



Essex County Council

Summons

To all Members of
Essex County Council

You are hereby summoned to attend the meeting of the County Council to be held as shown below to deal with the business set out in the Agenda.

10:00	Tuesday, 11 July 2017	Council Chamber, County Hall, Chelmsford, CM1 1QH
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Gavin Jones
Chief Executive

Officer Support to the Council: Andy Gribben, Council and Member Support Officer

Telephone: 03330134565

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This meeting is open to the public and the press.

The agenda is available on the Essex County Council website, www.essex.gov.uk. On the home page select 'Your Council' and then 'Meetings and Decisions'. Finally, select 'Full Council' on the date shown above from the meeting calendar.

The agenda and associated documents may be requested in alternative formats such as large print, Braille and on disk.

Please note that in the interests of improving access to the Council's meetings, a sound recording is made of the public parts of many meetings of the Council's Committees. The Chairman will make an announcement at the start of the meeting if it is being recorded. The recording/webcast service is not guaranteed to be available.

If you are unable to attend and wish to see if the recording/webcast is available you can visit this link www.essex.gov.uk/Your-Council any time after the meeting starts. Any audio available can be accessed via the 'On air now!' box in the centre of the page, or the links immediately below it.

Prayers The meeting will be preceded by Prayers led by The Right Reverend Hugh Allan o.praem, the Abbot of Beeleigh and Chaplain to the Chairman of Essex County Council.

Public Questions A period of up to 30 minutes will be allowed for members of the public to ask questions on any business of the Council (Standing Order 16.12.10). No question shall be longer than three minutes and speakers must have registered with the clerk no later than 7 calendar days before the date of the meeting. On arrival, and before the start of the meeting, registered speakers must identify themselves to staff in order to be seated.

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2 Declarations of Interest To note any declarations of interest to be made by Members in accordance with the Members' Code of Conduct	
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Minutes of the meeting of the Full Council, held in the Council Chamber County Hall, Chelmsford, CM1 1QH on Tuesday, 16 May 2017

Present:

Chairman: Councillor J F Aldridge

Vice-Chairman: Councillor J G Jowers

J Abbott	R J Gooding	G Mohindra
B Aspinell	I Grundy	Dr R Moore
J Baker	C Guglielmi	M Platt
T Ball	M Hardware	C Pond
S Barker	D Harris	R Pratt
J Beavis	A M Hedley	J M Reeves
K Bentley	I Henderson	P Reid
D Blackwell	J Henry	S Robinson
A Brown	P Honeywood	C Sargeant
M Buckley	A Jackson	W Schmitt
G Butland	E C Johnson	L Scordis
S Canning	D J Kendall	A Sheldon
J Chandler	S Lissimore	K Smith
P Channer	D Louis	C Souter
T Cutmore	J Lumley	J Spence
A Davies	M Mackrory	M Steptoe
J Deakin	R A Madden	A Turrell
M Durham	M Maddocks	L Wagland
B Egan	B Massey	S Walsh
A Erskine	P May	C Weston
D Finch	M McEwen	C Whitbread

R Gadsby	L McKinlay	A Wood
M Garnett	V Metcalfe	J A Young
A Goggin	R Mitchell	

Prayers

The meeting was preceded by prayers led by The Right Reverend Hugh Allan o.praem, the Abbot of Beeleigh and Chaplain to the Chairman of Essex County Council.

The Chairman formally opened the meeting

The Chairman welcomed all members and visitors to the meeting of Council and congratulated those who were attending for the first time following their election. He thanked for their service those former members who had not returned.

The Chairman advised those present that the meeting would be recorded and broadcast live over the internet and the recording would be available for download after the meeting.

1 Election of Chairman

It having been proposed by Councillor Madden and seconded by Councillor Spence and there being no other nominations it was

Resolved:

That Councillor Aldridge be elected Chairman of the County Council for the forthcoming Municipal Year.

Councillor Aldridge made and signed the Declaration of Acceptance of Office.

2 Appointment of Vice-Chairman

It having been proposed by Councillor Johnson and seconded by Councillor McEwen and there being no other nominations it was

Resolved:

That Councillor Jowers be appointed Vice-Chairman of the County Council for the forthcoming Municipal Year.

Councillor Jowers made and signed the Declaration of Acceptance of Office.

3 Apologies for Absence

Apologies for absence were received on behalf of Councillors Hillier and Moran.

4 The Chief Executive's Report following the County Council Elections 2017

The Chief Executive presented a report announcing the results of the County Council Elections held on 4 May 2017, setting out the results of the review of political proportionality, the consequent numbers of seats on committees and the names of the political group leaders and their deputies.

The numbers of members who had indicated their membership of the political groups were:

The Conservative Group:	56
The Liberal Democrat Group:	7
The Labour Group:	6
The Non Aligned Group	6
Others:	0
Total:	75

It having been proposed by Councillor Finch and seconded by Councillor Bentley it was

Resolved:

That the report be noted and seats on committees and other bodies be allocated to registered political groups in accordance with the table at appendix 2 of the report.

5 Declarations of Interest

- Councillor Butland declared a Code Interest in agenda item 17, Motion 1, as a non-remunerated Director of North Essex Garden Communities Limited.
- Councillor Guglielmi declared a Code Interest in agenda item 17 Motion 1, a non-remunerated alternate Director of North Essex Garden Communities Limited.
- Councillor Spence declared a Code Interest in agenda item 17 Motion 1, as a non-remunerated Director of North Essex Garden Communities Limited.

**6 Confirmation of the minutes of the meeting held on 14 February 2017
Resolved:**

That the minutes of the meeting held on 14 February 2017 be approved as a correct record and signed by the Chairman.

**7 Chairman's Announcements and Communications
Recent Death**

The Chairman informed members that former Councillor Michael Tomkins had died on Friday, the 3 March 2017.

The Chairman noted that he had been both a member of Epping Forest District Council and of Chigwell Parish Council but was elected to Essex County Council in 1997 to represent the Division of Chigwell and Loughton Broadway.

Members were informed that he had served on various committees including the Development and Regulation Committee, the Select Committee for Audit and Public Accounts, numerous Policy and Development Groups as well as in 2001 being appointed to be the Deputy to the Cabinet Member for Libraries and Leisure.

Members stood in remembrance.

Awards

Awards for Essex Highways

The Chairman invited Councillor Johnson, Cabinet Member for Highways and Transport, to present an award conferred upon the Council's Asset Management Team in Essex Highways Service, working with Ringway Jacobs, who, it was determined have a structured and best practice approach to managing the life-cycle of Essex' highways assets. This award is internationally recognised as a mark of quality. He gave thanks to those who had worked hard to achieve it.

The Cabinet Member presented a certificate of accreditation to BSI ISO 55001 Asset Management.

The Chairman invited Councillor Johnson, Cabinet Member for Highways and Transport, to present an award achieved by the Safer Essex Roads Partnership brings together the three Greater Essex Local Authorities, Essex Police, Essex Fire and Rescue Service, Highways England, the Essex and Hertfordshire Air Ambulance Trust, the Essex National Health Trust and the Safer Roads Foundation. The object of the partnership was to reduce the deaths and serious injuries on Essex Roads to zero. The Cabinet Member paid tribute to the hard work of all those involved in the campaign to promote safer driving with young drivers in Essex.

The Cabinet Member informed members that the Safer Essex Roads Partnership (SERP) core team had won the Silver Award in the 'New Scheme' Category and the Gold Award for the 'Young Driver Campaign' and presented a trophy.

Essex Pension Fund

The Chairman invited Councillor Barker, the Vice Chairman of the Essex Pension Fund for the municipal year 2016-17, to present an award won at the 2017 Pension Age Awards in late February 2017 by the Essex Pension Fund in the category for Pension Administration. This was an outstanding achievement in the face of stiff competition from other authorities. She presented the award and placed on record the outstanding commitment and effort of the outgoing Chairman, Councillor Bass, members of the Essex Pension Fund Strategic Board and the Investment Steering Committee and officers who had contributed to this achievement.

Register of Interests

The Chairman, at the request of the Essex County Council Monitoring Officer, reminded all members that it was a legal requirement to register or re-register their interests within 28 days of election, ie by 1 June 2017.

8 Receipt of petitions

The Chairman received a petition concerning:

- congestion at North Station Rd, Colchester, presented by Councillor Turrell.

The petition was passed for the attention of Councillor Bentley, the Cabinet Member for Economic Growth, Infrastructure and Partnerships.

The Chairman then received petitions concerning:

- potholes in Hatch Road, Pilgrims Hatch, Brentwood, presented by Councillor Aspinell and
- speed of traffic and dangerous conditions on the junction of Boxted Road and Boxted Church Road, Gt Horkesley, presented by Councillor Brown.

The petitions were passed for the attention of Councillor Johnson, Cabinet Member for Highways and Transport.

9 The election of the Leader of the Council and the appointment by the Leader of the Deputy Leader and of members of the Cabinet

It having been proposed by Councillor Bentley and seconded by Councillor Metcalfe and there being no other nominations it was

Resolved:

That Councillor David Finch be elected Leader of Essex County Council.

The Leader of the Council, Councillor Finch made a statement thanking members for his election. He congratulated all those who had been elected at the recent County Council Elections and outlined the progress required for the next four years.

He presented a report detailing the appointments to Cabinet, including the Deputy Leader of the Council, the powers delegated to them and the appointment of Deputies.

The report was received.

10 To make appointments to committees in accordance with the wishes of the political groups

It having been proposed by the Leader, Councillor Finch and seconded by the Deputy Leader, Councillor Bentley, it was

Resolved

That members be appointed to committees as set out in the report.

11 To appoint the Chairmen of Committees

It having been proposed by the Leader, Councillor Finch and seconded by the Deputy Leader, Councillor Bentley, it was

Resolved

That chairmen of committees be appointed as set out in the report.

voting en bloc

With the agreement of Council the Chairman proposed that agenda items 12 to 15 be moved en bloc and they were moved by the Leader, Councillor Finch and seconded by the Deputy Leader, Councillor Bentley.

**12 To receive notice from the Leader of the Council of the three County Council nominations to the Health and Wellbeing Board
Resolved:**

That Council nominations to the Health and Wellbeing Board be as set out in the report.

**13 To appoint the County Council's representative on the Essex Police and Crime Panel
Resolved:**

That appointment of the Council representative to the Essex Police and Crime Panel be made as set out in the report.

**14 To appoint the County Council's representative on the Essex Pension Fund Advisory Board
Resolved:**

That appointment of the Council representatives to the Essex Pension Fund Advisory Board be made as set out in the report.

**15 To appoint the County Council's representatives to the Essex Fire Authority
Resolved:**

That appointment of the Council representatives to the Essex Fire Authority be made as set out in the report.

**16 Motions
Council Priorities**

It was moved by Councillor Finch and seconded by Councillor Bentley that:

'This Council gives its support to the administration's priorities of a low tax and effective organisation focussed on:

- Growing the economy
- Taking care of the old and vulnerable
- Protecting children from harm
- Providing the best possible education for all children'

It was moved by Councillor Henderson and seconded by Councillor Young that the motion be amended to read as follows:

'This Council gives its support to the administration's priorities of a low tax and effective organisation focussed on:

- Growing the economy
- Taking care of the old and vulnerable
- Protecting children from harm
- Providing the best possible education for all children
- However, this Council further recognises and understands the detrimental and negative impact of having a long term policy of continued low taxation along with major Government funding cuts will have on residents and council services delivered across Essex. This Council therefore commits to reviewing its existing low tax priority when setting its annual budget for

2018/19, and also continues lobbying Government at every opportunity to take responsibility and provide substantial additional funding to enable the council to deliver the right level of support and resources to provide care for the old and most vulnerable residents across Essex.'

It was moved by Councillor Mackrory and seconded by Councillor Robinson that the motion be amended to read as follows:

'This Council gives its support to the administration's priorities of a low tax and effective organisation focussed on:

Growing the economy

- Taking care of the old and vulnerable
- Protecting children from harm
- Providing the best possible education for all children
- Sufficient funding is allocated in the 2018/19 budget to fulfil these priorities
- The relevant Scrutiny Committees measure the actual performance against these priorities'

The amendment moved by Councillor Henderson and seconded by Councillor Young having been put to the meeting was declared to be lost.

The amendment moved by Councillor Mackrory and seconded by Councillor Robinson having been put to the meeting was declared to be lost.

The motion having been put to the meeting was declared to be carried.

The Formula for Road Maintenance

It was moved by Councillor Harris and seconded by Councillor Young that:

'This Council needs to review its policy in regard to the formula for road maintenance in Essex. It acknowledges that estate roads are in an appalling condition and seeks to address this by rearranging the formula from mileage of road maintenance to usage as it used to be. This would be at no extra cost to the authority but would give the majority of Essex residents living in urban areas a fair deal.'

During the debate Councillor Canning moved that the question now be put. This was seconded by Councillor Barker. The Chairman ruled that the matter had not been sufficiently debated and declined to put this motion to the vote.

The substantive motion having been put to the meeting was declared to be lost.

17 Objection to the Network Rail (Essex and Others Level Crossing Reduction) Order Transport and Works Act Order

The Leader, Councillor Finch, presented a report to seek endorsement of the objections to the changes to level crossings carrying footpaths across railway

lines in Essex proposed as part of the Transport and Works Act 1992 Order (TWAO) application by Network Rail to the Department of Transport. The objections supported the Council's duties as highway authority to protect the rights of the public to use the footpath network.

Councillor Kendall declared an interest as he was the chairman of the Brentwood Bus and Rail Users Association.

It having been moved by Councillor Finch, and seconded by Councillor Johnson it was

Resolved

1. That the County Council objects to the application for the Network Rail (Essex and Others Level Crossing Reduction) Order and in particular to

- Footpath 12 and 22, Benfleet (E30 Ferry and E31 Brickyard – London Tilbury and Southend Main Line);
- Footpath 23, Rettendon (E38 Battlesbridge – Southminster Branch Line);
- Footpath 7, Alresford (E42 Sand Pit – Walton/Clacton Branch Line);
- Footpaths 4 and 5, Alresford (E43 High Elm – Walton/Clacton Branch Line);
- Footpath 19, Wrabness (E48 Wheatsheaf – Harwich Branch Line);
- Footpath 11, Wakes Colne (E51 Thornfield Wood – Sudbury Branch Line);
- Footpath 21, Mount Bures (E52 Golden Square – Sudbury Branch Line);
- Footpaths 27, 28 and 42, Ardleigh (E56 Abbots – Great Eastern Main Line).

2. That the County Council objects to all other crossing closures proposed where the County Council has not yet reached agreement with Network Rail on the commuted sum to be paid for the future maintenance of the new highways network to be created as part of the proposals.

3. That the Director, Highways and Transportation may take any steps to progress the objections and the Director, Legal and Assurance may take steps to arrange for the County Council to be represented at public inquiry.

4. That the Director, Highways and Transportation be authorised to withdraw the Council's objections in whole or in part after consulting the Cabinet Member with responsibility for highways.

5. That the Director of Highways and Transport, in consultation with the Leader, be authorised to amend the objection before it is submitted to take account of matters raised by members during the debate.

18 Pension Fund Investment Pooling

The Leader, Councillor Finch, presented a report to approve proposals for Pension Fund Investment pooling.

It having been moved by Councillor Barker and seconded by The Leader, Councillor Finch it was

Resolved

- (1) That the Council enters into to the ACCESS Pool Inter Authority Agreement and thereby a participant in the ACCESS Pool Joint Governance Committee (of which the Constitution and Terms of Reference are set out at Appendix 1 and Appendix 2 to this report) for the purposes of pooling pension fund investment management arrangements.
- (2) That Council resolves to delegate functions to the ACCESS Joint Governance Committee as specified in Appendix 1 with effect from the date of the execution of the Inter Authority Agreement.
- (3) That the constitution is amended by the insertion of the following text at the end of paragraph 13.2:

'The ACCESS Pension Fund Pool Joint Governance Committee will exercise council functions in accordance with the terms of the delegations granted to it by full Council from time to time'.
- (4) That attendance of a meeting of the ACCESS Pool Joint Governance Committee as a member of that Committee shall be added to the list of approved duties in appendix 3 of part 26 of the Constitution.
- (5) That the Executive Director for Corporate and Customer Services (section 151 Officer) in consultation with the Chairman of the Investment Steering Committee be authorised to agree minor changes to the IAA agreement if she considers them necessary in order to achieve the agreement.

19 To receive a report of matters reserved to Council and to consider any recommendations

Councillor Finch, the Leader of the Council, presented the report of matters reserved to Council.

It having been moved by The Leader, Councillor Finch and seconded by Councillor Bentley it was

Resolved**1. Amendments to the Constitution****Changes Scheme of Allowances for payment of updates DBS**

That the paragraph 'Data Requirement Fee' in the Members' Allowances Scheme be re-named and amended to:

'Unavoidable Fees and Charges

Where a Member is required to register with the Information Commissioner's Office as a data controller the cost of this fee will be met by the Council.

Where a member incurs expenditure with the Disclosing and Barring Service (DBS) with respect to checks arising from requests made by the Council, that expenditure may be claimed subject to the production of evidence of payment.'

Change to 'Cabinet Approvers' – Members' Expense Claims

'That the Constitution, paragraph 26.12 be amended to:

' All Members' claims must be checked and approved an authorising officer of the Democratic Services Team. Claims made by Cabinet Members, the Chairman or Vice-Chairman, must also be approved by the Monitoring Officer or such other officer as the Monitoring Officer may nominate for this purpose.'

1. Statutory Scrutiny Officer

That the Head of Democratic Services be appointed as the Statutory Scrutiny Officer with immediate effect and that paragraph 4.4 of the constitution be amended accordingly.

2. Review of Local Pension Board for Essex

That the Constitution be amended as follow to insert a new paragraph after paragraph 8.1.8 3 (E):

'(F) The Board shall appoint a Vice Chairman annually from amongst its members at the first meeting of the Board after each annual meeting of the Council.'

3. Dates of Future Council meetings

1 That the meeting of the Council previously arranged for 8 May 2018 be moved to 15 May 2018.

2 That it be noted that forthcoming meetings of the Council will be held on Tuesdays at 10am on:

11 July, 10 October and 12 December 2017,

13 February, 15 May, 10 July, 9 October and 11 December 2018,

12 February, 14 May, 9 July, 8 October and 10 December 2019,

11 February, 12 May, 14 July, 13 October and 8 December 2020.

20 To receive the Leader's report of Cabinet Issues

Councillor Finch, the Leader of the Council, presented a report concerning matters considered by Cabinet since the last Council meeting.

- Members asked questions of the relevant Cabinet Members details of which are available on the audio recording of the meeting

It having been moved by The Leader, Councillor Finch and seconded by Councillor Bentley it was

Resolved

That the report be received.

21 Written questions by Members of the Council

The published answers to the five written questions submitted in accordance with Standing Order 16.12.1 were noted as follows:

1. By Councillor Kendall of the Cabinet Member for Adults and Children

‘The recent changes to the Assessment of Care Charges have caused a great deal of worry and distress to many of the most vulnerable residents in our communities. Please could you provide answers to the following points:

- I understand that around 4,500 residents are going to be directly impacted by the changes. What follow up and checks are going to be made by the County Council to ensure that these residents do not suffer severe hardship as a result of the reduced funding they are going to receive?
- What support, advice and right of appeal is available to any resident who believes they have been unfairly treated as a result of the New Care Assessment Charges?’

