

Policy CS12 – Wirral Waters

Summary of Comments Received	Recommended Response
<p>Support the inclusion of a specific policy for Wirral Waters but Wirral Waters should be identified as a “Strategic Location” with East Float, West Float and Bidston Dock identified as “Strategic Sites”. These changes are necessary to fully articulate the role and scale of opportunity at Wirral Waters, add certainty and clarity to the level of support for Wirral Waters and make its designation more explicit and to ensure the soundness of Policy CS12.</p>	<p>No change is recommended. The strategic importance and scale of Wirral Waters and each of its different elements is already explicitly identified through the inclusion of Policy CS12 and it would be repetitive and unnecessary to include a series of additional individual and separate policies for each separate element of these proposals. Major development is also provided for in this location within the Spatial Vision; Broad Spatial Strategy; Key Diagram; and in Settlement Area Policies CS4 – Priorities for Wallasey; CS5 – Priorities for the Commercial Core; and CS6 – Priorities for Suburban Birkenhead. National policy states that “Local Plans should indicate broad locations for strategic development on the key diagram and land use designations on a proposals map” (NPPF para. 157). The Core Strategy is not intended to allocate specific sites for development but the location of a new city neighbourhood is already identified on the Key Diagram.</p>
<p>The title to Policy CS12 should be changed to “Wirral Waters <u>Strategic Location for Growth</u>” and new first paragraph should be added to Policy CS12 to say “<u>Wirral Waters, comprising a series of City Neighbourhoods centred around the Birkenhead/Wallasey Dock Estate is designated as a Strategic Location for Growth within the Core Strategy</u>” and the existing first paragraph of the policy should be amended to say “<u>The Council will work with private and public sector partners to secure the delivery of large-scale, high-density, mixed-use, commercial-led development at Wirral Waters to drive economic growth and transformation within Wirral and the wider sub-region.</u>” These changes are necessary to ensure the soundness of the Core Strategy and to better reflect the economic growth potential and scale of the Council’s own aspirations for this scheme.</p>	<p>No change is recommended, as Policy CS12 already states that “The Council will support the delivery of large-scale, high-density, mixed-use, commercial-led development within the Birkenhead Dock Estate at East Float, West Float and Bidston Dock, to support the economic growth and regeneration of the wider sub-region.”</p>
<p>A new paragraph should be inserted in Policy CS12 to say “<u>It is anticipated that a new Town Centre will be designated at East Float through a future review of the Core Strategy reflecting the level of retail and associated development which is expected to be delivered and the role this will play in serving the resident, working and visitor population at East Float.</u>”</p>	<p>No change is recommended. It would be premature to anticipate or commit to the designation of a new town centre at Wirral Waters, as it is not yet clear how or when the proposed town centre uses at East Float will be developed until reserved matters applications have been submitted and implemented.</p>

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A new paragraph should be added to Policy CS12 to say " <u>Wirral Waters is expected to be delivered over a 40+ year timeframe and therefore will not be delivered in full by the end of the Core Strategy plan period.</u> "	No change is recommended, as Policy CS12 already states that "The precise timetable for delivery is yet to be determined but is expected to extend beyond the period of this Core Strategy" and a reference to potential delivery over the next 40 years is already included in paragraph 18.4.
East Float should be designated as a Strategic Site with a new separate policy " <u>Policy CS12a - East Float Strategic Site</u> ". Paragraph 2 of Policy CS12 should be replaced with a new paragraph to say that " <u>East Float is designated as a Strategic Site. It will be developed for a mix of uses in accordance with Policy CS12a</u> ". Policy CS12a should say that " <u>The Council will work with its developer partners to deliver the comprehensive redevelopment of East Float as part of the Wirral Waters Strategic Location. East Float will be developed to provide a new mixed use City Neighbourhood comprising:</u> " The Proposals Map should be amended to show the boundary of the East Float Strategic Site, as supplied, to reflect the advanced stage of the scheme in the planning process.	No change is recommended, as it would be repetitive and unnecessary to include an additional and separate policy for this element of Wirral Waters, when the information sought by this proposed amendment is already included in Policy CS12. The Core Strategy is not intended to be a site-specific Local Plan and does not have a Proposals Map. It is therefore inappropriate to secure the respondents objectives in the manner suggested.
