preparation and consultation (6 weeks)	yes	yes	All Members forwarded consultation documents (hard copy or electronic)
<u>Examination</u>	no		All Members advised as to the start of the examination and program
<u>Adoption</u>	Yes	Yes	

Annual LDF Expenditure:-

APPENDIX 4

Item/year	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12
Examination Expenses	£8 400 (SCI)		£132 600 (Core Strategy)		£106 200 – £155 400 (Development Provision)	£120 600 – £193 800 (Development Control)
Specialist advice/ consultants	£30 000	£80 000 – £100 000	£30 000 – £50 000			
SA/SEA	£10 000	£10 000	£10 000	£10 000	£10 000	£10 000
Community Involvement/ consultation	£10 000	£5 000	£10 000	£20 000		
LDF Administration	£5 500	£22 500	£22 500	£22 500	£22 500	£22 500
Printing and publication of background papers and consultation documents	£5 000	£5 000	£5 000	£10 000	£10 000	£10 000
Total	£68 900	£122 500 - £142 500	£172 500 - £192 500	£62 500	£140 700 - £197 900	£165 100 - £236 300
Income from LDF reserve fund	£40 000 + £40 000 from 2005/6 PDG fund = £80 000	£40 000	£40 000	£40 000	£40 000	£40 000
Surplus/deficit	£11 100	-£82 500 / -£102 500	-£132 500 / -£152 500	-£22 500	-£108 700 / £157 900	-£125 100 / -£196 300
Surplus/deficit Carried forward	£11 100	-£71 400 / -£91 400	-£203 900 / -£243 900	-£181 400 / -£266 400	-£290 100 / -£424 300	-£415 200 / -£620 600