Reply

‘The recent changes to charging arrangements for Adults Social Care were subject to full public consultation and a formal decision was taken by Cabinet to implement the changes on 13 December 2016.

It is important that these changes are viewed in context: charging arrangements are set out in the statutory Care and Support Guidance (Department of Health, 2017) and subject to the minimum

income requirements set out by the Department of Health in 2017.

Mindful of the sensitivity of changes to individual charges and the potential impact on those affected by them, we have put in place dedicated handling arrangements with the intention of ensuring that we can address individual concerns quickly and effectively.

Where necessary and appropriate, we will review individual financial assessments and refund any contribution paid over and above the amount due, should a review of an adult's assessment result in a reduction of the assessed charge.

Where we have reconsidered the adult's assessment and they remain dissatisfied with the outcome, they have the right to complain, including referring the matter to the Local Government Ombudsman, as with any other complaint relating to adult social care matters.'

2. By Councillor Kendall of the Cabinet Member for Highways and Transportation

'Please could you clarify the following points with regard to the LED Lighting roll out programme:

- When will the Borough of Brentwood be getting LED lighting installed?
- What percentage of our lighting columns will be changed over to LED lighting?
- How long is the work expected to take?'

Reply

'Thank you for this question. I am pleased to confirm that Brentwood is scheduled to have its *All Night Lights* converted to LED between the end of August and beginning of September this year. This will represent 8% of the lighting stock in Brentwood (512 out of 6,253 units). Once started the work is expected to take ten to fifteen working days.'

3. By Councillor Mackrory of the Cabinet Member for Adults and Children

'Will the Cabinet Member give an undertaking that the procedures, including the legal advice, which led to the judgement by High Court Judge Mr Justice Charles, that the mother of child EL was unfairly and unlawfully treated by Essex County Council social workers, will be thoroughly reviewed to ensure such cases never occur again?'

Reply

'We acknowledge the findings of this judicial review where the Judge

provided new legal guidance about the principles of procedural fairness in this context. In consequence we are carefully reviewing processes to ensure that they both meet the additional guidance issued by the Court but also are sensitive to the enormous complexity of these decisions. The welfare of the child must be paramount when considering placing them for adoption. When discussing this or any other social services case it is important to remember that there is an absolute requirement to ensure that the identity of the child is not disclosed.'

4. By Councillor Smith of the Cabinet Member for Highways and Transportation

'One of the primary schools in my Division has increased in size and around 40% of the enrolled pupils do not even live in the Westley Heights Division. When pupils start and finish each day, the local main road is gridlock due to a number of inconsiderate parking by parents.

I and a large number of local residents are deeply concerned that an accident is waiting to happen and something needs to be done.

Therefore, will Essex County Council consider introducing the Public Space Protection Orders, which Havering Council is trialling, to help make school journeys safer for all concerned?'

Reply

'Thank you for your question. Public Space Protection Orders are not typically used to solve parking congestion outside school gates. In the first instance I would expect that the school and parents would work together to promote safe and courteous driving behaviour when dropping their children off at school. This is something that would be covered in assemblies and in the newsletters that schools send home to parents.

I will however, ask officers to liaise with the London Borough of Havering to discuss the trial use of Public Space Protection Orders to understand how they have worked and to consider any lessons that are learnt from their experience.

We would, of course, need to consult with schools on any policy change in this area.'

5. By Councillor Smith of the Leader of the Council

'Once the Prime Minister has been re-elected with her 'Brexit Majority', will the Leader write to the Government's Minister for Brexit to ask him to abolish the EU Landfill Tax and allow the collected funds to be spent in Essex to help provide better services to the residents?'

Reply

‘As there is no such thing as the EU Landfill Tax, I will not be writing to the Minister for Brexit asking for it to be abolished.’

- Members asked supplementary questions of the relevant Cabinet Members details of which are available on the audio recording of the meeting

22 Oral questions to the Leader, Cabinet Member or the chairman of a committee

Members asked questions of the Leader of the Council, Cabinet Members or the chairmen of committees. The questions asked and the answers given were recorded. The recording is published on the County Council's website.

23 Oral questions to the representative of the Essex Police and Crime Panel on any matter relating to the business of that Panel

Members asked questions of the representative of the Essex Police and Crime Panel. The questions asked and the answers given were recorded. The recording is published on the County Council's website.

24 Oral questions to the representative of the Essex Fire Authority regarding the Report to the Constituent Authorities of the meetings dated 15 February and 12 April 2017

Members asked questions of the representative of the Essex Fire Authority. The questions asked and the answers given were recorded. The recording is published on the County Council's website.

25 The Chairman to announce the Special Meeting to consider the Appointment of Honorary Aldermen

The Chairman requested that members remain in their seats as at the conclusion of the meeting there would be convened a Special Meeting to consider conferring the title of Honorary Alderman on persons who have rendered eminent service as past members.

Chairman

Minutes of the meeting of the Full Council, held in the Council Chamber County Hall, Chelmsford, CM1 1QH on Tuesday, 16 May 2017

Present:

Chairman: Councillor J F Aldridge

Vice-Chairman: Councillor J G Jowers

J Abbott	R J Gooding	G Mohindra
B Aspinell	I Grundy	Dr R Moore
J Baker	C Guglielmi	M Platt
T Ball	M Hardware	C Pond
S Barker	D Harris	R Pratt
J Beavis	A M Hedley	J M Reeves
K Bentley	I Henderson	P Reid
D Blackwell	J Henry	S Robinson
A Brown	P Honeywood	C Sargeant
M Buckley	A Jackson	W Schmitt
G Butland	E C Johnson	L Scordis
S Canning	D J Kendall	A Sheldon
J Chandler	S Lissimore	K Smith
P Channer	D Louis	C Souter
T Cutmore	J Lumley	J Spence
A Davies	M Mackrory	M Steptoe
J Deakin	R A Madden	A Turrell
M Durham	M Maddocks	L Wagland
B Egan	B Massey	S Walsh
A Erskine	P May	C Weston
D Finch	M McEwen	C Whitbread

R Gadsby	L McKinlay	A Wood
M Garnett	V Metcalfe	J A Young
A Goggin	R Mitchell	

1 To consider conferring the title of Honorary Alderman on persons recommended as having rendered eminent service as past members.

The report concerning the Appointment of Honorary Aldermen was received and upon being put to the meeting the recommendation was agreed and accordingly it was

Resolved:

That in accordance with Section 249 of the Local Government Act 1972, the persons named below be appointed Honorary Aldermen of the County of Essex:

- Mr Rodney Bass
- Mr Keith Bobbin
- Mr Robert Boyce
- Mrs Margaret Fisher
- Mr Ray Howard
- Mr Norman Hume
- Mrs Kay Twitchen

The resolution relating to each of the nominees was passed by two-thirds of the members voting at the meeting.

Chairman

Report title: Essex Organisation Strategy	
Report to: Council	
Report author: Gavin Jones, Chief Executive	
Date: 11 July 2017	For: Decision
Enquiries to: Gavin Jones, Chief Executive - email gavin.jones@essex.gov.uk	
County Divisions affected: All Essex	

1. Purpose of Report

- 1.1. To ask the Council to adopt the Essex Organisation Strategy, as recommended by the Cabinet at its meeting on 20 June 2017.

2. Recommendation

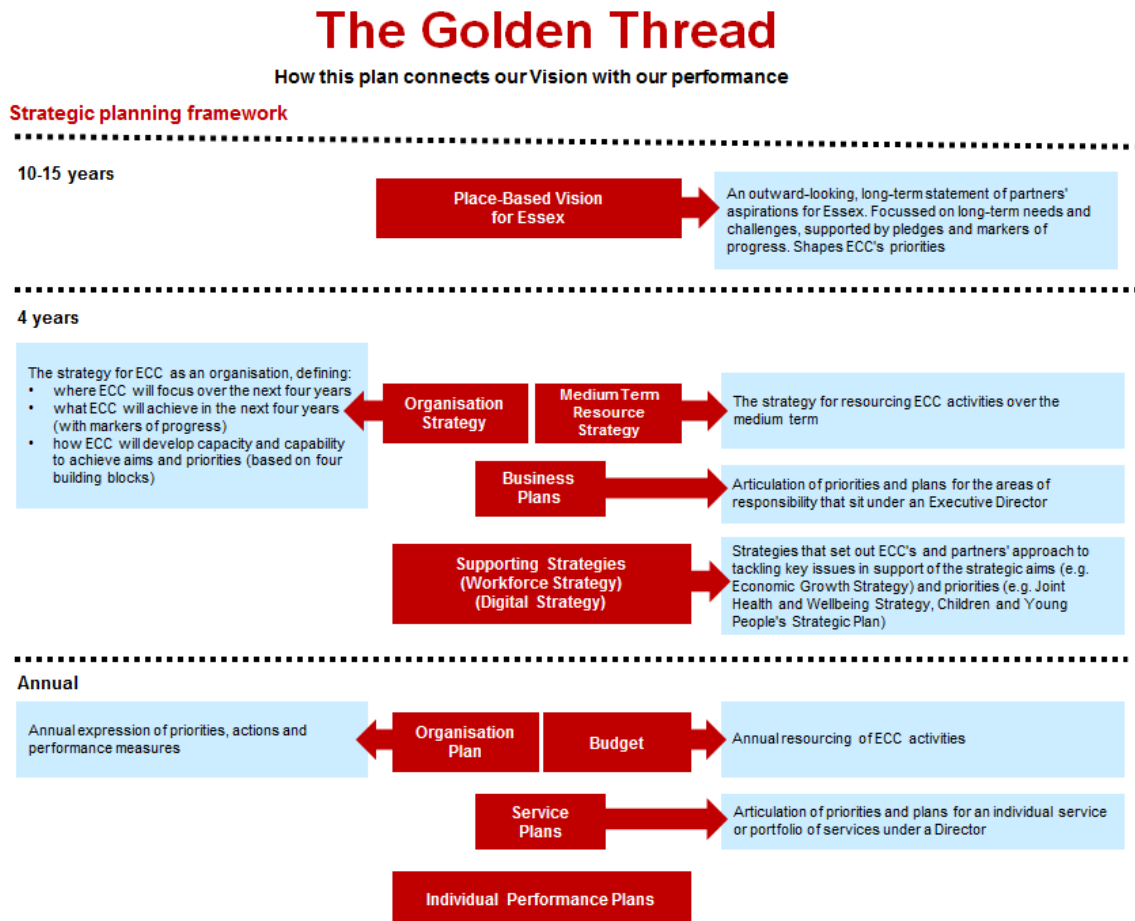
- 2.1. That the Organisation Strategy be adopted in the form attached as Appendix 1 to this report.

3. Background and proposal

- 3.1. In the Chief Executive's 100 day report, it was identified that there was a need for a long-term strategy that would help the organisation to focus on and prioritise the things that matter most to our residents and communities. It was recognised that a clear set of priorities enables an organisation like the Council to plan ahead.
- 3.2. The types of challenges that both our residents and our organisation now face will not be solved in the short term: planning for an ageing population, moving towards a focus on early intervention and prevention, and building new homes and communities, require plans that extend beyond annual planning and budgetary cycles. The report committed to the development of a four year Organisation Strategy which would set out how the organisation would work and what it would seek to achieve over the next four years.
- 3.3. The Strategy was developed in parallel to discussions with partners on the development of a Vision for the county of Essex. That Vision is still in development but every effort has been made to shape the Organisation Strategy in the light of the emerging Vision for Essex. This is so that the organisation's priorities are firmly embedded in an appreciation of our long-term aspirations for the county.
- 3.4. The Organisation Strategy will underpin business and corporate planning and will provide a clearer strategic narrative for the whole organisation to follow

and a 'golden thread' that connects our strategic priorities to the emerging long-term Vision for Essex 2035 as well as to business and individual employee performance plans (see *Figure 1*).

Figure 1. The Strategic Planning Framework



Developing the Strategy

- 3.5 The Organisation Strategy is designed to:
- Define the organisation's priorities and areas of focus to inform allocation of its resources; and
 - Define clear objectives and the actions needed to achieve them.
- 3.6 A wide range of people from across the organisation have played an active role in the development of the Strategy.
- 3.7 Early engagement work was focused on establishing the principles that would shape the Strategy and ensuring employees were fully engaged in its development from the outset to create a sense of ownership across the organisation.
- 3.8 The need for culture change, the importance of digital, innovation and collaborative working across the organisation were all identified at this stage

as key to transforming the Council, improving outcomes for residents and managing significant budget pressures.

- 3.9 A series of workshops were held at the end of last year that were attended by around 300 employees to consider what issues and challenges residents of Essex were facing and what should be done to address them. These sessions were supported with insight and analysis on six themes that included both social, environmental and financial issues and data.
- 3.10 The outputs of these workshops were used to inform the drafting of the Strategy. Key Officers and Councillors have been given regular updates for input and review.
- 3.11 In addition to this, all Members were invited to attend a Scrutiny Committee meeting to engage in the development of the strategy and to review the final draft ahead of the Cabinet Meeting.

The Essex Organisation Strategy: Content and Structure

- 3.12 The Organisation Strategy clarifies our objectives. It sets out what we should achieve and how we should achieve it over the next four years. It connects the emerging 20 year Essex-wide vision, through our four strategic aims for ECC, to guide functional leadership teams' four year business plans. Activity in the business plans will be brought together each year in the Organisation Plan in order to create a policy context for the budgeting process.
- 3.13 The main audience for the document is ECC councillors and employees, although it will also be published more widely.
- 3.14 The four strategic aims are:
 - Enable inclusive economic growth
 - Help people to get the best start and age well
 - Help to create great places to grow up, live and work
 - Transform the Council to achieve more with less
- 3.15 Twelve strategic priorities sit under the four main aims; down from the 40 in the previous commissioning strategies. Figure 2 provides more detail on these priorities.

Figure 2 – The Organisation Strategy on a page



- 3.16 The Strategy supports our business needs and new organisation design principles. In addition to supporting prioritisation, the Strategy helps ECC save money. About half the activities that make up the Strategy are directly tied to either reducing expenditure or increasing income.
- 3.17 It also promotes collaboration – there is a strong focus on working better with partner organisations, and the Strategy is also framed to support our ambition to join up our activity across ECC.
- 3.18 It also recognises that the role of the County Council is changing and that we need to put a greater emphasis on digital transformation to build new relationships with our communities and to help them, where appropriate, to help themselves.

4 Next steps, success measures and business planning

- 4.1 Measurable ambitions for the strategic aims and priorities in the Strategy will be developed over the summer, in parallel to the development of the Medium Term Resources Strategy and budget, and included as part of the scheduled

review and refresh of the Strategy that forms part of the overall business planning process. A schedule for this is included in appendix two.

- 4.2 The Cabinet considered the Strategy at its meeting on 20 June, and agreed to recommend it to the Council for adoption, subject to minor amendments which have been taken into account in the version attached as Appendix 1 to this report. This is in line with the approval process in the Council's Constitution.

5 Issues for consideration

5.1 Financial implications

- 5.1.1 The Organisation Strategy provides the framework for setting the budget. Delivery of the Strategy will therefore be set out clearly each year within the budget presented to Council in February and within the constraints of the resources available.

5.2 Legal implications

- 5.2.1 The adoption of the Strategy by full Council means that neither Cabinet nor Cabinet Members – nor officers acting on their behalf – are able to take a decision which is contrary to the Strategy – any proposed decision contrary to the Strategy would take effect as a recommendation, leaving full Council to make the decision.

6. Equality and Diversity implications

- 6.1 The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:
- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
 - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 6.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).
- 6.3 Although the equality impact assessment indicates that the vast majority of impact is likely to be positive, it is too early to assess the overall impact of proposals in this report as individual equality impact assessments will need to

be undertaken as project proposals to deliver the strategic aims set out within the Strategy begin to develop.

- 6.4 The overall aim of the Strategy is to improve outcomes for the residents of Essex. The intention of the Strategy is to develop the resilience of communities, improve health outcomes, give residents the best start in life and foster inclusive economic growth across Essex - growth that will benefit everybody. Whilst it is intended that all Essex residents will benefit from the general principles of the Strategy, individual equality impact assessments will be needed on significant decisions under the Strategy to determine whether any adverse impact on protected characteristics exists and, if so, whether it will need to be mitigated against.

7. List of appendices

1. Essex Organisation Strategy as recommended to Council by Cabinet
2. Strategic Planning Cycle
3. Equality Impact Assessment – the equality impact is available on the ECC website with the papers for the meeting. All Members are advised to read the equality impact assessment before the meeting.

8 List of Background papers

- 100 days report
- Horizon scanning trend analysis
- Medium Term Resources Strategy

Essex Organisation Strategy 2017-21

Foreword

This document sets out Essex County Council's (ECC's) Organisation Strategy for the four year period 2017-21.

Essex is a great county, from towns inside the M25 to coastal villages looking out to Suffolk. We have vibrant urban centres, international ports and airports, universities and world class firms, alongside beautiful rural countryside and the longest coastline in England.

At ECC we are passionate about better lives for people in Essex. We believe prosperity is the best route to achieve that - so people can help each other, and themselves. We are also ready to step in - to protect vulnerable children, to help care for older people, and to support our economy to flourish.

As a public body it is important we spend taxpayers' money wisely, on the issues that matter to our residents. To offset reductions in government funding, we must constantly manage demand, reshape and reimagine services and look for opportunities to generate income. It is also important we work tirelessly to secure investment into the county that can help make Essex an even better place to live and work.

Our role is changing. The digital revolution opens up new opportunities for how services are delivered and how residents access information and choices. Increasingly our job is to create opportunities for people and communities to choose and act themselves, rather than to simply deliver services over which the public has no say.

This Organisation Strategy sets out our areas of focus over the next four years. It articulates how we will achieve better outcomes for Essex and secure the ambitions set out in the Vision for Essex.

To do that, we will need to change the way we work as an organisation. Our ambition, at the end of this period is for Essex to be the best local authority in the country – because that is what the people of Essex deserve.



Cllr David Finch, Leader



Gavin Jones, Chief Executive

Essex Organisation Strategy

Our Strategic Aims

Enable inclusive economic growth

Help people get the best start and age well

Help create great places to grow up, live and work

Transform the council to achieve more with less

Our Strategic Priorities

Help people in Essex to prosper by increasing their **skills**

Enable Essex to attract and grow large **firms** in high growth industries

Target economic development to **areas** of opportunity

Help keep vulnerable **children** safer and enable them to fulfil their potential

Enable more vulnerable **adults** to live independent of social care

Improve the **health** of people in Essex

Help to secure stronger, safer and more neighbourly **communities**

Help secure sustainable development and protect the **environment**

Facilitate growing communities and new **homes**

Limit cost and drive growth in **revenue**

Develop the capability, performance and engagement of our **people**

Re-imagine how residents' needs can be met in a **digital** world

Our Organisation Building Blocks

Our people are our most important asset. We will be demanding a lot from our employees over the next few years as we shift the culture and have the best employees in local government.

Our transformation will be underpinned by securing the benefits of **digital approaches** to service and outcome improvements. We will use digital to rethink current provision and fundamentally re-imagine what we do and how we do it.

Commissioning is a key capability for the organisation. Our redesign process has focused on ensuring that commissioning as a capability is built into our DNA.

ECC is embedded in one of the most complex public policy systems in the country. We have a large number of **partners** who are critical to our ability to secure key outcomes.