The reference in Policy CS12 to the amount of housing development at East Float should be amended from "up to 15,200 dwellings" to " <u>around 15,200 dwellings</u> " to provide flexibility and avoid unnecessary and unjustified restrictions on the amount of development.	It is recommended to amend Policy CS12 to read: "up to <u>15,193</u> dwellings" to reflect the maximum amount of development that has been objectively assessed through the outline planning permission for East Float.
The reference in Policy CS12 to the amount of office development at East Float should be amended from "up to 429,800 square metres for offices including research and development, subject to measures to reduce the impact on Liverpool City Centre" to " <u>around 430,000sqm office uses</u> " to provide flexibility and avoid unnecessary and unjustified restrictions on the amount of development and correct the soundness of Policy CS12.	It is recommended to amend Policy CS12 to read: "up to <u>428,794</u> square metres for offices including research and development, subject to measures to reduce the impact on Liverpool City Centre" to reflect the maximum amount of development that has been objectively assessed through the outline planning permission for East Float. The loss of the additional wording in relation to Liverpool City Centre would remove an important safeguard identified in the planning permission and would open the Core Strategy to additional objections under the Council's statutory duty to co-operate.
The reference in Policy CS12 to the amount of retail and leisure development at East Float should be amended from "up to 102,500 square metres for cultural, leisure, amenity and hotel uses and up to 66,900 square metres for retail uses, subject to the delivery of additional homes and jobs to prevent harm to existing centres" to " <u>around 145,000sqm of cultural, leisure, education, hotel and conferencing,</u>	The comments are partially accepted. It is recommended to amend Policy CS12 to read: "up to <u>140,534</u> square metres for cultural, leisure, <u>education</u> , hotel <u>and conferencing</u> , <u>community</u> and amenity <u>facilities</u> and up to <u>66,349</u> square metres for retail uses, subject to the delivery of additional homes and jobs to prevent harm to existing centres", to reflect the range of uses permitted and the maximum amount of development

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<p><u>community and amenity facilities</u>” and “<u>around 67,000 sq m of retail uses</u>” to provide flexibility and avoid unnecessary and unjustified restrictions on the amount of development and correct the soundness of Policy CS12.</p>	<p>that has been objectively assessed through the outline planning permission for East Float. The loss of the additional wording in relation to harm to existing centres would remove an important safeguard identified in the planning permission and would open the Core Strategy to additional objections under the Council’s statutory duty to co-operate and from third parties who specifically requested that these safeguards be included.</p>
<p>Support the reference in Policy CS12 to West Float being developed for industrial, employment and port-related activities but the International Trade Centre at West Float should be designated as a Strategic Site with a new separate policy “<u>Policy CS12b - West Float (ITC) Strategic Site</u>”. Paragraph 3 of Policy CS12 should be replaced with a new paragraph to only say that “<u>Part of West Float is designated as Strategic Site. It will be developed to provide an International Trade Centre in accordance with Policy CS12b.</u>” Policy CS12b should say that “<u>The Council will work with its developer partners to deliver the redevelopment the West Float ITC site as part of the Wirral Waters Strategic Location</u>” specifying the size and type of uses to be permitted and that “<u>Development proposals at West Float ITC will be required to satisfy the relevant development control criteria set out in Policy CS12</u>” The Proposals Map should be amended to show the boundary of the West Float ITC Strategic Site, as supplied, to reflect the advanced stage of the scheme in the planning process.</p>	<p>No change is recommended, as it would be repetitive and unnecessary to include an additional separate policy for this element of Wirral Waters, when the information sought by this proposed amendment is already included in Policy CS12. Policy CS12 already states that “Development at West Float will primarily provide for industrial, employment and port related activities, including the delivery of an International Trade Centre of up to 228,300 square metres and other associated facilities”. The amendments suggested would only cover part of the West Float and relate to only one particular development scheme. The omission of a more general reference to industrial, employment and port related activities at West Float would fail to set out the acceptable type of development at this location. The Core Strategy is not intended to be a site-specific Local Plan and does not have a Proposals Map. It is therefore inappropriate to secure the respondents objectives in the manner suggested.</p>
