

Our Ref: 100723 - GBRHRJ
Your Ref:
From: Councillor Graham Butland
Tel. No.: (01376) 552525
Ext.: 2002
E-Mail: Emma.conigliaro@braintree.gov.uk
Date: 10 July 2023

Causeway House
Braintree
Essex
CM7 9HB

Tel: 01376 552525
Minicom: 01376 557766
www.braintree.gov.uk

The Rt Hon Robert Jenrick MP
Minister of State for Immigration
2 Marsham Street
London
SW1P 4DF

Dear Robert

RAF Wethersfield Airfield

As Leader of Braintree District Council, I write to share our ongoing concerns ahead of the Home Office starting to use land at RAF Wethersfield Airfield site, Braintree, Essex, as accommodation for up to 1,700 single male asylum seekers for an unspecified period of time.

We are aware of the intention to utilise the site no earlier than 11 July and therefore asylum seekers could arrive imminently. This is despite there still being a number of urgent matters that we feel the Home Office need to address and clarify.

The Council continues to challenge the Secretary of State's decision of 28 March 2023 to use RAF Wethersfield. The Council has been clear of its grounds for its challenges, and are continuing with the current Judicial Review proceedings, due to be considered by the High Court this week on 12th and 13th July. This challenge is summarised as follows:

- a. The proposed use and development requires express planning permission, and the Secretary of State has erred on the reliance upon the provisions relating to Class Q;
- b. The failure to consider the conclusion of the Council, as the relevant local planning authority, that the proposed use and development require express planning permission;
- c. The failure to consult the Council or other relevant bodies, including stakeholders and the local community prior to making the Decision. In so doing, the Secretary of State departed from the advice of her own officials and from previous practice without giving adequate reasoning and has failed to comply with an obligation arising in common law to consult on the substance of the proposed development;
- d. The decision is based upon an insufficient Equality Impact Assessment;
- e. The error in relying upon the screening direction, which was wrongly predicated on the basis that the proposed use and development would only be in place for 12 months. The

screening direction does not take into account the conclusion of the Ministry of Justice that development of two prisons on the site would amount to EIA development.

The Council continues to remain concerned that the Secretary of State has failed to take certain matters into account and have wrongly excluded key matters from their decision making. These include:

- i. not taking into account or assessing the nature and extent of any conflict with the adopted development plan;
- ii. not taking into account the likely greatest duration of use of the site;
- iii. failing to take into account the location of the site;
- iv. proceeding on the basis that sufficient healthcare facilities would be available to those on site from the outset of occupation, without any sufficient evidence base to support that conclusion;
- v. not taking into account the likelihood of those accommodated on site would want to access the surrounding villages, areas and roads, and services, and the impact this will have on the local community and local services;
- vi. not taking into account the traffic implications of the site, including the number of commercial vehicles required to support a population of 1,700 residents plus staff working at the site. There has been no consideration to the impact this will have to the local highways network, or the suitability of those networks. The Home Office has failed to adequately consider the impacts on the rural road network, in particular from HGV traffic necessary to provide sufficient modular accommodation. The HGV traffic caused significant disruption to the rural network on 22 June 2023. The transportation of the modular accommodation was poorly managed and caused disruption to the local communities and services, which brought the area to a standstill for many hours;
- vii. not taking into account the known issues with providing adequate wastewater facilities to the site. It is known there has been serious issues with the adequacy of the ageing wastewater provision on the land.

In addition, the Council remain increasingly concerned that despite these issues being expressed by the Council, its partners and the local community, the Secretary of State is determined to push forward with the site and the proposals. There continues to be a significant number of issues that need to be addressed by the Secretary of State before the site can be operational and the Council are still of the opinion that the site is not suitable. Council officers have been raising these issues with Home Office staff many, many times since we first became aware of the proposals and are not getting satisfactory responses to their questions.

The Council are deeply concerned, that as of the date of this letter, we are not aware there remains signed contracts in place for the provision of services on site. This includes a contract with the main provider, Clearsprings, who have been identified to deliver the accommodation and support services for those residing on site. We assume this contract includes the delivery of security measures required for the site, basic care such as accommodation, food and leisure facilities, and sets out the level of staffing required. These are fundamental issues that need to be addressed in advance of the site becoming operational, are key to the site being delivered safely and for partners to have sight of.

The Secretary of State intends to provide healthcare facilities to those on site. However, the details of this have again, not been finalised. The NHS are already under increasing pressure and will have difficulties mobilising services at short notice. It is not acceptable for individuals to be on site without this key provision being in place, or there being a risk that the local health services will be called upon to provide an interim provision. The medical needs of those coming to the site should be known at this point, and there should be a clear plan for ensuring that those needs are met. Failure to do so places those on site at risk and puts pressures on an already struggling system.

The Home Office have promised to actively engage with the local community directly about the proposals. We appreciate that targeted engagement has been held for audience groups such as local businesses, community groups, parish councils and residents affected directly by the proposals in the immediate area, and whilst we are grateful for this, there is still a huge VOID of communications and wider local community engagement. To date this has been lacking by the Home Office. This includes printed communications for those who may not have access to the internet given the rural nature and demographics of those who live in Wethersfield and surrounding villages. These points have been requested by the Council and partners since April 2023 on numerous occasions. The Council is aware that the Home Office has in place a communication plan, however this isn't to a standard we, alongside multi-agency partners, would expect to see at this stage and it is unclear what community engagement will be held moving forward once the site goes live, which is important, and whether that will be led by the Home Office or the site provider. We are also disappointed there has not been clear communications from the Home Office around when the local community can expect to see individuals arrive on site.

We would urgently encourage the Home Office to consider a stakeholder group, wider opportunities for community engagement and printed communications to ensure residents living in our rural communities are kept informed throughout the process. We would also request that the Home Office publish relevant surveys and/or reports they have carried out on the site, which would have been a requirement in the normal planning process, such as contamination, and make these available in the public domain. This information and messaging will no doubt help mitigate of the community concern and speculation that we are seeing gain increasing traction.

Finally, the Home Office have publicly announced that there will be funding available to the local authorities a result of the proposal. However, there has been a total lack of information around the level of funding that will be provided. On the current indication, the Council is aware that the funding is set at £3,500 per bed space, and that this funding will be a one-off payment. Under this proposal the Council understands it will receive one payment, based on the total number of beds on the site, namely 1,700. It will not receive funding per individual as they transition through the site. Currently there is no clarification on how long the site will be running, and therefore the Council is unable to effectively allocate the funding, as it has no basis to know whether this is to cover costs incurred over the initial 12 months, or for 5 years and has no way of knowing how many people this funding is expected to cover.

To date, the Council has not received a grant funding letter setting out the total value of the funding to be provided, the basis of the funding or whether there will be specific criteria attached to the funding, which will restrict the Councils use of it. With individuals expected to arrive on site imminently, this lack of transparency has a significant impact on the Councils own decisions and how it can effectively support those on site or the local community and services.

I look forward to your response addressing the issues raised above.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Graham Butland', with a large, stylized flourish at the end.

Cllr Graham Butland
Leader of Braintree District Council