Strategic Aim - Enable Inclusive Economic Growth

Faster economic growth will improve not only the living standards of people in Essex but also their health and wellbeing, opportunities and life chances. Securing economic prosperity is the best means of helping people help themselves; and an inclusive economy is one where the benefits of growth are shared by all. In 2015 Essex contributed over £31bn to the national economy. Essex has international gateways in Stansted and Southend Airports and Harwich Port as well as major economic engines in Chelmsford, Harlow, Basildon and Colchester. We host some of the world's best companies, creating world-leading technologies including Raytheon, E2V and Arrow as well as being the best place in the UK to start a new business with an average of 235 start-ups for each £1bn of GVA (gross value added) – a rate that is higher than London's.

We also have a strong small and medium enterprises market and Essex is well-known as one of the most entrepreneurial counties in the UK. However, we must strive to grow our economy in order to meet the aspirations and aims of the future. We have had a growth rate of 0.9% a year over the last decade and while growth is good this currently sits below the UK average, and the gap between our wealthiest and most deprived places is too wide, with economic inactivity remaining particularly high in Tendring (26.5%) and Maldon (25.1%) compared to Essex as a whole (19.8%). Ninety-four per cent of schools in Essex have an Ofsted rating of 'good' or 'outstanding' and progress has been made in raising qualification levels. However only 29% of residents have at least a level 4 qualification compared to 37% for the rest of the UK. We are working with our education colleagues to ensure this level is increased and opportunities in growth sectors are offered, particularly in the digital economy, science, technology, engineering and mathematics and Care. Longer term the lack of appropriate skills for a digitally driven economy will be a critical gap if not addressed. Already we are seeing how the internet is changing industries; delivering a new type of competition, which provides both opportunities and challenges to the jobs market. Over the next 20 years it is estimated that artificial intelligence will take 35% of existing jobs leading to a longer term impact on the job market.

There is enormous untapped opportunity in the economy of Essex and an entrepreneurial spirit that is hard-wired into our DNA – which is why we can be confident in asserting an overarching ambition not only to accelerate the pace of growth in the economy compared to similar areas but also to ensure the growth we do achieve benefits local people and places.

Strategic Priorities

We have set three Strategic Priorities for this strategic aim: increasing skills levels; attracting large firms in high growth industries; and targeting economic growth to areas of opportunity.

1. Help people in Essex to prosper by increasing their skills

While the number of well qualified people in Essex has increased, the workforce is less well qualified than the UK as a whole, and there is a mismatch between the courses offered to learners after the age of 16, and the skills our employers need, especially in the growing technology sector.

2. Enable Essex to attract and grow large firms in high growth industries

We need to attract more large firms, given the size of our economy, and more firms in the sectors that are growing fastest. Many of our roads are congested at rush hour and commuters to London travel on crowded trains, making some people in Essex wary of further development.

3. Target economic development to areas of opportunity

Essex has significant untapped economic potential compared to the rest of the South East. We need to focus our economic activity on those areas with significant development opportunities whilst at the same time making sure we secure the benefits of economic growth for local people.

Strategic Aim - Enable Inclusive Economic Growth

Priority One	To do this we will:
Help people in Essex prosper by increasing their skills	a. Offer children good economic prospects, by providing an outstanding education in Essex, in particular for disadvantaged children and in lower performing places
	b. Improve the skills of young people and adults in occupations that Essex firms require, by ensuring skills providers reflect local employers' needs now and in the future
	c. Raise the aspirations of young people for careers in growth sectors by ensuring better career information, advice and guidance is available to them
Priority Two	To do this we will:
Enable Essex to attract and grow large firms in high growth industries	a. Attract new large firms, and improve Essex's reputation beyond the county by providing an outstanding investment offer
	b. Enable Essex firms in high-growth sectors to consolidate and expand, by providing advice and increasing business space
	c. Support trade, by better connecting key economic centres, especially along major transport corridors, and helping people to travel by public transport, bike and on foot
	d. Increase the number of businesses with access to good broadband by rolling out the broadband programme
Priority Three	To do this we will:
Target economic development to areas of opportunity	a. Optimise the potential for economic growth, by targeting places with strong development opportunities
	b. Optimise the benefit of economic growth for Essex residents, by linking new investment to areas with lower employment
	c. Deliver economic growth in partnership, by building strong relationships with partners in opportunity areas

Strategic Aim - Helping people get the Best Start and Age Well

ECC has a critical role to safeguard and support the most vulnerable people in the county. Our focus is on ensuring that children get the best start in life, and that everyone can enjoy health and well-being and is enabled to fulfil their potential.

One fifth of Essex's population (20%) is over 65 and this is projected to increase to almost one third (32%) by 2030. With demand for services growing faster than income, especially in adult social care, we need to help people to help themselves and make the best choices. We will work with communities and the NHS to achieve this change. Technology offers significant opportunities for residents to manage their own care more effectively. From monitoring at home, to online social networks facilitating care support, ECC and partners will ensure services are designed to always take advantage of the benefits technology brings.

ECC also has a critical role to play in safeguarding and supporting the most vulnerable people in the county and currently supports over 6,500 children and young people, including 1,000 who are in care, and 17,000 adults with social care needs. We want to ensure that the most vulnerable children and young people are supported to have every opportunity of achieving the same social, educational, health and economic outcomes as their peers.

While the overall life expectancy in Essex for both men and women is higher than the England average, there is a significant gap (7.2 years for men and 5.5 years for women) between our wealthiest and most deprived places. Our focus is on ensuring everyone can enjoy health and well-being and is able to prosper.

We will never compromise on our paramount responsibilities to keep vulnerable children safer and enable them to fulfil their full potential and to ensure as people enter old age they can live the lives they choose for themselves.

Strategic Priorities

We have set three Strategic Priorities for this strategic aim: keeping vulnerable children safer and helping them to fulfil their potential; enabling vulnerable adults to live independent of social care; and improving the health of the people of Essex.

1. Help keep vulnerable children safer and enable them to fulfill their potential

The council's innovative approach has helped make it safer for children to live at home, reducing the number of children who live in care. We face new challenges that include dealing with sexual exploitation and gangs but it is our priority to improve outcomes for the most vulnerable children, young people and families in Essex.

2. Enable more vulnerable adults to live independent of social care

Essex has a growing and ageing population and demand for care is growing. But 13% of over 65s are in work and this figure is increasing. Satisfaction with adult social care is rising but is lower than our peers.

3. Improve the health of the population

Life expectancy is higher than national averages but varies by geography within Essex and is lower for vulnerable and socially excluded groups due to deprivation. Lifestyle choices can exacerbate these inequalities. Avoidable deaths from heart disease and mental health remain key issues. Obesity, diabetes and dementia are growing problems.

Strategic Aim - Helping people get the Best Start and Age Well

Priority One	To do this we will:
Help keep vulnerable children safer and enable them to fulfill their potential	a. Protect the most vulnerable - including through tackling sexual exploitation, domestic abuse, youth violence and e-safety - by strengthening safeguarding across the children's partnership and putting things right when they go wrong
	b. Close the gap in outcomes for the most vulnerable children, young people and families by improving school attendance and attainment, embedding national programmes of reform and increasing access to preventive health care as well as support for emotional well-being and mental health
	c. Build resilience by providing practical advice that enables children, young people and families to make positive choices and resolve their own difficulties before accessing services
	d. Achieve better outcomes by innovating, collaborating with partners and using our resources efficiently to increase our collective focus on the needs of young people through early help and the mobilisation of community assets, and an increased focus on young people's needs through the Community Grant Programme
	e. Help children, young people and families achieve better outcomes by developing a well-trained and supported workforce across the system, with the right culture and capability to deliver effective interventions
Priority Two	To do this we will:
Enable more vulnerable adults to live independent of social care	a. Reduce the need for hospital admissions or formal care services, by delivering community based solutions
	b. Support elderly people and those with learning disabilities to live independently by working with the market and community to make sure there are high quality solutions available and providing extra care where needed
	c. Fully engage service users and carers in the design and delivery of our support offer, by coproducing it with them where possible
	d. Support people to support themselves, where appropriate, by innovating, including through digital and community solutions
	e. Ensure people can plan for, source and pay for their care, by accessing information and digital infrastructure
Priority Three	To do this we will:
Improve the health of people in Essex	a. Reduce health inequalities and improve levels of health, by reducing economic inequality between more affluent and deprived communities
	b. Give all children the best chance of an outstanding education, by offering targeted parenting and school readiness initiatives
	c. Enable people to make healthier choices, by facilitating community programmes and enabling access to good, appropriate health and dental care services for children in care
	d. Improve mental health and the life chances of people with mental health issues, by prevention, early intervention and enabling better lifestyle choices, social inclusion and economic opportunities
	e. Help people live longer, by ensuring that targeted health checks and health programmes are available to those most at risk of heart disease, stroke and diabetes

Strategic Aim - Helping to create great places to grow up, live and work

Essex is a county of immense contrasts with a combination of rural, urban and coastal communities. It has a total population of 1.44 million and a series of large urban settlements, however, at almost 1,500 square miles in size, almost three quarters (72%) of the county is considered to be rural. Over a third of the population in Essex (36%) call these rural areas home. Residents enjoy a high quality of life in the county and 82% have indicated that they are either 'very satisfied' or 'fairly satisfied' with their local area. But they are also concerned about the pace of change and the character of development the county will need to accommodate – 136,000 new homes over the next 20 years - and don't want to see the characteristics of the county they cherish compromised by these changes. Great places are the products of their people and communities, supported by good public services and private enterprise. City, district and borough councils, and the emergency services in Essex, have important roles to play in shaping our communities as places to live. We are also keen to work with the thousands of voluntary and community groups we have across Essex to make sure they can continue to play a key role in supporting the communities they serve.

People live their lives in places. We recognise the key role we have to play in ensuring our communities are safe, neighbourly, and linked to opportunities. That is why, in addressing our housing challenge, our key concern is the quality of the communities that will be created, not just the number of houses that will be built – ensuring house building is led by the needs of the economy and always supported by the provision of social infrastructure.

Strategic Priorities

We have set three Strategic Priorities for this strategic aim: helping to secure stronger, safer and more neighbourly communities; helping to secure sustainable development and protecting the environment; and facilitating growing communities and new homes.

1. Help to secure stronger, safer and more neighbourly communities

Individuals, families and communities are the best guardians of their own interests. Where it is appropriate to do so, we should support communities to help themselves by seeking to foster and build community capacity and capability. But we also recognise there are times when public services need to step in – we will continue to work with communities and partners to address crime and the fear of crime.

2. Help to secure sustainable development and protect the environment

Essex is 72% rural with 350 miles of coastline. Resident satisfaction with Essex as a place to live is high. Housing growth needs to be linked to economic growth and supported by appropriate infrastructure to ensure jobs are available and communities are sustainable. Essex also has areas of flood risk that need protecting.

3. Facilitate growing communities and new homes

Essex's residents recognise the importance of high quality homes. As a county, we need a flexible housing market that reflects changing needs and affordability at various stages of life. At the same time our residents value the diversity of the county's landscape and question what the consequences of housing growth will do to the county they love. Essex will need to build 136,000 new homes over the next 20 years. That is an increase of 24% on the existing housing stock. We are committed to facilitating that housing growth and we will do so, working with partners, in such a way that the characteristics of the county that we cherish are protected and enhanced not undermined. We are not just building new homes, we are building communities.

Strategic Aim - Helping to create great places to grow up, live and work

Priority One	To do this we will:
Help to secure stronger, safer and more neighbourly communities	a. Realise the strength of our communities, by enabling residents to develop their independence
	b. Enable local communities to identify their own local issues and tackle them, by using their own assets
	c. Improve the well-being of residents, by working with the voluntary and community sector to address local social issues
	d. Make communities in Essex safer, in particular for our most vulnerable residents, by working collaboratively with partners
	e. Address discrimination wherever we find it, by taking action to tackle the root causes of disadvantage across Essex
Priority Two	To do this we will:
Help to secure sustainable development and protect the environment.	a. Reduce the impact of flooding, by working with local communities to increase their resilience to flooding
	b. Improve the quality of life for Essex residents, by continuing to improve our open green space and making the most of the Essex countryside for the wider benefit of all
	c. Reduce the environmental impact and cost to the taxpayer of dealing with waste, by operating efficient waste management services and working effectively with partners and communities
	d. Improve the image of the county, by enhancing our cultural offer and promoting the very best of Essex
	e. Reduce carbon emissions and energy costs for the public and businesses, by developing new strategies that promote clean growth and affordable energy
Priority Three	To do this we will:
Facilitate growing communities and new homes	a. Protect and enhance the quality of places, by promoting high quality, forward-thinking design of communities and homes
	b. Deliver new homes, by working with partners to develop new settlements on garden community principles, and releasing public land
	c. Deliver sustainable new communities, by effectively identifying and securing sufficient investment in infrastructure for new development
	d. Ensure growing communities are sustainable, by offering quality opportunities for work and leisure that people can access, alongside new homes

Strategic Aim - Transform the Council to achieve more with less

We are fortunate to have some of the best public employees in the country. To deliver our priorities and maximise our positive contribution to the lives of people and businesses in Essex we need to continue to develop as a proactive, efficient and effective organisation.

Over the last five years we have saved £597 million and during the course of this Organisation Strategy we will need to identify a further £186 million through savings or income generation. Given the commitments we have made in the strategy, that means we will need to think very differently about how we operate. We will need to be more innovative, more open to risk and risk mitigation, more entrepreneurial and more commercially-minded than ever before. But we are building on a solid platform for change. Almost three-quarters (72%) of our residents are open to new technological innovations and over half (57%) of all Essex households are prepared to contact ECC through online channels. To deliver our priorities and maximise our positive contribution to the lives of people and businesses in Essex we need to seize the opportunity that new digital technologies provide to both lower costs and improve customer experience.

Just as our county is changing, so too must the organisation that serves it. We are already a long way down that path – having run local government’s largest transformation programme. But the pace will accelerate during the life of this Strategy. We will invest in our employees to make sure they can drive the transformation our communities need and we will embrace the opportunities created by new technology to make ECC the leading local authority for digital transformation in the country.

Strategic Priorities

We have set three Strategic Priorities for this strategic aim: limiting cost and driving growth in revenue; developing the capability, performance and engagement of our people; and re-imagining how residents’ needs can be met in a digital world.

1. Limit cost and driving growth in revenue

During the course of this Organisation Strategy, the County Council will transition to becoming more or less fully self-financing – through Council Tax and possible changes to Business Rates retention. That means we must continue to ensure we operate as efficiently as possible and maximise the value of every pound of taxpayers’ money we spend while seeking out new opportunities to grow our income streams.

2. Develop the capability, performance and engagement of our people

We employ approximately 7,500 people. They are our greatest asset. All public services are at heart people services. We are building an organisation that values doing the right thing for the people we serve above everything else. And we will continue to invest in our people to make sure they have the skills and capabilities to serve the people of Essex as they deserve.

3. Re-imagine how residents’ needs can be met in a digital world

The digital revolution is transforming the way we live our lives. Over the next decade artificial intelligence and big data will reshape the possibilities that are open to us. Right now we are living through an age when products are dissolving into services, and services are being recreated on shared platforms. We must reimagine our role and the services we enable, to better meet people’s needs and expectations in the internet age.

Strategic Aim - Transform the Council to achieve more with less

Priority One	To do this we will:
Limit cost and drive growth in revenue	a. Maximise income for us and the districts, by facilitating appropriate housing and business growth to create sustainable communities
	b. Optimise revenue from services, by charging appropriately and realising commercial benefit
	c. Drive out inefficiency, by reducing costs, increasing productivity including through lean methods and better tools for sharing, collaboration and flexible working
	d. Get maximum value out of every pound of taxpayers' money spent in Essex, by working collaboratively with partners
	e. Reduce the financial burden on taxpayers and enhance facilities, by the targeted use of capital investment
Priority Two	To do this we will:
Develop the capability, performance and engagement of our people	a. Promote high performance and new, effective ways of working across the organisation and with partners, by driving a shift in our culture
	b. Better understand and develop the skills and capabilities the organisation needs, by working with employees and partners in the private and community sectors
	c. Ensure everyone understands how their work contributes to the delivery of our mission and operating strategies, by engaging appropriately
	d. Enable employees to work effectively and feel valued, by providing a good working environment and fit for purpose tools
	e. Have the right people in place to meet changing requirements, by understanding the people we have and the people we need
	f. Have employees who understand the need for and deliver change, by creating a highly engaged and forward thinking workforce
Priority Three	To do this we will:
Re-imagine how residents' needs can be met in a digital world	a. Deliver successful services designed around the user, by providing appropriate access to information as an enabler
	b. Design services in collaboration with partners, driven by the needs of users
	c. Drive cheaper, better, faster service delivery, by embracing technology
	d. Use digital as the engine to drive whole system change, by building digital skills into our core capability in our workforce

Making it Happen: Building Blocks

This Organisation Strategy represents the most ambitious and comprehensive statement of our medium-term priorities the County Council has published. It is based on a realistic assessment of where we currently are, the challenges we face, and the opportunities we must seize.

Everything we are seeking to achieve in this Organisation Strategy is built on four key building blocks and it is important this Strategy is understood in relation to these key elements.

Building Block	Why it's Important	Key Strategy	Content	Date for Agreement
People	We are a people business. Our people are our most important asset. We will be demanding a lot from our employees over the next few years as we shift the culture in the ways described in this Strategy and it is important that we make the investment that will be required to ensure we can continue to secure the best employees in local government.	Workforce Strategy	The Workforce Strategy will transform the way in which we work, to enable us to achieve our strategic priorities. It will clearly define and prioritise our approach to building the critical people capabilities and culture the organisation needs. It will set out our framework for attracting, retaining and developing talent, and the way our people are led, engaged and deployed.	November 2017
Digital	Our transformation will be underpinned by securing the benefits of digital approaches to service and outcome improvements. We will use digital not just to rethink current provision but to fundamentally re-imagine what we do and how we do it.	Digital Principles	The digital principles set out on the next page will underpin how we drive transformation in ECC. We will start with the user, take an agile approach, manage performance and run excellent systems.	July 2017
Commissioning	Commissioning is a key capability for the organisation. Our redesign process has focused on ensuring commissioning as a capability is built into our DNA. We will not be able to secure the aspirations set out in this Strategy if we do not get right our approach to commissioning.	Re-imagining Commissioning Report	The Re-imagining Commissioning Report will help us re-think our approach to commissioning and how the organisation, with partners, can equip itself to be a truly great commissioner for the outcomes our communities need.	September 2017
Partners	ECC is not an island entire to itself. We operate in one of the most complex public policy systems in the country. We have a large number of partners who are critical to our ability to secure the outcomes set out in this Strategy. It is therefore important that we have an agreed sense of where we need to go with our key partners.	Vision	We have many strategies agreed with our partners but the one that sets out comprehensively our collective sense of long-term ambition is the Vision for Essex. The Vision for Essex sets out our long-term aspirations for the county to 2035.	September 2017

Principles that will drive our approach to Transformation

Derived from the Government's Digital Service Standards, the following principles will drive our approach to change and service-based transformation.