<p>The reference in Policy CS12 to the amount of development at the ITC should be amended from “up to 228,300 square metres and other associated supporting facilities” to “<u>approximately 230,000sqm in size and comprising trade showrooms, storage, ancillary office and management accommodation, distribution and product assembly space, exhibition space, ancillary food and drink uses and car parking, up to 115,000 sq m of which will be permitted for general distribution and industrial use</u>” to reflect the existing outline planning permission for the site and correct the soundness of Policy CS12.</p>	<p>The comments are partially accepted. The existing wording in Policy CS12 reflects the maximum amount of development that has been objectively assessed through the outline planning permission for the ITC at West Float. It is however recommended the wording related to the range of uses permitted should be amended in Policy CS12, to read: “Development at West Float will primarily provide for industrial, employment and port-related activities, including the delivery of an International Trade Centre <u>which will provide up to 228,300 square metres of floorspace comprising trade showrooms, storage, distribution and product assembly space, exhibition space, ancillary food and drink facilities, ancillary office and management accommodation, security facilities and associated car parking.</u> Up to 116,529 square metres of the</p>

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<p>Support the reference in paragraph 4 of Policy CS12 to the complementary development at Bidston Dock but consider Policy CS12 would benefit from further elaboration to correct the soundness of the Core Strategy. While the proposals for Bidston Dock are not sufficiently advanced to warrant designation as a Strategic Site, the current wording does not reflect its importance to the delivery of the overall vision for Wirral Waters as set out within the Strategic Regeneration Framework for Wirral Waters which has been endorsed by the Council and forms part of the Core Strategy evidence base.</p> <p>“Complementary development” is a poorly defined term. Policy CS12 should clarify that Bidston Dock will be developed as a major nationally important leisure and retail destination, planned in a way which ensures it complements Birkenhead Town Centre and other town centres in the Borough, providing a differentiated retail and leisure offer which does not exist in Wirral at present, serving to enhance Wirral’s investment and visitor profile and contribute towards realising Wirral Waters’ full potential as a world class visitor destination.</p> <p>Paragraph 4 of Policy CS12 should be replaced with a new paragraph to say <u>“Bidston Dock will be developed as a major new retail and leisure destination to complement development at East Float and to contribute to the economic transformation and regeneration of Wirral and the wider City Region. It will be planned and delivered in a manner which complements the retail and leisure offer at Birkenhead Town Centre and other designated centres within the Borough.”</u> Any spatial reference to “the area” should be taken to mean the City Region, to avoid unrealistic expectations about how Bidston Dock will be developed over the plan period.</p>	<p><u>overall floorspace will be permitted for general distribution and industrial use”.</u></p> <p>The comments are partly accepted but no change to the main substance of Policy CS12 is recommended. Policy CS12 currently states that “Development at Bidston Dock will provide for complementary development that will further support the economic revitalisation of the area, without causing harm to existing centres or facilities.” No specific land-uses are identified. The preamble to Policy CS12 already indicates that development at East Float, West Float and Bidston Dock is intended to support the economic growth and regeneration of the wider sub-region.</p> <p>Other respondents have asked for further detail on the intended nature and scale of development at Bidston Dock arising from a concern about the potential impact of a new retail or leisure development, including on adjoining local authorities. There is currently a lack of sufficiently detailed evidence to support a reference to Bidston Dock being developed as a major new retail and leisure destination at this stage. Paragraph 18.6 already states that additional justification will be required for further development at Bidston Dock and that proposals will need to be considered against the wider framework of the Core Strategy and national policy.</p> <p>The promotion of major retail and leisure in this location would require a detailed assessment of the impacts and alternatives to satisfy national policy (NPPF paragraphs 23-26 refer). A “major nationally important leisure and retail destination” would trigger significant cross-boundary impacts that would need to be fully evidenced and quantified and agreed through the Council’s statutory duty to co-operate before they could be included in the Core Strategy. The Council endorsed the Wirral Waters Strategic Regeneration Framework Baseline Study for public consultation insofar as it related to Wirral Waters proposals at that stage (Minute 148). The Baseline Report does not however provide any detailed proposals for the future use of Bidston Dock.</p> <p>The amendments suggested would not address harm to existing centres</p>

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	and facilities outside of the Borough in line with Policy CS29 and would open the Core Strategy to additional objections under the duty to co-operate. It is accepted that complementary development' is poorly defined even though the suggested revised text also uses similar wording. It is therefore only recommended to re-word paragraph 4 of Policy CS12 to say " <u>Bidston Dock will provide for development that will further support economic revitalisation without causing harm to existing centres or facilities.</u> " A reference to the Liverpool City Region has not been included, as it is already included in the opening paragraph of Policy CS12.