Digital Principles	
Start with the user	<ul style="list-style-type: none">• Understand user need• Make users succeed first time• Encourage everyone to use digital• Ensure a consistent online user experience• Test end to end service
Deliver agile projects	<ul style="list-style-type: none">• Use agile methods• Have a multidisciplinary team• Iterate and improve frequently• Do ongoing research
Manage performance	<ul style="list-style-type: none">• Identify performance indicators• Collect performance data• Report performance data• Test with Cabinet lead
Run excellent systems	<ul style="list-style-type: none">• Use open standards and common platforms• Make all new source code open• Understand security and privacy issues• Evaluate tools and systems• Make a plan for being offline

Making it Happen: Assessing our Impact



Strategic Planning Framework and the Golden Thread

Through the publication of this Organisation Strategy we are strengthening our business planning framework. The Organisation Strategy is driven by the Vision – what is it that we, with partners, want to achieve for Essex over the long-term. Our specific contribution to that is set out in this Organisation Strategy. Each of the County Council's functions will then plan out in detail what they will do to give effect to the commitments in our Organisation Strategy. A detailed plan will be derived from those business plans every year so we are clear about what our key priorities are for the next 12 months. Each service can develop its own plans setting out how it will contribute to the achievement of these key outcomes. And ultimately every individual in the organisation, through their individual performance plans, should be able to link their daily work back to the organisation's strategic aims and priorities and ultimately to the Vision for Essex.

Measuring Success

Success statements for the Organisation Strategy are being developed through the Business Plan process alongside our medium-term resource planning. These statements will be translated into measures and targets. On an annual basis those measures and targets will be published as part of our Organisation Plan and we will report on our success in delivering against the targets in an Annual Report.

Motions

1 Localism and Subsidiarity

Moved by Councillor Pond and seconded by Councillor Sargeant.

'This Council applauds achievements of the Administration to date in the field of localism, such as the Community Initiatives Fund. Local Highways Panels were a useful step in bringing together County and District members; their funding needs to be sufficient, and their processes (including Highway Rangers) more effective, the better to suit local needs.

This Council now needs to take further initiatives to ensure that decisions affecting local people are taken as close to them as possible, instead of centrally at County Hall, or by remote joint boards. Devolution to or involvement of districts and parishes in such functions as highway repairs, parking control and enforcement would all increase local buy-in, and should be attainable within existing budgets.

This Council refers this whole question to the Corporate Scrutiny Committee for further examination.'

2 Support for local business, commerce and local government finance

Moved by Councillor Mackrory and seconded by Councillor Robinson.

'This Council notes that the result of the recent General Election did not give any one party an overall majority. This Council therefore welcomes the opportunity for more cross party working in the House of Commons to deal with the enormous challenges facing this country.

This Council therefore calls on the Government to support local business leaders by:

- a) Negotiating a Brexit deal to include membership of the Customs Union and the Single Market which will benefit business and commerce in Essex and the eastern region.
and
- b) Agreeing a new long term funding settlement with Local Government leaders to meet the ever growing demands, in particular Adult Social Care, placed upon it.'

3 Planning and Infrastructure

Moved by Councillor Gadsby and seconded by Councillor Wagland.

‘At the October 2014 Full Council, it was agreed that:

Essex County Council will not support Local (Development) Plans unless adequate resources are identified from developers, local councils and/or Government grants to ensure that sufficient infrastructure, including roads, schools, medical facilities, parking, sewerage and drainage, is provided in a timely manner and in a way that balances the needs to promote economic growth and provide housing for residents whilst protecting their quality of life.

Given the significant housing development emerging from Local Development Plans, this Council reaffirms its commitment to this policy.

This Council also expresses its concern that whilst Local Development Plans and Neighbourhood Plans are being progressed to decide where this housing should be best located, some developers are exploiting the lack of a 5 year housing supply to gain planning permission on greenfield sites, often outside the development boundary, even when these sites have been excluded from the draft local plan and in some cases where there are brownfield sites available or in the pipeline.

This Council therefore calls on the Secretary of State for Communities and Local Government to issue urgent statutory guidance, which removes the opportunity for this exploitation and protects valued greenfield sites from predatory development.’

4 Fire Safety

Moved by Councillor Young and seconded by Councillor Scordis

This Council recognises and applauds the heroic effort of the London Fire Service attending the horrific Grenfell Tower fire; action which demonstrates the very best of public service. We further pay tribute to and commend the community and voluntary organisations who pulled together to support the victims of this tragic fire in their hour of need.

This Council believes that all councils must take action to ensure people are safe and remain safe. Therefore this Council asks the Leader to arrange for a thorough investigation into all buildings owned and maintained by Essex County Council to be undertaken to ensure that any cladding is fire resistant and, if not, action is taken to resolve this.

In addition, the Council calls for the Leader to ensure that any new school, hospital, care home, house in multiple occupation or high-rise accommodation

commissioned by or in partnership with Essex County Council must include a sprinkler system.

Finally, the Council calls for the Leader to ensure that sprinkler systems are retro fitted into schools, hospitals, care homes, houses in multiple occupation or any high-rise buildings owned and maintained by Essex County Council, as part of future refurbishment plans.

Report title: Adoption of the Essex and Southend on Sea Replacement Waste Local Plan	
Report to: Council	
Report author: Dominic Collins, Director, Economic Growth and Localities	
Date: 11 July 2017	For: Decision
Enquiries to: Alethea Evans, Principal Planner alethea.evans@essex.gov.uk , 03330 136 439.	
County Divisions affected: All Essex	

1. Purpose of Report

- 1.1. To ask the Council to adopt the Essex Replacement Waste Local Plan (RWLP, referred to as 'the Plan' throughout this report). This includes the modifications recommended by the Inspector appointed by the Secretary of State to examine the Plan, which are necessary to make the Plan sound and legally compliant.
- 1.2. The Cabinet considered the Plan and the Inspector's final report at its meeting on 20 June 2017. It recommended that the Council adopts the plan with a number of modifications.

2. Recommendations

- 2.1 That Council adopts as the Essex Replacement Waste Local Plan the version approved by Council in 2016 as amended by:
 - (a) the main modifications recommended by the Inspector in her final report (attached at appendix 1);
 - (b) The minor modifications supported by Cabinet in 2016 (attached at appendix 4); and
 - (c) The further minor modifications (attached at appendix 6).

Summary of issue

- 3.1 Essex County Council and Southend-on-Sea Borough Council have jointly prepared a Replacement Waste Local Plan (RWLP). In February 2016, both Councils approved the Pre Submission version of the Plan for public consultation and subsequent submission to the Secretary of State for Examination.
- 3.2 The extant Local Plan was adopted in 2001 and is considered to be out of date and must be replaced. ECC has a statutory responsibility to plan for future waste management capacity from a land use perspective, and it is fulfilling this

responsibility by preparing the replacement Plan to support the achievement of sustainable development within the County until 2032.

- 3.3 In June 2016, the Plan was submitted to the Secretary of State who appointed a Planning Inspector to undertake the formal examination process. The Inspector conducted hearing sessions over a two week period in September and October 2016.
- 3.4 During the hearing sessions the Inspector identified a number of modifications needed to ensure the Plan was sound, legally compliant and suitable for adoption by the Councils.
- 3.5 In December 2016, Cabinet supported the modifications identified by the Inspector and authorised a period of public consultation on them, which took place between 5 January and 16 February 2017.
- 3.6 The Inspector has considered the Replacement Waste Local Plan, all comments submitted during the examination process including the consultation on the modifications and issued her final report (Appendix 1). This concludes that the plan is legally compliant and is sound if adopted with the main modifications.
- 3.7 The Cabinet considered the RWLP at its meeting on 20 June 2017. It approved the modifications recommended by the Inspector and agreed to recommend the Plan for adoption by the Council subject to the main and minor modifications referred to in this report.
- 3.8 Once adopted, the Plan will replace the existing Waste Local Plan (2001) and will provide the framework to determine planning applications for waste development.

4. Outcomes of Public Consultation on Modifications

- 4.1 The public consultation on the modifications received a total of 553 responses from 372 separate organisations/individuals. The Inspector requested that all responses be submitted to her for consideration and also requested these be supported by comments on the responses from Essex and Southend-on-Sea Borough Councils. Two documents (appendices 2 and 3 of this report) were supplied to the Inspector on 20 March 2017.
- 4.2 Arguably the most significant of the modifications proposed the allocation of an additional site, Dollyman's Farm, Basildon. The consultation period was the first opportunity for consultees to comment on this new proposed allocation as the site was only included in the Plan through the examination process.
- 4.3 A large number of comments from parish councils, local residents, businesses and organisations objected to the allocation of Dollyman's Farm for inert waste landfill. These are set out in Appendix 2, but in summary the main reasons for objection include the green belt status of the site, concerns about impacts on

public accessibility, pollution risks - particularly to the local streams and onwards to the River Crouch, and traffic impacts.

- 4.4 In preparing the Council's comments for the Inspector (Appendix 3), the issues raised were carefully considered and conclusions drawn regarding the possible need for additional amendments to the Plan. It was considered that the only potential further change from the modifications consulted upon could stem from the points raised in relation to Dollyman's Farm by Natural England. All other matters raised have been addressed earlier in the examination process or are capable of being addressed through any future planning application process.
- 4.5 Natural England expressed the opinion that an assessment under Habitats Regulations (HRA) is required to support the allocation and that the restoration approaches should fit with the Northern Thames Basin National Character Area. The Authorities completed the HRA, and engaged in further discussion with Natural England regarding the conclusions and implications for the site allocation. The conclusions of the HRA support the allocation of the site subject to additional amendments to the Development Principles set out in the plan. These amendments were confirmed to the Inspector (appendix 3) and form part of an additional modification to the Plan set out in section 5 below. This has not been the subject of consultation but the Inspector does not consider that public consultation is required on these points, which represent further constraints on the development of this site.

Public consultation

- 4.6 Public consultation on the Replacement Waste Local Plan has been carried out in line with the adopted Statement of Community Involvement at every stage.

Timetable and Adoption

- 4.7 It was envisaged in Essex County Council's [Minerals and Waste Development Scheme](#) (2015) that the adoption of Plan would be possible in December 2016, however this has not proved possible, but the plan is now ready to be adopted.

5. Inspector's Recommendations

- 5.1 The Inspector has considered the Replacement Waste Local Plan along with all comments submitted during the examination process, including the consultation on the modifications, and issued her final report (appendix 1).
- 5.2 The Inspector's Report confirms that the Plan provides an appropriate basis for waste planning within Essex and Southend-on-Sea, and is therefore sound and legally compliant, provided that a number of main modifications are made to it. These modifications are included as appendices 1 and 2 of the Inspector's Report (which is appendix 1 of this report).

5.3 The modifications were all supported by Cabinet in December 2016, however three of these modifications have been subject to additional change by the Inspector, in response to the public consultation as follows:

- **MM13- Policy 10:** As a result of comments from Natural England received during the public consultation in Jan- Feb 2017, the Inspector has recommended that Policy 10 criterion b) is further reworded to clarify the relevant considerations with respect of water quantity and quality in relation to planning applications for waste management. This wording differs only slightly to that supported by Cabinet although it clarifies the importance of maintaining the quantity as well as quality. The Inspector considered that the further modification is necessary to satisfy the adequate protection of water resources in terms of quantity as well as quality.

Policy 10 criterion b (amended wording as subject to public consultation in January 2017)	Policy 10 criterion b (as recommended by Inspector's Report)
<p>b) the quality of water within water bodies, with particular regard to:</p> <ul style="list-style-type: none"> • preventing the deterioration of their existing status; or • failure to achieve the objective of 'good status', and • the quantity of water for resource purposes within water bodies' 	<p>b) water resources, with particular regard to:</p> <p>- the quantity of water within water bodies:</p> <ul style="list-style-type: none"> • preventing the deterioration of their existing status; or • failure to achieve the objective of 'good status', and <p>- the quantity of water for resource purposes within water bodies</p>

- **MM21- Sunnymead, Elmstead and Heath Farm Site allocation:** As a result of comments from Historic England received during the public consultation in early 2017, the Inspector has recommended that the development principle supporting allocation of this site be further modified in relation to references to ensure the protection of the historic environment. The wording recommended by the Inspector differs only slightly from that supported by Cabinet in 2016, and ensures consistency with the adopted Minerals Local Plan, which recognises the potential existence of multi period archaeological deposits – not just from the Palaeolithic period.

Text to follow Table 19- Sunnymead, Elmstead and Heath Farm- Specific issues and opportunities (as subject to consultation in	Text to follow Table 19- Sunnymead, Elmstead and Heath Farm- Specific issues and Opportunities (as recommended in the
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January 2017)	Inspector's Report)
An archaeological desk based assessment would be required to investigate the gravels to establish their potential for Palaeolithic remains and trial trench evaluation will be required, along with a mitigation strategy, to form part of the Environmental Statement.	An archaeological desk based assessment would be required to investigate the gravels to establish their potential for archaeological remains and trial trench evaluation will be required, along with a mitigation strategy, to form part of the Environmental Statement.

- **MM23- Dollyman's Farm site allocation:** As a result of comments received from Natural England received during the public consultation in early 2017, the Inspector has recommended that the development principles supporting this allocation should be further modified in relation to the protection of ecology and local amenity matters. Although this wording has not been previously considered by Cabinet, it is recommended by the Inspector to ensure the Plan is sound:

New development principles:

- The proposal should demonstrate that there would not be an adverse effect on a European site through HRA. Such an assessment should include consideration of functionally linked land, and must demonstrate no adverse effects on the integrity of any international site. Evidence will change over time regarding the preferences of species such as the Dark-bellied Brent Geese, so appropriate foraging distances should be reviewed as part of any HRA.
- Chichester Hall Brook requires protection, for example through an appropriate buffer of at least 15m and through the assessment of potential hydrological impacts with appropriate protection.
- Restoration of the site through this allocation provides the significant opportunity for biodiversity, landscape, visual enhancement and historic asset preservation. Careful consideration of the environmental impacts of the waste development will be necessary as part of a planning application with proportionate levels of mitigation to be established. Specifically, the WPA would seek the overall landscape improvement of the site, with the final restoration and long-term aftercare to be beneficial to the Green Belt and biodiversity with particular reference to habitat creation in line with the Northern Thames Basin National Character Area.

Minor modifications

- 5.4 In addition to the 26 main modifications considered by and supported by Cabinet in December 2016 and as further modified as above by the Inspector, a number of minor modifications were supported by Cabinet in December 2016. All modifications considered by Cabinet at that time can be viewed in appendix 4. The minor modifications address minor matters of consistency,

typographical errors and updates to supporting text. These were also subject to public consultation in Jan- Feb 2017. The consultation responses are set out in appendix 2 and the Council's response to those responses are set out in appendix 3. With the exception of the representation from Magnox/Nuclear Decommissioning Authority, no changes to these minor modifications are proposed as a result of any public comments.

- 5.5 Magnox and the Nuclear Decommissioning Authority responded to the public consultation in early 2017 to confirm their support for the modifications as a whole but requested that references to Radioactive Waste in the Plan be updated to refer to the latest published UK Strategies covering such waste as published in 2016. The current references are based on older Strategies and the update proposed by Magnox would ensure the Plan is up to date and includes up to date information. The further minor modifications proposed are set out in full at the end of this report – as Appendix 6.
- 5.6 The Inspector cannot make recommendations in respect of these minor modifications, as they are not modifications that she considers necessary to ensure the soundness and lawfulness of the Plan. As these have been supported by Cabinet previously and remain relevant, in recommending the Plan for adoption, the Cabinet also recommends that they should be retained as set out at Appendix 6, and incorporated into the final version.

6. Options

- 6.1 The Cabinet considered the following options relating to the future of the Replacement Waste Local Plan:
1. Supporting the conclusions of the Inspector's Report, and recommending to Council that the Plan be adopted with both the main modifications set out in the Inspector's Report and the minor modifications supported by Cabinet in December 2016 (the preferred option). This option is the best way to ensure the waste planning decisions made in the County reflect up to date policy and strategy and support sustainable development pursued by district/borough planning authorities.
 2. Supporting the conclusions of the Inspector's Report and recommending to Council not to adopt the Plan. The Council would then need to decide on an alternative approach to preparing a Waste Local Plan, revisiting existing evidence and undertaking potentially significant additional public consultation. Such a process would likely result in a delay measured in years. This option also risked penalties for the Councils levied by the government for the absence of an up to date Local Plan.
 3. Doing nothing - work on the Replacement Waste Local Plan would cease and the joint planning authorities would be forced to rely on national planning policy and guidance in making planning decisions in future. This option also risked penalties for the Councils levied by the government for the absence of an up to date Local Plan. This option would not lead to the adoption of a locally derived Waste Local Plan.

- 6.2 Cabinet opted to support the conclusions of the Inspector's Report, and recommend to Council that the Plan be adopted - Option 1. It is clearly advantageous for ECC to have a new Waste Local Plan in place as soon as possible. This avoids the risk of new planning applications for development being considered without an up to date Plan – one of the consequences being a lack of certainty regarding where new waste development will take place in the county in the future, and whether such development is indeed required in the Plan area.

7. Issues for consideration

Financial implications

- 7.1 The Replacement Waste Local Plan is a statutory requirement and there is currently adequate budgetary provision for the production of the final version of the Plan through to adoption. The Plan provides the framework for ECC to determine planning applications for waste development and as such, there are no additional financial implications.

Legal implications

- 7.2 Given that the inspector has issued main modifications, the Council may only adopt the Plan with those main modifications unless it successfully applies to the Court to quash the Inspector's report. As the Cabinet has agreed to support the main modifications and to recommend the Plan (incorporating the modifications) for adoption by the Council, it appears unlikely that the Council will wish to make such an application.

8. Equality and Diversity implications

- 8.1 The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:
- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful;
 - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not;
 - (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 8.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

- 8.3 The Public Sector Equality Duty is a relevant factor in making this decision but given that the main modifications mainly relate to a need to better reflect the evidence supporting the Plan and also national policy/guidance it is not considered that the recommendation to approve the modifications will have any further adverse impact on the five protected characteristics already detailed with the Plan's main Equalities Impact Assessment.
- 8.4 The Plan itself was subject to a full EqlA as part of the Pre-Submission approval process and found that five equality groups could be adversely impacted. Mitigating actions for each of these adverse impacts are detailed within this EqlA and assessment of the Plan as supported by the Inspector's Report does not lead to any changes to these conclusions.

9. List of appendices

Appendix 1: [Inspector's Report on her Examination of the Waste Local Plan](#)

Appendix 2: [Modifications Consultation - Schedule of All Representations](#)

Appendix 3: [Modifications Consultation - Comments of the Waste Planning Authorities](#)

Appendix 4: [Waste Local Plan - Schedule of Modifications – as approved by Cabinet in December 2016 and subject to public consultation in Jan-Feb 2017\)](#)

Appendix 5: [Equality Impact Assessment](#)

Appendix 6: Further Minor Modifications- see below

10. List of Background Papers

[Draft Waste Local Plan](#) (as approved by full council in Feb 2016 and subject to public consultation in March- April 2016)

Report to Essex County Council and Southend-on-Sea Borough Council

by Mrs KA Ellison, BA, MPhil, MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Date

Planning and Compulsory Purchase Act 2004

(as amended)

SECTION 20

REPORT ON THE EXAMINATION INTO THE ESSEX COUNTY COUNCIL AND SOUTHEND-ON-SEA BOROUGH COUNCIL

REPLACEMENT WASTE LOCAL PLAN

Document submitted for examination on 10 June 2016

Examination hearings held between 27 September and 7 October 2016

File Ref: PINS/Z1585/429/5

Abbreviations Used in this Report

AA	Appropriate Assessment
CDE	Construction, demolition and excavation waste
CHP	Combined Heat and Power
DtC	Duty to Co-operate
ECC	Essex County Council
EoEWTAB	East of England Waste Technical Advisory Body
FPC	Further Proposed Change
HRA	Habitats Regulation Assessment
IWMF	Integrated waste management facility
LACW	Local Authority Collected Waste
LDS	Local Development Scheme
LP	Local Plan
MM	Main Modification
NPPF	National Planning Policy Framework (NPPF)
NPPW	National Planning Policy for Waste
PROW	Public Rights of Way
RWLP	Essex and Southend-on-Sea Replacement Waste Local Plan
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SoS	Southend-on-Sea Borough Council
SSSI	Site of Special Scientific Interest
tpa	tonnes per annum
WDI	Waste Data Interrogator
WPA	Waste Planning Authority

Non-Technical Summary

This report concludes that the Essex and Southend-on-Sea Replacement Waste Local Plan provides an appropriate basis for waste planning within the two administrative areas, provided that a number of main modifications [MMs] are made to it. The Councils have specifically requested me to recommend any modifications necessary to enable the plan to be adopted.

All of the modifications to address this were proposed by the Councils and were subject to public consultation over a six-week period. I have recommended their inclusion in the Plan after considering all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- Updating the figures on the waste capacity gap and clarifying the policy on net self-sufficiency;
- The deletion of one strategic allocation and the inclusion of another, together with updates to the details of several sites;
- Ensuring the effectiveness of policies concerning Areas of Search, Waste Consultation Areas, Locational Criteria and Development Management.

Introduction

1. This report contains my assessment of the Essex and Southend on Sea Replacement Waste Local Plan in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (paragraph 182) makes clear that to be sound, a Local Plan should be positively prepared; justified; effective and consistent with national policy.
2. The starting point for the examination is the assumption that the waste planning authorities have submitted what they consider to be a sound plan. The basis for my examination is the Essex and Southend-on-Sea Replacement Waste Local Plan: Pre-Submission Draft, which is the document that was published for consultation in March 2016.

Main Modifications

3. In accordance with section 20(7C) of the 2004 Act the Councils requested that I should recommend any main modifications [MMs] necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. My report explains why the recommended MMs, all of which relate to matters that were discussed at the examination hearings, are necessary. The MMs are referenced in bold in the report in the form **MM1**, **MM2**, **MM3** etc, and are set out in full in the Appendix.
4. Following the examination hearings, the Councils prepared a schedule of proposed MMs and this schedule was subject to public consultation for six weeks. I have taken account of the consultation responses in coming to my conclusions in this report and, in this light, I have made some amendments to the detailed wording of the main modifications. In addition, it became clear that there was a need to correct the figure for the total of inert waste recycling capacity which was to be allocated through the Plan, as set out in the 'Waste Challenge at a Glance' section. These amendments and corrections do not significantly alter the content of the modifications as published for consultation, nor do they undermine the participatory processes and Sustainability Appraisal (SA) that has been undertaken. Where necessary, I have highlighted these amendments in the report.

Policies Map

5. The Councils must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Councils are required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map comprises the Submission Policies Map June 2016 (CD 3) and the plans within Appendices B and E of the Pre-Submission Draft, which set out the development principles for the allocated sites and the areas of search (CD 1B, 1E & 1F).
6. The policies map is not defined in statute as a development plan document and so I do not have the power to recommend main modifications to it.

However, a number of the published MMs to the Plan's policies require further corresponding changes to be made to the policies map. In addition, there are some instances where the geographic illustration of policies on the submission policies map is not justified and changes to the policies map are needed to ensure that the relevant policies are effective. These further changes to the policies map were published for consultation alongside the MMs (MC-1).

7. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted policies map to include all the changes proposed in the RWLP and the further changes published alongside the MMs.

Assessment of Duty to Co-operate

8. Section s20(5)(c) of the 2004 Act requires that I consider whether the Councils complied with any duty imposed on them by section 33A of the 2004 Act in relation to the Plan's preparation.
9. The key cross-boundary issues for the RWLP include the movement of waste across administrative borders and the need for and location of new waste capacity in the Plan area. Engagement with relevant bodies has taken place during the Plan-making process, such as that undertaken in 2012 and 2014 with neighbouring Waste Planning Authorities (WPA). This concerned cross-boundary waste movements and was in line with arrangements agreed with the East of England Waste Technical Advisory Body (EoEW TAB). At the time of the hearings, a Memorandum of Understanding was being prepared with the North London Planning Authorities. The Councils have also taken part in separate discussions concerning nuclear waste movements.
10. The regular meetings of the Essex Planning Officer Association (Policy Forum) have provided opportunities for engagement with District, Borough and City Authorities within the Plan area. During the preparation of the Plan, regard was had to the existing local planning context, with meetings taking place with individual authorities. One Authority (Basildon) pointed to the limited level of engagement at the level of elected members. However, it is clear that the issues of particular concern within that Borough as to the geographical distribution of waste management facilities in the Plan area and the implications of recently approved facilities for the locality in which they are situated have been properly considered, even if areas of disagreement remain. The strength of these concerns underlines the value of continuing, effective collaboration at all levels and I am satisfied that the WPAs have demonstrated an acceptable overall level of engagement as part of the plan-making process.
11. I conclude that the WPAs have worked collaboratively with other authorities and bodies and have co-operated effectively through a continuous period of engagement. They have fulfilled the duty to co-operate with regard to the Essex County Council and Southend-on-Sea Borough Council Replacement Waste Local Plan.

Assessment of Soundness

Preamble

12. The RWLP provides the key principles and policies to guide the future management of waste in the Plan area up until 2032. Preparation took place from 2009 to 2011 and then, after a two year pause, recommenced in 2013. The Plan contains the spatial vision, strategic objectives, spatial strategy, allocations, development management policies and a monitoring framework.
13. The Plan area comprises the administrative area of Essex County Council, where the two-tier administrative system includes 12 Councils, as well as the unitary authority of Southend-on-Sea Borough Council. It is an area which is expected to see considerable growth not only in housing but also through major infrastructure projects. The Metropolitan Green Belt covers most of the districts of Epping, Brentwood, Basildon and Rochford as well as parts of Chelmsford City, Castle Point, Harlow, Uttlesford and Southend-on-Sea. In addition, there are 17 European sites (Special Protection Areas and Special Areas for Conservation), fourteen other international sites (Ramsars) and 85 Sites of Special Scientific Interest (SSSI).

Main Issues

14. Taking account of all the representations, written evidence and the discussions that took place at the examination hearings, I have identified five main issues upon which the soundness of the Plan depends.

Issue 1 – Whether the Plan has been positively prepared and is justified, effective and consistent with national policy.

15. The Plan has been positively prepared in that it is based on a strategy which seeks to meet objectively assessed requirements, as summarised in the section '*The Waste Challenge – at a glance*' (RWLP paragraphs 4.21-4.23). This sets out the types and quantities of waste expected to arise during the Plan period not only within the Plan area but also in terms of cross-boundary movements, the most significant of which are with London. In the period since the Pre-Submission Draft was published, further data has become available from the North London Waste Planning Authorities which indicates that Essex is likely to be relied upon to accept a greater quantity of waste than had previously been expected. Whilst the assessment assumes that recent patterns of waste flows will continue, it also takes into account the projected continued fall in the level of waste to be exported. Given the extent of cross-boundary movement and the expectation in NPPW that plans should be based on the best available data, the summary set out in paragraphs 4.21-4.23 should be revised to incorporate the most recent information and to ensure consistency with the evidence base.
16. Prior to publication of the main modifications, the Councils had confirmed that the total allocated capacity for inert waste recycling within the Plan was 490,000tpa. Due to an error in the data for one of the sites (Sandon), this was later altered to 640,000tpa and that higher figure was used during the consultation on the proposed main modifications. The Councils have since confirmed that the correct figure should be 490,000tpa. Since this is a matter of fact, I have included the correct figure in the modification (**MM1**).

17. For the most part, this update leads to relatively modest adjustments in the data, with the notable exception of the gap for the management of inert waste, which increases from 2.58mt to 7.05mt. In line with the waste hierarchy, it is assumed that maximum use will be made of recycling facilities, so that only the remaining inert waste would be sent to landfill. Through the Areas of Search in policy 4 and the development management criteria in policies 5 and 6, the Plan makes provision for new recycling facilities to be brought forward. Policy 9 would allow for additional disposal facilities to be considered, subject to various criteria, including consideration against the waste hierarchy. Thus, whilst the updated information indicates that the capacity gap for the management of inert waste is greater than originally assessed, it does not necessarily follow that further sites for landfill should be allocated. The underlying strategy of the Plan is sound and its focus should continue to be on driving waste up the hierarchy, giving preference to recycling rather than disposal.
18. Although the data also indicates a likely shortfall in capacity for the management of biological waste, this is not expected to persist beyond about 2023, when the Rivenhall facility is projected to come into operation (CED 2 Table 4). My attention was also drawn to the possibility of a Combined Heat and Power facility as part of any proposal for a Dunton Garden Suburb. Whilst this could make a valuable contribution to the overall sustainability of such a development, should it come to fruition, it was clear from the discussion at the hearing that considerable uncertainty remains as to the timing for such a facility and the extent to which it would take waste as a fuel. At this stage, such a project has not been shown to be deliverable, nor are there any reliable arrangements in place to indicate the scale of its contribution to the management of waste. On that basis, I consider that there is insufficient justification for the inclusion of a further allocation for waste management by way of CHP in the RWLP.
19. Significant population and household growth is expected within the Plan area. However, it is both reasonable and consistent with the policy aim of driving waste up the hierarchy for the WPAs to work on the basis that a range of non land-use measures will first be taken to encourage waste minimisation and recycling amongst the residential population. As a result, such growth would not necessarily lead to an increased need for sites for the management of LACW, especially if there is scope for more efficient use of existing sites.
20. The Plan looks to support the recovery of value from waste, in line with the vision of achieving a circular economy. In the allocation of sites, it gives greater priority to the treatment of waste, thus supporting the movement of waste up the hierarchy. Flexibility is to be afforded through Areas of Search (Policy 4) as well as the criteria-based locational policies (Policies 5, 6 and 9). The RWLP seeks to direct new waste development towards the key urban centres, encourages co-location and sets out safeguards for existing sites. Subject to these and other modifications identified in this report, the plan would satisfy the requirements to be positively prepared, justified, effective and consistent with national policy as set out at NPPF paragraph 182.
21. In keeping with NPPW, the Plan is based on the principle of net self-sufficiency where practicable. Whilst this can be applied to the main waste streams, it should be made clear in the Plan that the amount of hazardous and radioactive

wastes generated from within the Plan area mean that such an approach is not practicable for these streams (**MM2**).

22. Sustainability appraisal took place with each iteration of the RWLP, including a review of alternatives, especially in the light of the change in emphasis from regional to local assessments of need, which gave rise to a need for greater flexibility. The Sustainability Appraisal has considered reasonable alternatives and provides clear evidence that the strategy in the Plan is appropriate.
23. The Habitats Regulations Assessment Screening Report (SD-13 and Addendum MC-6) notes that, given the degree of uncertainty as to matters such as timing, scale and type of facility, detailed assessment will have to be undertaken at the planning application stage. However, it concludes that any indirect effects on European sites could be mitigated, provided appropriate protection measures were put in place. In the period since the screening report was prepared, the Wealden judgement ([2017] EWHC 351 (Admin)) has been published. This may well be a factor in the project-specific assessment for the Morses Lane site, where the access road passes within 200m of the Colne Estuary SPA/Ramsar site. Nonetheless, at this stage it is reasonable to conclude that delivery of the allocations in the RWLP could be achieved within the requirements of the Regulations, including in relation to the Strategic Sites and the identified Areas of Search.
24. Having regard to the above, and subject to the main modifications discussed in the remainder of this report, I am satisfied that the Plan has been positively prepared and is justified, effective and consistent with national policy.

Issue 2 – Whether the RWLP's strategic objectives are realistic and can be seen to shape the form of the Plan

25. Reflecting the waste hierarchy, the Plan's strategic objectives include support for waste prevention, re-use, recycling and recovery. Policy 1 sets out the level of need to be planned for. As discussed at the hearing sessions, further information was provided by the North London Waste Planning Authorities. In addition, the Plan should take into account the planning permission for the Rivenhall scheme (February 2016). There is also a lack of clarity in the use of the term 'other waste' within the policy. These matters should be addressed in the interests of the effectiveness of the RWLP (**MM3**).
26. Through Policy 2, the RWLP seeks to provide a mechanism for the consideration of proposed non-waste development on existing and allocated waste management sites, in line with Planning Practice Guidance (ID28-010-20141016). The supporting text explains how the waste consultation zones would be defined and how the policy would be applied. Given the evidence as to the potential for odour issues around Water Recycling Centres, the consultation zone for those facilities should be extended, which would also reflect the advice of the operator. To provide a greater level of certainty, the text should clarify how the policy will apply to small-scale, non-specialist facilities. Within the policy, the final clause should be reworded in the interests of positive planning (**MM4**). In order to be effective, greater clarity is needed in the associated table (Table 21) and the introductory wording to Appendix C concerning those forms of development where consultation is expected, including temporary uses (**MM24** and **MM25**).

27. Subject to these modifications, the RWLP's strategic objectives have been shown to be realistic and to shape the form of the Plan.

Issue 3 – Whether the Plan makes adequate provision for new waste management capacity with particular reference to type, location and timing

Strategic allocations

28. Policy 1, as modified, identifies the level of need within the Plan area up to 2032. The WPAs advise that, even though they have sought to make maximum use of suitable sites, some gaps will remain. The most recent information indicates a shortfall in biological treatment capacity until 2024 and for landfill during 2017-18 and again after 2026 (CED 2, Appendix 3). Whilst the Areas of Search policy creates opportunities for further waste treatment capacity to be brought forward as required, scope for landfill facilities is much more limited.
29. The site identification and assessment methodology which underpins policy 3 was based on five stages. The exclusionary criteria identified in stage 1 are not only pragmatic but are also consistent with relevant national policy on flood risk and the protection of natural and historic heritage. According to the methodology, the criteria in Stage 2 (location in the Green Belt and traffic and transportation issues) were not intended to be exclusionary. The approach was designed to make it clear that the WPAs have looked first for suitable sites outside the Green Belt (NPPW paragraph 6). Nonetheless, none of the proposed sites that were within the Green Belt passed this stage, irrespective of the range of uses proposed.
30. NPPF makes clear that the fundamental aim of Green Belt policy includes to keep land permanently open and that the purposes of Green Belt include to assist in safeguarding the countryside from encroachment (paragraphs 79-80). At the same time, NPPW acknowledges that some types of waste management facilities may have particular locational needs. Within the site assessments (SD16) the same score has been assigned to all proposals within the Green Belt. The process has not sought to weigh up the degree of conflict with Green Belt policy against the merits of an individual site for waste management purposes. To my mind, this indicates that this stage did not fully recognise the need, as part of the plan-making process, to reach a preliminary view as to the relative merits of potential sites and possible uses within the Green Belt. As the WPAs point out, proposals on non-allocated sites could still be assessed under the locational and development management policies. However, it is for the Local Plan to provide guidance for future development management decisions. Although a conclusion on whether a proposal satisfies the test of very special circumstances can only be reached at the time a planning application is determined, it is for this Plan to indicate the value of a site's contribution towards any identified gap in capacity.
31. A number of potential waste sites in the Green Belt included proposals which would have involved substantial built elements. Since these would have affected openness or been in conflict with the purposes of the Green Belt, I see no reason to disagree with the scores assigned by those assessments. However, the proposal for a time limited landfill operation at **Dollymans**

Farm (L(i)16) would serve to limit any impact on openness and mitigate any conflict with the purposes of the Green Belt. I recognise that, despite having served as a borrow pit, the site does not meet the definition of previously developed land, which is preferred in the site assessment process. However, the Landscape and Visual Appraisal notes that this site has been left at the extracted base levels and that the sculpted landform, steep sided slopes and engineered profile contrast with the gentler rolling profiles of adjacent farmland. Thus, the condition of this site and its potential to improve landscape quality, together with its proximity to areas of growth, indicate that there are other considerations which could be weighed in the balance, when identifying sites to address the capacity gap. Whilst any proposal would still need to be considered on its individual merits, including whether it could satisfy local policies for the management of development in the Green Belt, there is sufficient evidence at this stage to justify the allocation of this site, in order to identify its potential contribution to the management of waste and thus guide future decision-making.

32. As a reflection of arrangements in place at the time the Plan was in preparation, the policy allocates a site at **Wivenhoe** Quarry for inert waste recycling. This was intended to support continued restoration of Wivenhoe, along with a neighbouring site for inert landfill on land at **Sunnymead, Elmstead and Heath Farms**. The operator advises that the advanced state of the restoration at Wivenhoe means that there is now limited justification for the recycling of inert waste at that site in the longer term. If future recycling is to be associated with the restoration of the Sunnymead, Elmstead and Heath Farms site, the opportunity should be taken for it to be more closely related to that site, provided it can be shown that the impact of such development on the surrounding area could be mitigated to an acceptable degree. In order for the Plan to be effective, a strategic allocation should provide a realistic framework to guide the decision-maker. Consequently, that part of the policy which lists sites for inert waste recycling should be altered by the removal of Wivenhoe and the insertion of Sunnymead, Elmstead and Heath Farms.
33. One final matter with this policy concerns the name of the site for biological waste management at Basildon, which should be amended to refer to a Water Recycling Centre.
34. These modifications to policy 3 are covered within **MM5**.

Areas of Search

35. The Areas of Search are those existing employment areas which are considered to be suitable in principle for waste management. This is a useful mechanism to create flexibility within the RWLP whilst at the same time encouraging waste management uses within sustainable locations and supporting the movement of waste up the hierarchy. The locations are those with established industrial uses, some of which already contain waste management facilities. The land use planning regime, in conjunction with the pollution control regime, allows the potential impacts of proposals to be properly managed. As such, there is no reason to expect that the prospect of new waste management facilities in these locations would detract from the quality of a locality or deter investment by others.

36. The Areas of Search are based on designations in local plans prepared by other Authorities within the RWLP area. In the interests of effectiveness, it is necessary at paragraph 8.10 to explain how policy 4 could be affected by any future changes arising as a result of the plan-making activity of the other LPAs in the Plan area (**MM6**). Also there is a lack of clarity within the policy itself as to the relationship with policy 10, which deals with general development management considerations. This should be set out, in order to ensure that the policy will be effective. The **Oakwood and Crusader Business Park**, Tendring should be removed from the list of Areas of Search, since evidence was provided to show that it no longer satisfies the selection criteria (**MM7**). The associated Map 51 in Appendix E should also be removed (**MM26**).

Spatial distribution

37. The strategic sites and areas of search have been identified in the light of the estimated need for new capacity and after a process which included consideration of alternative spatial strategies and an assessment of the suitability of sites identified through the plan-preparation process. Whilst the distribution across the Plan area is not uniform, it is well-related to the main centres of population, the road network and the growth corridors. I find no basis, therefore, for any lack of soundness in the Plan with regard to the spatial distribution of sites, either in relation to an over-concentration in some areas or a shortage of sites in others.
38. I am satisfied, therefore, that the Plan makes adequate provision for new waste management capacity.

Issue 4 – Whether the plan provides an appropriate decision making framework for the assessment of proposals for waste management facilities

The criteria-based policies (Policies 5, 6 and 9)

39. These three policies follow a similar approach and deal, respectively, with proposals for enclosed or open waste management facilities and waste disposal. To ensure effectiveness, it should be made clear that these policies apply to sites not allocated in the RWLP and that there will be an expectation that any proposal should be able to show that those allocations or the Areas of Search would be unsuitable or unavailable. To be consistent with the principle of net self-sufficiency, proposals should be expected to demonstrate that at least some proportion of the need for the facility arises from within the plan area. The wording of the final clause should be revised in the interests of positive planning (**MM8, 9, 11**).