Point 2 of the list of criteria in Policy CS12 should be amended to make it clear that a contribution to affordable housing in line with Policy CS22 is only required where viable.	No change is recommended, as the need to address viability is already clearly addressed in Policy CS22.
Point 5 of the list of criteria in Policy CS12 should be amended to make it clear that the requirement to incorporate low carbon initiatives to minimise energy demands and maximise the use of low carbon and/or renewable energy should only be required where viable.	Accepted. The Wirral Waters Strategic Regeneration Framework states that the strategy is to create an exemplar, low carbon, low resource demand, sustainable development that will meet national and regional policy targets in respect of sustainability providing project viability allows (Guiding Principles Paragraph 3.12 refers). It is therefore recommended that Point 5 of Policy CS12 is amended to read: "incorporate low carbon initiatives to minimise energy demands and maximise the use of low carbon and/or renewable energy <u>where viable</u> ;"
Point 7 of the list of criteria in Policy CS12 should be altered to say "include measures that will secure full integration with surrounding areas, including the historic grid iron street layout and Hamilton Square Conservation Area, <u>and the provision of direct and convenient pedestrian and cycling routes to the stations at Birkenhead Park, Conway Park and Hamilton Square;</u> "	No change is recommended, as these are matters to be considered as part of the public transport and access strategy which is already required under Point 7 of Policy CS12.
Point 8 of the list of criteria in Policy CS12 should be amended to say " <u>unacceptable</u> harm to the setting or views from Hamilton Square Conservation Area".	Accepted. It is recommended to amend Point 8 of Policy CS12 to read: "ensure that the impact of any tall buildings will not cause <u>unacceptable</u> harm to the setting or views from Hamilton Square Conservation Area". This amendment will, however, need to be confirmed with English Heritage under the duty to cooperate.

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<p>It would be useful if Policy CS12 included details of the phasing of development, to make clear when the 15,200 dwellings will be delivered. Such details need to be robustly assessed and explained.</p>	<p>No change is recommended, as separate figures are already shown for Wirral Waters in Table 20.2 – Housing land Supply April 2012 and further information is and will be included in the Council’s Strategic Housing Land Availability Assessment Updates and statutory Monitoring Reports.</p>
<p>Welcome the statement that new retail development at Wirral Waters will be "subject to the delivery of additional homes and jobs to prevent harm to existing centres" and the requirement to prevent harm to existing centres in neighbouring authorities but still remain concerned about future scale of retail and leisure uses proposed at Wirral Waters and the associated impacts on existing centres within Cheshire West and Chester. Additional information should be provided to explain why out-of-centre retail and leisure development of such a large scale is justified and how it will be ensured that if it comes forward it will not have a detrimental impact on existing centres.</p>	<p>No change is recommended as Policy CS12 already states that retail and leisure development at East Float will be “subject to the delivery of additional homes and jobs to prevent harm to existing centres” and that development at Bidston Dock must not cause harm to existing centres or facilities. Paragraph 18.6 already indicates that “further development will require additional justification and any subsequent proposals at Bidston Dock and/or West Float will need to be considered against the wider framework of this Core Strategy and national policy requirements”.</p>
<p>There remains significant ambiguity as to whether or not further retail floorspace elsewhere at Wirral Waters would be acceptable going forward. The draft policy specifies what floorspace would be acceptable at East Float, but it does not set floorspace thresholds for Bidston Dock- an area which has previously been considered appropriate by developers Peel as a possible location for destination leisure and retailing (Wirral Waters Strategic Regeneration Framework, 2009). Cross-reference to Draft Policy CS29 should be included to make absolutely clear that additional retail floorspace would be subject to rigorous policy tests before it can be allowed to come forward. The supporting test should make absolutely clear that any additional retail floorspace at Wirral Waters and the surrounding area (over and above that which has already been approved) must be accompanied by a robust evidence base, part of which will need to demonstrate that it will not lead to significant adverse impacts on existing and planned investment elsewhere in the region.