Radioactive Waste

40. The nuclear power station at Bradwell-on-Sea is in the process of being decommissioned. To ensure the effectiveness of Policy 7, the title should be corrected and it should be clear that management of the waste will be supported (**MM10**).

Development management

41. Amongst the criteria for the assessment of waste management proposals in Policy 10 is a requirement to assess any impact on the Public Rights of Way network (PROW). To aid effectiveness, the supporting text at paragraph 9.33 should emphasise the scope to enhance or upgrade the PROW network as part of any restoration scheme and state the expectation that there should be no deterioration in quality (**MM12**). With regard to water, criterion (b) should be worded to make clear that relevant considerations consist of preventing deterioration, achievement of 'good' status and effect on quantity of water. It should also be clear from the wording of the policy that the WPAs will seek enhancements, where practicable. This modification, in the form published, did not clearly distinguish between water quality and quantity. This could be achieved through a minor change in the format and wording of this clause, a change which has the support of the Authorities. The policy should also set out those aspects where enhancements would be sought (**MM13**).
42. Although Policy 12 sets out a hierarchy of preferences, it makes no provision for those circumstances where access to the main road network may not be feasible. Such provision was made in earlier iterations of the RWLP. To ensure the policy is effective, a clause should be added which addresses how a proposal will be assessed where access to the main road network is not feasible (**MM14**).
43. With these modifications, the plan will provide an appropriate decision making framework for proposals for waste management facilities.

Issue 5 – Whether the RWLP provides appropriate justification for the site-specific allocations and Areas of Search in terms of the sites identified, their environmental acceptability and their deliverability

44. The predicted shortfall in capacity provides the main justification for the strategic allocations. Further justification for each allocation is contained within the Site Assessment and Methodology Report (SD16) which, in turn, informs the particular considerations for each site. Appendix B contains a table for each allocation which sets out the relevant development principles (RWLP Tables 7-20). These include, as appropriate, the need to address specific matters such as relationships with heritage assets, access arrangements and potential effects on living conditions. Where an allocation has the potential to give rise to such impacts, the site assessments show that it could reasonably be expected that objections could be addressed either through the design of any proposal or by way of condition. I consider that the methodology used in the site assessment process provides a sound basis for each allocation.
45. Except where indicated in the following section, I am satisfied that the site assessments have demonstrated that the allocations are sound and deliverable. However, the following modifications are necessary to ensure that the development principles for each allocation are effective and justified.

Table 8, Bellhouse Landfill Site

46. Within this table, the indicative scale of the inert landfill facility should be expressed in tonnes per annum rather than the overall volume and the correct data as to estimated availability should be shown (**MM15**).

Table 11, Little Bullocks and Crumps Farm, Great and Little Canfield

47. Corrections should be made to this table to ensure that the site size and the defined area for site 1 are consistent with the Minerals Local Plan. Map 11 should be amended accordingly. In addition, the availability of site 3 and the life of sites 2 and 3 should be revised so that they are consistent with the most up to date information.
48. The Minerals Local Plan anticipated that restoration of the existing quarry would be completed before extraction commenced elsewhere. In contrast, the RWLP expects site 2 to become available in the short term, with sites 1 and 3 becoming available in the medium term. It is the data on the capacity gap which provides sufficient justification for the revised approach within the RWLP. Although doubts were expressed as to the viability of the extraction of the mineral resource, the best information currently available is that mineral extraction will proceed. Whilst the approach within the RWLP does raise further issues, especially in terms of potential cumulative impact on local amenity, this has been recognised through the site assessment process and is on the whole suitably addressed through the issues and opportunities for each site, which are set out below Table 11.
49. The exception to this concerns site 2, which includes a clause that seeks to control the type of hazardous wastes which could be accepted. National policy is clear that waste planning authorities should not concern themselves with the control of processes, which are a matter for the pollution control authorities. This would include the range and types of waste which could be accepted. In order to be consistent with national policy therefore, the first bullet point for site 2 should be deleted (**MM16**). In addition, in the interests of effectiveness, the HRA should refer specifically to the need to ensure that there would not be an adverse impact on water quality.

Table 14, Morses Lane, Brightlingsea

50. This site, towards the edge of Brightlingsea, adjoins an existing waste operation but is also within a short distance of a supermarket, school and a residential area. The main access route into Brightlingsea is the B1029 which carries high levels of traffic.
51. By giving greater weight to the proximity of housing and the school, the revised site assessment more accurately reflects the sensitivity of the location. In this respect, I note the reports from residents that they already experience some adverse effects from the existing operation. The development principles contained in Table 14 should set out an expectation that any further waste management development would be enclosed, in order to minimise the risk of cumulative impacts. Given the present servicing arrangements for the supermarket, any future development should also be required to have regard to impacts on neighbouring land uses, including the adjacent retail facility (**MM17**). The allocation would generate additional traffic along the B1029.

However, despite the characteristics of that route, it forms part of the main road network and no technical evidence has been provided to show that such additional vehicle movements would place unacceptable pressure on the local road network.

Table 15, Newport Quarry

52. It is proposed to restore this chalk quarry through landfill with inert waste, including creation of lowland calcareous grassland, which is a priority habitat. Greater clarity is required as to the weight that will be placed on particular factors. Whilst the main concerns raised related to biodiversity and traffic, the potential for landscape and visual impacts is also a recognised consideration in national policy. The text accompanying Table 16 should refer to environmental and visual factors and the way future restoration will be managed in relation to those areas which have already been restored. Given the sensitivity of Widdington to HGV movements, the table should also make explicit the expectation that an agreement should be provided which would control vehicle movements in that direction (**MM18**).

Table 16, Rivenhall

53. Planning permission was granted in February 2016 for an Integrated Waste Management Facility (IWMF) at Rivenhall (CED11, p1). Since the detailed proposal differed in key respects from the indicative capacity set out in Table 16, the table should be updated to reflect the quantities and types of wastes to be managed under the approved scheme and to maintain consistency with the evidence base. The table should also clarify the term 'other waste', so as to be consistent with Policy 3 (**MM19**).
54. Although there was strong opposition to this allocation, the grant of planning permission has established the principle of this form of development on this site. It is also a firm indication that the waste management capacity is likely to be delivered during the lifetime of the RWLP. I understand that further work will be required as a result of the Environmental Permitting process, including a revision to the design in relation to the height of the stack. The fact that an Environmental Permit is being pursued supports the case that the facility should be regarded as deliverable. Although other concerns were raised, including the detailed arrangements between this facility and the Tovi Eco Park or the extent to which it might actually function as a combined heat and power facility, these do not alter the appropriateness of the site for the allocated waste management uses.

Table 17, Sandon

55. The Councils advise that the indicative figure of 40,000tpa for the inert waste recycling facility was incorrect. A planning application has been made which identifies capacity for 150,000tpa recycling and 150,000tpa landfill and these are the figures which have been used in the evidence base, most notably CED-2, which contains the most up to date assessment of capacity and requirement. The published schedule of main modifications refers to an indicative scale of 300,000tpa inert waste recycling capacity, which the Councils advise is also incorrect. Consequently, I have recommended that the table sets out the capacity as given in the planning application, in order to

be consistent with the evidence base and the intended scale of operations at the site (**MM20**).

Table 19, Sunnymeade, Elmstead and Heath Farms; Table 20 Wivenhoe

56. These sites are adjacent to each other and within the same ownership. The RWLP allocates the Sunnymeade site for inert landfill, noting that it would act as an extension to Wivenhoe, which is where the inert waste recycling facility is located at present.
57. During the hearings it became clear that restoration at **Wivenhoe** is well-advanced and the recycling facilities there, which date back some 60 years, are not likely to be renewed. That allocation can no longer be regarded as deliverable and so should be removed from the RWLP (**MM22**).
58. The operator seeks instead to locate new recycling facilities within the **Sunnymeade, Elmstead and Heath Farms** site. An area of some 7ha on the north-western part of the allocated site has been identified. This would bring recycling activities closer to a greater number of residential properties and the site assessment (MC-2) notes the risk of cumulative effects. Even so, given the site area proposed I consider that there would be sufficient scope within it to incorporate a suitable range of measures to address the potential impact on local amenity. Over the lifetime of the Plan, the proposed location for the inert waste recycling facility would be preferable therefore and Table 19 and the accompanying Map 19 should be modified accordingly.
59. The issues and opportunities should be revised to recognise that the question of whether archaeological remains would be retained in situ would have been resolved as part of the mineral extraction scheme. However, in place of the term 'Palaeolithic', as used by the Councils, Historic England point out that it would be more appropriate to refer to 'archaeological'. I have used 'archaeological', which would also be consistent with the Minerals Local Plan, which refers to the potential for multi-period archaeological deposits.
60. To differentiate between the potential impacts of the two uses, there should also be references to measures specific to each site in relation to residential and visual amenity. Although the Councils suggest that bunding will be needed to the north, east and south, the operator also points to the need for screening to the west. I have revised the wording of this part of the modification accordingly. Since the requirement to consider the impact on European sites through HRA is already contained in the section which applies to both sites, it is not necessary for it to be repeated in that section which relates specifically to site 2. Given the focus on the Sunnymeade site, it stands to reason that there may well be a need to reconsider the access arrangements, which the RWLP expects to be by way of the existing access to the Wivenhoe site. However, given the advanced stage of this Plan, that matter should be addressed through the development management process (**MM21**).

New Table and Map, Dollymans Farm

61. The Site Assessment indicates that this site is capable of accepting some 500,000 tonnes of waste.

62. The development principles should address access issues, not only in terms of the efficient and safe use of the highway but also as regards potential impacts on nearby residential areas and on users of the PROW network. Since the case for the allocation stems from the opportunity to improve damaged or derelict land as well as to enhance local landscape quality and visual amenity (NPPF para 81), the details of the final restoration and aftercare will require careful consideration, as will the need for screening. The use of measures to minimise the effects of dust and noise will be necessary to protect nearby sensitive uses and users of the PROW network. There are known heritage assets within or near the site and any proposal should address the potential impact on their significance, along with details of any proposals concerning protection of the WWII memorials (**MM23**).

Assessment of Legal Compliance

63. My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The Local Plan is identified within the Essex County Council Minerals and Waste Development Scheme May 2016 (SD-1) which sets out an expected adoption date of December 2016. It is also identified in the Southend-on-Sea Borough Council Local Development Scheme 2015 (SD-2) which sets out an adoption/submission date of June 2016. The Local Plan's content and timing are broadly compliant with the LDSs.
Statement of Community Involvement (SCI) and relevant regulations	Consultation has been compliant with the requirements of the ECC Statement of Community Involvement 2015 (SD 3) and the SBC Statement of Community Involvement 2013. This includes the consultation on the post-submission proposed 'main modification' changes.
Sustainability Appraisal (SA)	SA has been carried out and is adequate.
Appropriate Assessment (AA)	The Habitats Regulations AA Screening Report January 2016 (SD 13) sets out why AA is not necessary. Natural England advises that the HRA has adequately identified and addressed all of the relevant European sites and potential impact pathways.
National Policy	The RWLP complies with national policy except where indicated and modifications are recommended.
2004 Act (as amended) and 2012 Regulations.	The RWLP complies with the Act and the Regulations.

Overall Conclusion and Recommendation

64. The Plan has a number of deficiencies in relation to soundness and/or legal compliance for the reasons set out above which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.
65. The Council has requested that I recommend main modifications to make the Plan sound and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix the Essex County Council and Southend-on-Sea Borough Council Replacement Waste Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

K.A. Ellison

Inspector

This report is accompanied by the Appendices containing the Main Modifications

APPENDIX 1

Ref	Page/para	Proposed main modification
MM1	Paragraphs 4.21 to 4.23	<p>Re-write 'The Waste Challenge at a Glance' as follows:</p> <p>4.21 Non Hazardous Waste</p> <p>4.21 Non Hazardous Waste</p> <p>There has been and will continue to be cross - boundary movements of waste. Planning Practice Guidance states that imports of waste from Greater London require specific consideration. The Vision & Strategic Objectives of this Plan therefore recognises the need to continue to make provision for imports from London, albeit at a reducing rate. After 2026, imports of non-hazardous waste to landfill should only be of non-recyclable and non-biodegradable wastes, while some provision may also be made for the management of residues suitable for energy recovery at consented plant.</p> <p>Non-organic, non-hazardous waste arisings within the Plan area are expected to moderately increase during the Plan period. In 2015, it was estimated there were 1.57mt of this type of waste arising in the Plan area. By 2031/32, arisings are estimated to be 1.67mtpa. Imports of non-hazardous waste from London have been estimated to be in the region of 375,000 tpa in the early years of the Plan reducing down to around 150,000 tpa at the end of the Plan period.</p> <p>Organic non-hazardous waste arisings within the Plan area are also expected to increase slightly during the Plan period. In 2015, it was estimated that there was 331,000t of organic non-hazardous waste arising in the Plan area. By 2031/32, arisings are estimated to be 349,000tpa.</p> <p>Consented operational capacity is expected to decline from 221,000tpa to 131,000tpa should no further planning permissions be granted over the Plan period. Consequently there will be a requirement for 218,000tpa of new organic treatment capacity by 2031/32.</p> <p>At present, the Waste Disposal Authority is considering long term management options for the stabilised residual waste output of the Tovi Eco Park Facility. In 2016, the annual 200,000t output of the from this facility was exported from the Plan area. In line with the Plan's Strategy for the Plan area to become net self-sufficient with regard to its waste management needs where practicable, the Plan includes a site allocation which has capacity to potentially manage this residual waste in the</p>

		<p>Plan area in the longer term.</p> <p>Assuming that suitable facilities are delivered on the sites allocated in this Plan, it is forecast that some non-hazardous landfill void space will exist at the end of the Plan period. However, in accordance with the waste hierarchy, this remains the option of last resort and is not considered to be a substitute for developing further treatment capacity that will move waste up the hierarchy.</p> <p>4.22 Construction, Demolition and Excavation Waste</p> <p>It is estimated that local Construction, Demolition and Excavation waste arisings was 3.62mtpa in 2014 (including 0.31mt of waste imported from London).</p> <p>It is identified that there is a need for an additional 1.95mtpa of Construction, Demolition and Excavation management (recycling or disposal) capacity by 2031/32, partly due to the expiry of existing temporary planning permissions.</p> <p>Locally collected evidence suggests that there is further diversion from landfill through beneficial re-use of inert waste, which equated to approximately 765,000tpa in 2014.</p> <p>It is estimated that there is a current inert landfill void space of approximately 3.25 million cubic m, which would equate to approximately 5.1 million tonnes of capacity. This is, however, not sufficient to accommodate the forecast need for inert waste management capacity over the Plan period, to accommodate both the needs of the Plan area and the inert waste projected to be imported from London. To address this, sites capable of providing 490,000 tpa of inert waste recycling capacity and inert waste landfill sites capable of accommodating 14.08million tonnes in total is allocated in the Plan. It is, however, recognised that a proportion of the total inert waste recycling capacity is temporary in nature, and without further permissions, the total inert recycling capacity is likely to reduce to 340,000tpa at the end of the Plan period.</p> <p>Nonetheless, even after the allocation of all sites suitable for inert waste recycling and inert waste landfill, there is a further need to find management solutions for a total of 7.05mt of inert waste. Since no other submitted sites have been deemed suitable for the management of inert waste in the Plan area, locational criteria policies would be used to assess any additional future inert waste management proposals.</p> <p>4.23 Hazardous Waste</p> <p>In 2014, most of the 113,000tpa of hazardous waste requiring management was exported from the Plan area</p>
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		<p>for final management. Of this around 23,000 tpa was disposed to landfill.</p> <p>The only landfill accepting hazardous waste (Stable Non-Reactive Hazardous Waste -SNRHW) within the Plan area closed in April 2014, so, in 2016, waste was being disposed of at sites beyond the Plan area. This facility, on average, accepted approximately 50,000 tonnes of SNRHW per annum, which included imports from other authority areas as well as waste generated within the Plan area.</p> <p>Hazardous waste is not subject to net self-sufficiency within this Plan due to the specialist nature of the facility type and the relatively small quantities generated within the Plan area.</p> <p>A new site for a Stable Non-Reactive Hazardous Waste Landfill with a total capacity for 30,000 tonnes is allocated in the Plan. No other proposals for the management of hazardous waste in the Plan area were submitted. Locational criteria policies would be used to assess any future hazardous waste proposals should the market identify a need for further facilities in the Plan area.</p>
MM2	Paragraph 5.3	<p>Re-write as follows:</p> <p>The principle of net self-sufficiency does not apply to hazardous waste or radioactive waste as it is not considered practical to provide for such specialist facilities on the basis of net self-sufficiency within the Plan area.</p>
MM3	Policy 1	<p>At (a), replace 217,000 with 218,000</p> <p>At (b) replace 1.5 with 1.95</p> <p>Re-write (c) as follows:</p> <p>c. up to 200,000 tonnes per annum by 2031/32 for the further management of non-hazardous residual waste; and</p>
MM4	Policy 2 and paras 6.7, 6.10, 6.11	<p>At para 6.7:</p> <p>after 'within 250m of a safeguarded site' add: (or 400m of a Water Recycling Centre - WRC);</p> <p>after 'Sensitive uses should not be located adjacent to, or within, 250 metres' add: (or 400m of a WRC)</p> <p>Re-write paras 6.10 and 6.11 as follows:</p> <p>6.10 In some cases, the potential adverse impact on a waste site or operation of a waste facility may not be contested by the WPAs. Such instances could include scenarios where it can be ascertained that there are wider social, environmental and/or economic benefits resulting</p>

		<p>from new development that may outweigh the retention of the waste use. In such instances, alternative site provision for the displaced waste use could be required should such capacity continue to be necessary.</p> <p>6.11 Whilst Waste Consultation Zones apply to all permitted waste facilities in the Plan area, the WPAs are unlikely to object to development in close proximity to a small scale, non-specialist facility, defined in this Plan as those with an annual capacity of 10,000tpa or less.</p> <p>Policy 2:</p> <p>Re-write the first two paragraphs as follows:</p> <p>Where non-waste development is proposed within 250m of safeguarded sites, or within 400m of a WRC, the relevant Local Planning Authority is required to consult the Waste Planning Authority on the proposed non-waste development (except for those developments defined as 'Excluded' in 'Appendix C - Development Excluded from Safeguarding Provisions').</p> <p>Proposals which are considered to have the potential to adversely impact on the operation of a safeguarded waste site or infrastructure, including the site allocations within this Plan, are unlikely to be opposed where:</p> <p>In clause 'a', after 'or infrastructure is' insert 'considered'</p> <p>Re-write clause 'b' as follows:</p> <p>redevelopment of the waste site or loss of the waste infrastructure would form part of a strategy or scheme that has wider environmental, social and/or economic benefits that outweigh the retention of the site or the infrastructure for the waste use, and alternative provision is made for the displaced waste use; or</p> <p>Delete final para beginning: 'Where proposed <i>non-waste development</i> ...</p>
MM5	Policy 3, Clauses 1, 2, 3, 4	<p>Amend clauses 1-4 as follows:</p> <p>Clause 1</p> <p>Basildon Water Recycling Centre, Basildon</p> <p>Clause 2</p> <p>After Blackley Quarry insert:</p> <p>Sunnymead, Elmstead & Heath Farms, Tendring (W36)</p> <p>Delete:</p> <p>Wivenhoe Quarry Plant Area, Tendring</p> <p>Clause 3</p> <p>Delete 'other' insert 'residual non-hazardous'</p>