</p> <p>As worded the Core Strategy could have significant effects beyond the locality of the Borough and serves only to compound concerns that unfettered retail development outside the established hierarchy of centres will have significant adverse impacts on Liverpool One and the City Centre as a whole. The Council should strengthen its policies in</p>	<p>No change is recommended in direct response to these comments. Policy CS12 states that “Development at Bidston Dock will provide for complementary development that will further support the economic revitalisation of the area, without causing harm to existing centres or facilities.” No specific land-uses are identified and there are currently no proposals for the site. The preamble to Policy CS12 already indicates that development at East Float, West Float and Bidston Dock is intended to support the economic growth and regeneration of the wider sub-region.</p> <p>In response to comments from another respondent it is recommended that Policy CS12 is amended to reflect the maximum amount of development already approved at East Float and West Float. The reasoned justification states at paragraph 18.6 that additional justification will be required for further development at Bidston Dock and that any proposals will need to be considered against the wider framework of the Core Strategy and national policy. This would include Policy CS29 of the Core Strategy and the national policy requirement for sequential test and impact assessment (NPPF para 23-26 refers).</p> <p>In response to comments from another respondent it has been accepted that ‘complementary development’ requires further definition and it is</p>

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<p>connection with Wirral Waters so that it is made absolutely clear that destination retail is not planned for in this location and will not be allowed to come forward unless it can be comprehensively demonstrated that it will not be to the detriment of the region's sustainable economic future.</p>	<p>recommended to re-word paragraph 4 of Policy CS12 to say “<u>Bidston Dock will provide for development that will further support economic revitalisation without causing harm to existing centres or facilities</u>”.</p>
<p>Whilst recognising the significant regeneration benefits of Wirral Waters, the type and quantum of development at Bidston Dock, the potential impact on Liverpool City Centre as the Regional Centre and the interpretation of ‘complementary development’ are still unclear. The statement that “any subsequent proposals at Bidston Dock and/or West Float will need to be considered against the wider framework of this Core Strategy and national policy requirements” could still allow uses which could potentially impact on Liverpool City Centre, given the overall support for “the delivery of large-scale, high-density, mixed-use, commercial-led development within the Birkenhead Dock Estate at East Float, West Float and Bidston Dock, to support the economic growth and regeneration of the wider sub-region”. Neither Policy CS12 nor its supporting text refers to the need to consider future proposals in the context of Liverpool City Centre as the Regional Centre. Given that the Wirral Retail Study Update (2012) concludes that there is no need for any additional convenience goods floorspace in Wirral to 2030 and very little need for comparison goods, any new retail floorspace at Bidston it is likely to result in clear impacts on existing centres both in Wirral and Liverpool.</p>	<p>No change is recommended. It has already been recommended to remove the reference to ‘complementary development’ from paragraph 4 of Policy CS12 and no specific land-uses have been identified. The statement in paragraph 18.6, the requirement that any development at Bidston must not harm existing centres and facilities and the requirements of Policy CS29 – Criteria for Edge-of-Centre and Out-of-Centre Facilities, which specifically provides for the protection of centres within adjacent authorities, should provide adequate safeguards.</p>
<p>Welcome the requirement for new office development at East Float to reduce the impact on Liverpool City Centre and the link between any new retail development and the delivery of additional homes and jobs at East Float to prevent harm to existing centres. It is not, however, clear whether Liverpool City Centre would be included in the reference to “existing” centres. Whilst welcoming the references in the Background to the Core Strategy and the supporting text for Policy CS25 and the clause in Policy CS29 requiring proposals to demonstrate no significant adverse effect on the vitality and viability of centres designated in the adopted Local Plan of an adjacent authority, there is still a need to refer to Liverpool City Centre as the Regional Centre in Policy CS12, given the scale of development involved and the lack of clarity regarding future development proposals.</p>	<p>No change is recommended, as the existing references to “existing centres” in Policy CS12 and the provisions in Policy CS29 – Criteria for Edge-of-Centre and Out-of-Centre Facilities, are considered to be adequate to prevent harm to Liverpool City Centre as well as to other centres in Wirral and Cheshire West and Chester.</p>