		<p>Clause 4</p> <p>Add:</p> <p>Dollymans Farm, Basildon/Rochford (L(i)16)</p>
MM6	paragraph 8.10	<p>Re-write as follows:</p> <p>Proposals within the Areas of Search will normally require express planning permission and will be considered against other relevant policies in the RWLP, including Policy 10 – Development Management, and the wider Development Plan as a whole. The need to consider the wider Development Plan is important as it is the relevant Local Plan which determines whether an Area of Search designation remains relevant. Should a Local Plan seek to re-allocate land pertaining to an Area of Search away from B2/B8 uses, the criteria upon which Areas of Search are based would no longer be fulfilled. In such instances, the location would cease to be an Area of Search and Policy 4 would no longer apply. The design and operation of waste management facilities proposed within Areas of Search should be compatible with existing uses in the employment area.</p>
MM7	Policy 4	<p>Re-write opening paragraphs to policy 4 as follows:</p> <p>Proposals for waste management development in the following Areas of Search, as defined on the Policies Map, will be supported in principle provided that the design and use of the facility is compatible with existing uses in the employment area.</p> <p>Proposals will be considered against other relevant policies of this Plan and the wider Development Plan.</p> <p>Delete the following site from the list of areas of search:</p> <p>'Oakwood and Crusader Business Park '</p>
MM8	Policy 5	<p>Amend title to read:</p> <p>'Enclosed waste facilities on unallocated sites or outside areas of search'</p> <p>Revise Clause 1 to read:</p> <p>the waste site allocations and the Areas of Search in this Plan are shown to be unsuitable or unavailable for the proposed development</p> <p>At the beginning of Clause 2 add:</p> <p>'although not exclusively,'</p> <p>delete final sentence, and re-write as follows:</p> <p>'Any proposals that come forward on land use types not identified above will be assessed on their merits, based on</p>

		the policies in this Plan'
MM9	Policy 6	<p>Amend title to read:</p> <p>'Open waste facilities on unallocated sites or outside areas of search'</p> <p>Revise Clause 1 to read:</p> <p>the waste site allocations and the Areas of Search in this Plan are shown to be unsuitable or unavailable for the proposed development</p> <p>At the beginning of Clause 2 add:</p> <p>'although not exclusively,'</p> <p>delete final sentence, and re-write as follows:</p> <p>'Any proposals that come forward on land use types not identified above will be assessed on their merits, based on the policies in this Plan'</p>
MM10	Policy 7	<p>Amend title to read:</p> <p>Radioactive Waste Management at Bradwell-on-Sea</p> <p>Amend first sentence to read:</p> <p>Proposals for facilities for the management of nuclear radioactive Intermediate Level Waste (ILW), Low Level Waste (LLW) or Very Low Level Waste (VLLW) will be supported within the Nuclear Licensed Areas at Bradwell-on-Sea, where:</p> <p>Amend Clause b to read:</p> <p>b. the proposals are informed by the outcome of economic and environmental assessments that support and justify the management of radioactive waste at this location, and;</p>
MM11	Policy 9	<p>Revise Clause 1 to read:</p> <p>the landfill site allocations in this Plan are shown to be unsuitable or unavailable for the proposed development</p> <p>At the beginning of Clause 2 add:</p> <p>'although not exclusively,'</p> <p>delete final sentence, and re-write as follows:</p> <p>'Any proposals that coming forward on land use types not identified above will be assessed on their merits, based on the policies in this Plan'</p>
MM12	paragraph 9.33	<p>Rewrite para to read:</p> <p>The Public Rights of Way (PROW) network provides an important means of accessing the countryside. Where relevant, applications for waste management will be required to ensure that PROW remain usable at all times or provide satisfactory alternative routes. Alternative</p>

		paths and any necessary diversions of existing paths will be required to be in place prior to the closure of the existing PROW. Restoration schemes should, in the first instance, be seen as an opportunity to enhance and upgrade PROW where possible, especially with regard to the provision of Bridleways as multi-user paths as part of any permission granted. In all cases, restoration schemes should provide for access which is at least as good as that existing before workings began. The closure of a PROW, where no alternative route is provided, will not normally be acceptable.
MM13	Policy 10	<p>Revise criterion b to read:</p> <p>b. water resources, with particular regard to:</p> <ul style="list-style-type: none"> - the quantity of water within water bodies: <ul style="list-style-type: none"> • preventing the deterioration of their existing status; or • failure to achieve the objective of 'good status', and - the quantity of water for resource purposes within water bodies' <p>Add final sentence:</p> <p>Where appropriate, enhancement of the environment would be sought, including, but not exclusively, the enhancement of the Public Rights of Way network, creation of recreation opportunities and enhancement of the natural, historic and built environment and surrounding landscape.</p>
MM14	policy 12	<p>Add criterion d:</p> <p>Where access to the main road network in accordance with (b) and (c) above is not feasible, road access via a suitable existing road prior to gaining access onto the main road network will exceptionally be permitted, having regard to the scale of the development, the proximity of sensitive receptors, the capacity of the road and an assessment of the impact on road safety</p>
Modifications to Appendix B, development principles		
MM15	Table 8	<p>For Inert landfill insert:</p> <p>250,000tpa</p> <p>At Estimated Availability insert:</p> <p>Upon adoption (2017)</p>
MM16	Table 11	<p>At Site 1 Area insert: 6.90ha</p> <p>At Estimated Availability insert:</p> <p>Site 3 – 5-10 years</p> <p>At Life insert:</p>

		<p>Site 2 – 15 years</p> <p>Site 3 – 15 years</p> <p>After 'The following specific issues and opportunities are to be addressed for Site 2'</p> <p>delete first bullet point beginning 'Waste shall be restricted to ... '</p> <p>rewrite third bullet point as follows:</p> <p>To demonstrate that there would not be an adverse effect on a European site through HRA. Any development would need to ensure that there would not be an adverse impact on water quality.</p>
MM17	Table 14	<p>amend bullet point 4 and add new 5 as follows:</p> <p>It is expected that operations would be enclosed within an appropriate building. Dust mitigation measures, limits on duration (hours of operation) and noise standards (from noise sensitive properties) will be established in the interests of protecting local amenity.</p> <p>The configuration and operation of the proposed facility shall have regard to impacts on neighbouring land uses, including the potential impacts on the adjacent retail use.</p>
MM18	Table 15	<p>in the first bullet point before 'calcareous grassland' insert 'lowland'</p> <p>rewrite the second bullet point to read:</p> <p>Careful consideration of the environmental and visual impacts of the waste development will be necessary as part of a planning application, particularly if a proposal relates to already restored areas. Specifically, ecological enhancement of the site would be sought, with the final restoration and long-term aftercare expected to result in the creation of lowland calcareous grassland priority habitat. It will be necessary to consider phased working to avoid the loss of existing species.</p> <p>rewrite bullet point 6 to read:</p> <p>A vehicle routing agreement is required to ensure the site would be accessed via the existing access to Newport Quarry and via the Main Road Network (B1383). The number of heavy vehicle movements to and from the east shall be limited to those serving Widdington only.</p>
MM19	Table 16	At Indicative Facility Scale, for AD insert 30,000tpa; for CHP insert 595,000tpa
MM20	Table 17	At Indicative Facility Scale, for Inert Waste Recycling insert 150,000tpa
MM21	Table 19	At Area Insert:

		<p>Site 1: 63.74ha</p> <p>Site 2: 7ha</p> <p>At Indicative Facility Scale insert:</p> <p>Site 1: 1,800,000m³</p> <p>Site 2: 40,000tpa</p> <p>At Site Allocation For Insert:</p> <p>Site 1: Inert Landfill Capacity</p> <p>Site 2: Inert Waste Recycling</p> <p>At Life Insert:</p> <p>17 years</p> <p>Rewrite bullet point 5 as:</p> <p>An archaeological desk based assessment would be required to investigate the gravels to establish their potential for archaeological remains and trial trench evaluation will be required, along with a mitigation strategy, to form part of the Environmental Statement.</p> <p>Rewrite bullet point 7 as:</p> <p>PRoW footpath Elmstead 24 crosses site 1 and is adjacent to site 2, and requires sufficient stand-off distance and protection during operations (e.g., satisfactory crossing point(s) provided for quarry vehicles)</p> <p>Add the following text:</p> <p>The following specific issues and opportunities are to be addressed for Site 1:</p> <p>A minimum of 100m standoff should be provided for all residential properties and effective screening provided to screen views of the site.</p> <p>Retain bullet points concerning Cockaynes Wood Local Wildlife Site and Footpaths Elmstead 19 and Alresford 2.</p> <p>Add:</p> <p>The following specific issues and opportunities are to be addressed for Site 2:</p> <p>Bunding will be required around those parts of the site which are not adequately screened by natural vegetation.</p>
MM22	Table 20 and Map 20	delete
MM23	New Table and Map	insert text as set out at Appendix 2
Appendix C		
MM24	Appendix C	At: Applications for change of use

	Table 21	<p>Delete: 'for change of use'</p> <p>Insert:</p> <p>From B2/B8 to any other use</p> <p>To Class A and C, from any other use</p> <p>Insert:</p> <p>Other applications for change of use. Excluded</p> <p>Delete:</p> <p>Applications for temporary buildings, structures or uses (for up to five years). Included</p>
MM25	At para C2	<p>Add:</p> <p>The development types below include those relating to temporary structures and uses</p>
Appendix E Areas of Search		
MM26	Map 51	delete

APPENDIX 2

New Table: Dollymans Farm

District	Basildon/Rochford
Area	16.09ha
Indicative Facility Scale	500,000 tonnes
Link to Waste and Mineral Activities	The site constitutes a former mineral borrow pit.
Site Allocation For	Inert Landfill Capacity
Access	Via private road adjoining A129
Estimated Availability	2017
Life	Up to 5 years

This site would culminate in the restoration of a former mineral void. The following specific issues and opportunities are to be addressed:

All access should be via the A129. A Transport Assessment would be required at the planning application stage to review access arrangements and examine safety and capacity of the local road network. This may result in the diversion of bridleway to segregate users from vehicles or other mitigation works.

The proposal should demonstrate that there would not be an adverse effect on a European site through HRA. Such an assessment should include consideration of functionally linked land, and must demonstrate no adverse effects on the integrity of any international site. Evidence will change over time regarding the preferences of species such as the Dark-bellied Brent Geese, so appropriate foraging distances should be reviewed as part of any HRA.

Chichester Hall Brook requires protection, for example through an appropriate buffer of at least 15m and through the assessment of potential hydrological impacts with appropriate protection.

Restoration of the site through this allocation provides the significant opportunity for biodiversity, landscape, visual enhancement and historic asset preservation. Careful consideration of the environmental impacts of the waste development will be necessary as part of a planning application with proportionate levels of mitigation to be established. Specifically, the WPA would seek the overall landscape improvement of the site, with the final restoration and long-term aftercare to be beneficial to the Green Belt and biodiversity with particular reference to habitat creation in line with the Northern Thames Basin National Character Area.

Retain trees and shrubs to screen plant and materials from the road. Consider new planting and bunding to screen views into the site prior to commencement of landfilling operations.

Dust mitigation measures, limits on duration (hours of operation) and noise standards (from noise sensitive properties) will be established in the interests of protecting local amenity.

An Archaeological Desk Based Assessment should be carried out to identify the extent of preservation within the northern part of the site and preservation requirements around war memorials.

Areas of archaeological deposits preserved in situ will require excavation if working is likely to cause ground disturbance in the north western part of the site

A management proposal for the survival and maintenance of the memorial for the burial sites should be submitted with any application.

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Replacement Waste Local Plan

Schedule of Modifications

January 2017

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1 Introduction

1.1 In June 2016, the Essex County Council and Southend-on-Sea Borough Council Replacement Waste Local Plan was submitted to the Secretary of State who appointed a Planning Inspector to undertake the formal examination process. The Inspector conducted hearing sessions over a two week period in September and October 2016.

1.2 Following the public hearing sessions the Authorities made a request to the Inspector to make several modifications (changes), which were deemed necessary to make the plan sound/legally compliant and appropriate for adoption. The modifications are those which were discussed in detail during the hearing sessions and the Inspector has advised that they must be subject to public consultation.

1.3 The modifications are separated into two categories:

- Main modifications: those changes required by the Inspector to ensure the Plan is sound and legally compliant. Any change to a policy or to the interpretation of a policy, no matter how minor, is considered to be a main modification.
- Minor modifications: those changes identified by the Planning Authority which improve the readability and consistency of the Plan as a whole.

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1.4 Modifications are shown by a **bold-strikethrough** for deletions and additions are shown in **red, underlined bold**.

Public consultation

1.5 This document sets out the modifications for public consultation, with comments invited during a six-week period from **5 January to 16 February 2017**. All comments must be received by **17:00 on 16 February**.

1.6 This is a focused consultation, with representations encouraged on the potential modifications and the supporting addendum reports to the Site Assessment and Methodology Report and the Sustainability Appraisal. Any response which refers to other aspects of the Replacement Waste Local Plan or the evidence base will not be considered.

How to respond

1.7 In line with e-government policy we encourage you to respond to the consultation online via <http://consult.essexcc.gov.uk>. Responding online is the fastest and most cost effective method of response; it also allows responses to be processed quickly so to be ready for viewing on the consultation homepage. Other ways to submit your representation are listed on the back cover of this document.

1.8 If you are not able to use the online response system, a form is provided which respondents are encouraged to use in order that all necessary information is provided. This asks for details of the section of the document to which the representation relates. The form is available to download from: <http://www.essex.gov.uk/wlp>.

1.9 Please be aware that for your representation to be accepted for further consideration, it must include your name and full postal address. All representations will be made publicly available in accordance with the Freedom of Information Act 2000 and the Data Protection Act 1998 and will be made available to view online. Personal information such as the respondent's email, phone number and address will not be published.

Next steps

1.10 The outcome of the public consultation process must be reported back to the Inspector. The Inspector will then review the issues raised and prepare a final report. The Inspector could, for example, recommend that the Plan is sound/legally compliant if adopted with the main modifications or she could still find the Plan unsound/not legally compliant. The latter outcome is considered unlikely given current indications, but either way a report will be presented to Full Council of both Authorities in due course recommending that the Plan is either adopted or withdrawn taking into account the Inspector's recommendations.

1.11 The Inspector has indicated that, given commitments at the Planning Inspectorate, it would be prudent to allow for a period of 6 weeks following the submission of the consultation responses to receive her final report. A proposed timetable for adoption of the Plan is outlined in the table below:

Table 1 Timetable to adoption

Stage	Date(s)
Public Consultation on modifications	Thursday 5 January - Thursday 16 February 2017
Submission of responses to Inspector	March 2017
Inspector Report	April 2017
Preparation of final Plan and recommendations for adoption via cabinet and Full Council	May 2017
Full Council adoption of Plan	July 2017

1.12 The Replacement Waste Local Plan, once adopted, will form part of the Development Plan for Essex and will replace the Essex Waste Local Plan, which was adopted in 2001. The Replacement Plan will outline the vision, objectives and spatial strategy to enable the delivery of sustainable waste development and set out policies to manage waste to 2032.

2 Main Modifications

2.1 These modifications have been proposed by the Inspector during the hearing sessions of the Examination in Public in order to ensure that the Replacement Waste Local Plan is sound and legally compliant. The National Planning Policy Framework 2012 sets out the four Tests of Soundness against which the Plan is being assessed by the Planning Inspectorate. A sound document will be:

1. Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities, where it is reasonable to do so and consistent with achieving sustainable development;
2. Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
3. Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
4. Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the (Minerals and Waste Development) Framework.

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Table 2 Main Modifications

Modification	Modification Number	Paragraph/Policy Reference	Original Text	Amendment	Justification
MAIN	1	Paragraph 4.21 to 4.23	See 'Appendix 1 - The Waste Challenge at a Glance'	See 'Appendix 1 - The Waste Challenge at a Glance' <ul style="list-style-type: none"> Update of figures used in 'The Waste Challenge – At a Glance' section to take into account further information arising from the consultation, the Hearings and the addition of L(i)16 – Dollymans Farm. 	To be “effective” and “positively prepared” the Plan must reflect the best available data, including that relating to cross boundary movements from London.

Modification	Modification Number	Paragraph/Policy Reference	Original Text	Amendment	Justification
MAIN	2	Paragraph 5.3	The principle of net self-sufficiency does not apply to reactive hazardous waste or radioactive waste as it is not considered practical to provide for such specialist facilities within the Plan area.	The principle of net self-sufficiency does not apply to hazardous waste or radioactive waste as it is not considered practical to provide for such specialist facilities on the basis of net self-sufficiency within the Plan area.	To clarify the approach of the RWLP in respect of net self-sufficiency.
MAIN	3	Policy 1	See 'Appendix 2 - Policy 1'	See 'Appendix 2 - Policy 1' <ul style="list-style-type: none"> • Clause a - update of shortfall capacity figure for biological treatment for non-hazardous organic waste • Clause b – update of shortfall capacity figure for inert waste • Clause c – update of term “other waste” to be clearer 	To be “effective” and “positively prepared” the Plan must reflect the best available data, including that relating to cross boundary movements from London. Update also provides clarity around what is meant by ‘other waste’.
MAIN	4	Policy 2	See 'Appendix 3 - Supporting Text and Policy 2'	See 'Appendix 3 - Supporting Text and Policy 2' <ul style="list-style-type: none"> • Update to reflect consultation distance in 	The increase in the WTC safeguarding distance was made at the request of Anglia

Modification	Modification Number	Paragraph/Policy Reference	Original Text	Amendment	Justification
				<ul style="list-style-type: none"> respect of WTC, from 200m to 400m. Updates to paragraph 6.10 and a new paragraph 6.11 to clarify operation of safeguarding policy. Updates to the policy which act to set out the stance the WPA is likely to take to applications within safeguarding areas. 	<p>Water, who provided evidence to support the request.</p> <p>Updates to paragraph 6.10, the new paragraph 6.11 and Policy 2 are included for reasons of clarity.</p>
MAIN	5	Policy 3	See 'Appendix 4 - Policy 3'	<p>See 'Appendix 4 - Policy 3'</p> <ul style="list-style-type: none"> Clause 1 – name change of Basildon Waste Water Treatment Works. Clause 2 – removal of Wivenhoe Quarry allocation, with the facility proposed in the Wivenhoe locality moved to the Sunnymead, Elmstead and Heath Farms allocation. Clause 3 update to clarify what is meant by 'other waste' management. 	<p>The change of name to the Basildon site is a factual update.</p> <p>The changes to Clause 2 reflect a new preference on behalf of the site promoter for inert recycling capacity delivery, and at this initial stage, the revisions would be supported by the Waste Planning Authority.</p>

Modification	Modification Number	Paragraph/Policy Reference	Original Text	Amendment	Justification
				<ul style="list-style-type: none"> Clause 4 – inclusion of a new inert recycling allocation at Dollymans Farm, Basildon. Removal of the words “as follows and”. 	<p>The change from the term “other waste” in Clause 3, to “residual non-hazardous waste” provides clarity regarding the type of waste managed at this site.</p> <p>The introduction of a new site at Clause 4 is considered necessary for the Plan to be judged as being “positively prepared” as the Plan now better seeks to meet the needs of the Plan area.</p> <p>The removal of the words “as follows and” is for reasons of clarity.</p>
MAIN	6	Paragraph 8.10	Proposals within the Areas of Search will normally require express planning permission and will be considered against policies in the RWLP, and the wider Development	Proposals within the Areas of Search will normally require express planning permission and will be considered against other relevant policies in the RWLP,	To provide additional clarity with regard to the intended operation of Areas of Search.