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<p>Policy CS12 is unrealistic in terms of the delivery of Wirral Waters over the plan period, with a precise timetable not yet established, despite the existence of an outline planning permission. The amount of development indicated in Policy CS12 appears to go beyond the extant planning permission and the assessments on which it was based.</p>	<p>No change is recommended, as the figures included in Policy CS12 relate to development that has already been objectively assessed and approved or recommended for approval subject to the signing of legal agreements.</p>
<p>It is unclear whether Wirral Waters is intended to meet local needs or is intended to provide housing above the Regional Spatial Strategy requirement on the basis of the original Growth Point aspirations referred to at paragraph 18.2 and the fact that 70 percent of the occupants are expected to be new migrants. The scale of development proposed has not been subject to sufficient scrutiny in terms of impact and the degree to which the scheme is able to be delivered. Paragraph 19.23 highlights that the viability of employment development is a significant issue. The viability of housing is also a significant issue. The delivery of affordable housing is subject to viability testing but it is apparent that the ability for this development to meet existing identified housing needs is limited.</p>	<p>No change is recommended, as the figures included in Policy CS12 relate to development that has already been objectively assessed and approved or recommended for approval subject to the signing of legal agreements, including referral to the Secretary of State and the delivery of development at Wirral Waters has formed a prominent part of the Council's background evidence base. The forthcoming Strategic Housing Market Assessment will determine the Council's position in relation to future housing need.</p>
<p>Recognise the need for a site-specific policy to bring forward development on this site to support economic growth and regeneration but the future five year housing land supply will be highly dependent on delivery of Wirral Waters. The Impact Matrix for Policy CS12 acknowledges that Wirral Waters could be held back by the capacity of utilities and other supporting infrastructure, which could undermine regeneration and place pressure for development on other areas of the Borough.</p>	<p>No change is recommended, as Policy CS20 – Housing Contingencies and an assessment of the future housing land supply both with and without Wirral Waters has been included within the Core Strategy and its background evidence documents. The forthcoming Strategic Housing Market Assessment will determine the Council's position in relation to future housing need.</p>
<p>The deliverability and viability of Wirral Waters is doubtful now that work has not started since the main planning consent was granted and no application for reserved matters has yet been submitted. Given the focus on Wirral Waters within the Core Strategy, the suggestion that this consent is likely to be implemented beyond the plan period suggests that the Core Strategy may not be "effective" and will be found unsound in its present form.</p>	<p>No change is recommended, as it was never expected that Wirral Waters would be fully completed by the end of the plan period and a phased delivery over time has always been included in the Council's background evidence. The forthcoming Strategic Housing Market Assessment will determine the Council's position in relation to future housing need but Policy CS20 – Housing Contingencies, sets out what will happen if new housing does not come forward at Wirral Waters and alternative sites sufficient to provide an ongoing housing land supply have not obtained planning permission.</p>

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If no Wirral Waters - what then?	No change is recommended. Policy CS20 – Housing Contingencies, sets out what will happen if new housing does not come forward and alternative sites sufficient to provide an ongoing housing land supply have not obtained planning permission.
The Sustainability Appraisal Summary for Policy CS12 should be re-considered. The recorded impacts on retailing, town centres, heritage, flooding and culture are unwarranted and do not reflect the mitigation measures identified in outline consents, which will ensure that any adverse impacts are reduced to an acceptable level. The text should be amended to delete the reference to “uncertain impacts” and say “... <u>Potential impacts relating to retailing, town centres, heritage, flooding, culture and sport and reserved matters applications will be mitigated through the detailed design of the scheme, other policies within the Core Strategy relating to development management and appropriately worded conditions attached to future planning permissions.</u> ”	No change is recommended, at this stage. The sustainability appraisal was prepared in consultation with an independent Sustainability Appraisal Panel. The comments raised will be reported back to the Panel, when the changes being proposed to each policy are re-appraised prior to submission to the Secretary of State. It may be inappropriate to include no uncertain impact if some final solutions are still to be agreed.