Modification	Modification Number	Paragraph/Policy Reference	Original Text	Amendment	Justification
			Plan as a whole. The design and operation of waste management facilities proposed within Areas of Search should be consistent with existing uses in the employment area.	<p><u>including Policy 10 – Development Management.</u> and the wider Development Plan as a whole. <u>The need to consider the wider Development Plan is important as it is the relevant Local Plan which determines whether an Area of Search designation remains relevant. Should a Local Plan seek to re-allocate land pertaining to an Area of Search away from B2/B8 uses, the criteria upon which Areas of Search are based would no longer be fulfilled. In such instances, the location would cease to be an Area of Search and Policy 4 would no longer apply.</u> The design and operation of waste management facilities proposed within Areas of Search should be consistent <u>compatible</u> with existing uses in the employment area.</p>	

Modification	Modification Number	Paragraph/Policy Reference	Original Text	Amendment	Justification
MAIN	7	Policy 4	See 'Appendix 5 - Policy 4'	<p>See 'Appendix 5 - Policy 4'</p> <ul style="list-style-type: none"> Revised policy to include supporting text in order to aid clarity around the purpose of Areas of Search. Removal of Oakwood and Crusader Business Park, Tendring. 	<p>To provide additional clarity with regard to the intended operation of Areas of Search.</p> <p>The removal of Oakwood and Crusader Business Park as an Area of Search reflects the recent granting of a housing permission.</p>
MAIN	8	Policy 5	See 'Appendix 7 - Policy 5'	<p>See 'Appendix 7 - Policy 5'</p> <ul style="list-style-type: none"> Title change to better reflect that the policy applies to enclosed facility proposals on unallocated sites. Clause 1 – replacement of “or” with “and”, and deletion of “and” from “and/or”. Clause 2- the addition of “although not exclusively” in relation to 	<p>The Plan requires further clarity in order to be considered “effective”.</p> <p>The changes to Clause 1 ensure the correct operation of the Policy.</p> <p>The addition of the words “although not exclusively” more directly aligns the plan with the notion of net self-sufficiency.</p>

Modification	Modification Number	Paragraph/Policy Reference	Original Text	Amendment	Justification
				<p>waste arising in the Plan Area.</p> <ul style="list-style-type: none"> • Addition of a final sentence to state that proposals not according with the Policy will be assessed on their merits. 	
<p>Page 97 of 214</p> <p>MAIN</p>	9	Policy 6	See 'Appendix 8 - Policy 6'	<p>See 'Appendix 8 - Policy 6'</p> <ul style="list-style-type: none"> • Title change to better reflect that the policy applies to open facility proposals on unallocated sites. • Clause 1 – replacement of “or” with “and”, and deletion of “and” from “and/or”. • Clause 2- the addition of “although not exclusively” in relation to waste arising in the Plan Area. • Addition of a final sentence to state that proposals not according with the Policy will be assessed on their merits. 	<p>The Plan requires further clarity in order to be considered “effective”.</p> <p>The changes to Clause 1 ensure the correct operation of the Policy.</p> <p>The addition of the words “although not exclusively” more directly aligns the plan with the notion of net self-sufficiency.</p>

Modification	Modification Number	Paragraph/Policy Reference	Original Text	Amendment	Justification
MAIN	10	Policy 7	See 'Appendix 9 - Supporting Text and Policy 7'	<p>See 'Appendix 9 - Supporting Text and Policy 7'</p> <ul style="list-style-type: none"> Title change to clarify that the policy deals with all radioactive waste and not just nuclear waste. First paragraph – addition of the word “management” in place of “treatment and/or storage” and addition of “supported” in place of “only be acceptable”. Clause b – addition of “radioactive” and “at this location” in place of “decommissioned nuclear” and “site” respectively. 	<p>The Plan requires further clarity to be considered “effective”.</p> <p>More positive language was required to ensure that the Plan was “positively prepared”.</p> <p>Further modifications reflect extant national guidance terminology.</p>
MAIN	11	Policy 9	See 'Appendix 10 - Policy 9'	<p>See 'Appendix 10 - Policy 9'</p> <ul style="list-style-type: none"> Title change to better reflect that the policy applies to new disposal facilities on unallocated sites. Clause 1 – replacement of “or” with “and”, and 	<p>The Plan requires further clarity in order to be considered “effective”.</p> <p>The changes to Clause 1 ensure the correct operation of the Policy.</p>

Modification	Modification Number	Paragraph/Policy Reference	Original Text	Amendment	Justification
				<p>deletion of “and” from “and/or”.</p> <ul style="list-style-type: none"> Clause 2- the addition of “although not exclusively” in relation to waste arising in the Plan Area. Addition of a final sentence to state that proposals not according with the Policy will be assessed on their merits. 	<p>The addition of the words “although not exclusively” more directly aligns the plan with the notion of net self-sufficiency.</p>
MAIN	12	Paragraph 9.33	<p>The Public Rights of Way (PROW) network provides an important means of accessing the countryside. Where necessary, applicants will be required to ensure that PROW remain usable at all times or provide satisfactory alternative routes. Alternative paths and any necessary diversions of existing paths will be required to be in place prior to the closure of the existing PROW. Restoration schemes should provide for access which is at least as</p>	<p>The Public Rights of Way (PROW) network provides an important means of accessing the countryside. Where <u>relevant, applications for waste management</u> will be required to ensure that PROW remain usable at all times or provide satisfactory alternative routes. Alternative paths and any necessary diversions of existing paths will be required to be in place prior to the closure of the existing PROW. <u>Restoration schemes should, in the first</u></p>	<p>The modification demonstrates a stronger accordance with the Essex and Southend-on-Sea Public Rights of Way Improvement Plans.</p>

Modification	Modification Number	Paragraph/Policy Reference	Original Text	Amendment	Justification
			<p>good as that existing before workings began and should be seen as an opportunity to create new PROW where this is possible and desirable. The closure of a PROW, where no alternative route is provided, will normally not be acceptable.</p>	<p><u>instance, be seen as an opportunity to enhance and upgrade PROW where possible, especially with regard to the provision of Bridleways as multi-user paths as part of any permission granted. In all cases, restoration schemes should provide for access which is at least as good as that existing before workings began, and the</u> <u>The</u> closure of a PROW, where no alternative route is provided, will not normally be acceptable.”</p>	
MAIN	13	Policy 10	See 'Appendix 11 - Policy 10'	<p>See 'Appendix 11 - Policy 10'</p> <ul style="list-style-type: none"> • More detail provided around Clause b (protection of water resources). • Addition of final sentence setting out that enhancement opportunities should be sought. 	Further clarification and the addition of the explicit need to seek enhancements is required to enable the Plan to be “Positively Prepared”.

Modification	Modification Number	Paragraph/Policy Reference	Original Text	Amendment	Justification
MAIN	14	Policy 12	See 'Appendix 12 - Policy 12'	See 'Appendix 12 - Policy 12' <ul style="list-style-type: none"> Inclusion of Clause d to set out a further tier in the hierarchy of preference for transportation. 	A formatting error resulted in the exclusion of Clause d during the drafting of Policy 12 at the Pre-Submission Stage.
Appendix B - Development Principles					
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MAIN	15	Table 8 - Bellhouse Landfill Site	<p>Indicative Facility Scale:</p> <p>75,000tpa - Biological Treatment Facility</p> <p>3,000,000m3 – Inert Landfill</p> <p>Estimated Availability:</p> <p>Between: up to 5-10 years from adoption</p>	<p>Indicative Facility Scale:</p> <p>75,000tpa - Biological Treatment Facility</p> <p>3,000,000m3 250,000tpa – Inert Landfill</p> <p>Estimated Availability: Upon adoption (2017) Between: up to 5-10 years from adoption</p>	For the Plan to be deliverable (and “effective”) it is necessary to update operational details relating to site allocations as they became known during the Examination process.
MAIN	16	Table 11 – Little Bullocks and Crumps Farm, Great and Little Canfield	See 'Appendix 14 - Table 11 Little Bullocks and Crumps Farm, Great and Little Canfield'	See 'Appendix 14 - Table 11 Little Bullocks and Crumps Farm, Great and Little Canfield' <ul style="list-style-type: none"> Site 1 Area and Boundary amended to be consistent with MLP. 	or the Plan to be deliverable (and “effective”) it is necessary to update operational details relating to site allocations as they

Modification	Modification Number	Paragraph/Policy Reference	Original Text	Amendment	Justification
				<ul style="list-style-type: none"> Estimated Availability for Site 3 updated. Life of Site 2 updated. Life of Site 3 updated. Site 2 - Removal of bullet point 1. 	became known during the Examination process.
MAIN	17	Table 14 – Morses Lane, Brightlingsea	<p>See 'Appendix 15 - Table 14 Morses Lane, Brightlingsea'</p> <p>Morses Lane Site Assessment Scores:</p> <ul style="list-style-type: none"> "3D – Proximity to Sensitive Receptors" – Amber 3. "3K – Recreation Facilities" – Green. 	<p>See 'Appendix 15 - Table 14 Morses Lane, Brightlingsea'</p> <ul style="list-style-type: none"> The inclusion of a statement that the facility would be enclosed (bullet point 5). Additional bullet point regarding the need for new development to not impact on the nearby retail use (bullet point 6). <p>Morses Lane Site Assessment Scores:</p> <ul style="list-style-type: none"> "3D – Proximity to Sensitive Receptors" – Red. "3K – Recreation Facilities" – Amber 2. 	<p>To strengthen the intended protection of amenity, particularly for proximal land uses.</p> <p>Changes to the assessment scores are required to accommodate information raised at the Hearings.</p>

Modification	Modification Number	Paragraph/Policy Reference	Original Text	Amendment	Justification
				See MC2 Site Assessment Methodology Report for the site assessment proforma and rationale for allocation.	
MAIN Page 103 of 214	18	Table 15 – Newport Quarry	See 'Appendix 16 - Table 15 Newport Quarry'	See 'Appendix 16 - Table 15 Newport Quarry' <ul style="list-style-type: none"> Update to the expected form of restoration (bullet point 1). Update to environmental and landscape considerations (bullet point 2). Update to routing agreement (bullet point 6). 	To strengthen the intended protection of local amenity to address the concerns of local residents.
MAIN	19	Table 16 – Rivenhall	Indicative Facility Scale: AD 85,000tpa CHP 360,000tpa	Indicative Facility Scale: AD 85,000tpa 30,000tpa CHP 360,000tpa 595,000tpa	For the Plan to be deliverable (and “effective”) it is necessary to update operational details relating to site allocations as they became known during the Examination process.

Modification	Modification Number	Paragraph/Policy Reference	Original Text	Amendment	Justification
MAIN	20	Table 17 – Sandon	Indicative Facility Scale: 40,000 tpa – Inert Waste Recycling Capacity	Indicative Facility Scale: 40,000 tpa 300,000 tpa – Inert Waste Recycling Capacity	For the Plan to be deliverable (and “effective”) it is necessary to update operational details relating to site allocations as they became known during the Examination process.
MAIN	21	Table 19 – Sunnymead, Elmstead and Heath Farms	See 'Appendix 17 - Table 19 Sunnymead, Elmstead and Heath Farms'	Inclusion of recycling operations (new allocated at W36) originally allocated at Wivenhoe Quarry (W13). The two operations (L(i)5 and W36) proposed at Sunnymead, Elmstead and Heath Farms are now included within a single table. See 'Appendix 17 - Table 19 Sunnymead, Elmstead and Heath Farms' ● Update “Site Allocation For”.	For the Plan to be deliverable (and “effective”) it is necessary to update operational details relating to site allocations as they became known during the Examination process.

Modification	Modification Number	Paragraph/Policy Reference	Original Text	Amendment	Justification
				<ul style="list-style-type: none"> Update "Estimated Availability." Update "Life". <p>New development principles included to reflect the outcome of the assessment process.</p> <p>See MC2 Site Assessment Methodology And Report Addendum for the site assessment proforma and rationale for allocation.</p>	
MAIN	22	Table 20 – Wivenhoe Quarry Plant Area		Removal of the site allocation to reflect that the facility is now included as part of Sunnymead, Elmstead and Heath Farms.	Development at this site is no longer supported by the site operator for operational reasons. Mineral development will cease at this location shortly, and is anticipated to commence at the adjacent Sunnymead location, subject to planning permission. As such, it is intended that the aggregate recycler

Modification	Modification Number	Paragraph/Policy Reference	Original Text	Amendment	Justification
					be re-located to Sunnymead.
MAIN	23	Table xx ⁽¹⁾ – Dollymans Farm	Site not allocated at Pre-Submission stage.	Allocation of site See 'Appendix 18 - Table xx Dollymans Farm' for Development Principles and the MC2 Site Assessment Methodology and Report Addendum for the site assessment proforma and rationale for allocation.	To be "positively prepared" it was determined that this site should be added to the Preferred Sites list so that the Plan better seeks to meet the inert disposal needs of the Plan area.
Appendix C - Development Excluded from Safeguarding Provisions					
MAIN	24	Table 21 – Development in Waste Consultation Areas	See 'Appendix 19 - Table 21 Development in Waste Consultation Area' The original safeguarding table (Table 21) highlighted that all 'change of use' applications were to be included within the scope of	See 'Appendix 19 - Table 21 Development in Waste Consultation Area' It is proposed to amend the safeguarding table to reduce the range of change of use applications to be included within the scope of Policy 2 to changes of use away from	To remove the need for the Waste Planning Authority to be consulted on applications which are not likely to impact on the operation of waste management facilities.

1 Table numbering to be confirmed prior to Adoption.

Modification	Modification Number	Paragraph/Policy Reference	Original Text	Amendment	Justification
			<p>Policy 2 – Safeguarding Waste Management Sites and Infrastructure</p> <p>Removal from Table 21 of the row stating that 'Applications for temporary buildings, structures or uses (for up to five years)' were to be 'Included' within the scope of Policy 2.</p>	<p>B2/B8 uses and changes away from any use class to Category A and Category C uses only.</p> <p>References to safeguarding also applying to temporary applications for development already scoped in has been removed from the table and inserted into paragraph C2 (This is addressed in MAIN 25).</p>	
MAIN	25	C2	<p>However, it is neither practicable nor necessary for consultation to occur on all developments proposed though planning applications. The table below sets the developments proposed to be subject to consultation with the Waste Planning Authorities:</p>	<p>However, it is neither practicable nor necessary for consultation to occur on all developments proposed though planning applications. The table below sets the developments proposed to be subject to consultation with the Waste Planning Authorities: <u>The development types below include those relating to temporary structures and uses:</u></p>	<p>This provides clarity.</p>

Modification	Modification Number	Paragraph/Policy Reference	Original Text	Amendment	Justification
Appendix E - Areas of Search Development Principles					
MAIN	26	Map 51 – Oakwood and Crusader Business Park		Removal of Map as the site is no longer being considered as an Area of Search.	Factual update to recognise that Oakwood and Crusader Business Park is no longer an Area of Search.

3 Minor Modifications

3.1 Minor modifications include factual updates, spelling/grammar errors or provide further clarity. These minor modifications are not required in order for the RWLP to be made sound.

Table 3 Minor Modifications

Modification	Modification Number	Paragraph/Policy Reference	Original Text	Amendment	Justification
MIN Page 109 of 214	27	Paragraph 4.11	Low-Level Radioactive waste Radioactive wastes are categorised into nuclear and non-nuclear wastes. Nuclear wastes are from the nuclear power industry while “non-nuclear” wastes are generally from medical facilities and educational establishments.	Low-Level Radioactive waste Radioactive wastes are categorised into nuclear and non-nuclear wastes. Nuclear wastes are from the nuclear power industry while “non-nuclear” wastes are generally from medical facilities and educational establishments.	This provides clarification.
MIN	28	Paragraph 4.12	Wastewater (sewage) Comprises liquid waste discharged by domestic residences, commercial properties, industry, and agricultural activities.	Wastewater (sewage) Comprises liquid and solid waste discharged by domestic residences, commercial properties, industry, and agricultural activities, which is then carried to Water Recycling Centres via a network of foul sewers.	This provides clarification.

Modification	Modification Number	Paragraph/Policy Reference	Original Text	Amendment	Justification
MIN	29	Paragraph 4.16	Local Authority Collected Waste, making up approximately 20% of the total amount of waste created in the Plan area, is managed through a network of sites which comprises of the Mechanical Biological Treatment Facility at Tovi EcoPark and six supporting municipal waste transfer stations, as set out below.	Local Authority Collected Waste, making up approximately 20% of the total amount of waste created in the Plan area, is managed through a network of sites which comprises of the Mechanical Biological Treatment Facility at Tovi EcoPark, <u>a network of Recycling Centres for Household Waste and</u> six supporting municipal waste transfer stations, as set out below.	This is a factual update.
MIN	30	Paragraph 4.24	Bradwell Nuclear Power Station is a licensed Nuclear Site and is the principal source of radioactive waste arisings within the Plan area whilst the Power Station is decommissioned. At present, there is sufficient capacity for this decommissioning process.	Bradwell Nuclear Power Station is a licensed Nuclear Site and is the principal source of radioactive waste arisings within the Plan area whilst the Power Station is decommissioned. At present, there is sufficient <u>national LLW disposal capacity and sufficient local ILW interim storage</u> capacity for this decommissioning process.	This is a factual update.

Modification	Modification Number	Paragraph/Policy Reference	Original Text	Amendment	Justification
MIN	31	Paragraph 4.25	<p>Currently, wastewater treatment across Essex and Southend-on-Sea is provided via a total of 153 Wastewater Treatment Works (WWTW);</p> <p>The vast majority of WWTWs have capacity to accept wastewater from the proposed growth without the need for improvements to existing facilities;</p> <p>Sludge generated in the WWTW can be sent for further treatment for use as agricultural fertiliser or power generation. The sludge treatment strategies provided by operators, indicate that there is adequate capacity for sludge treatment and disposal during the Plan period.</p>	<p>Currently, wastewater treatment across Essex and Southend-on-Sea is provided via a total of 153 Water Recycling Centres (WRC) Wastewater Treatment Works (WWTW);</p> <p>The vast majority of WRCs WWTWs have capacity to accept wastewater from the proposed growth in the Plan Area without the need for improvements to existing facilities;</p> <p>Sludge generated in the WRC WWTW can be sent for further treatment for use as agricultural fertiliser or power generation. The sludge treatment strategies provided by operators; indicate that there is adequate capacity for sludge treatment and disposal during the Plan period.</p>	<p>This is a factual update.</p>
MIN	32	Paragraph 4.26	<p>Progress has been made on the provision of new and more sustainable facilities in the Plan</p>	<p>Progress has been made on the provision of new and more sustainable facilities in the Plan</p>	<p>This is a factual update.</p>

Modification	Modification Number	Paragraph/Policy Reference	Original Text	Amendment	Justification
			area, including those provided in connection with the contracts for recycling and treatment of Local Authority Collected Waste. There remains, however, a need for further new facilities for the recycling, treatment and disposal of other waste streams.	area, including those provided in connection with the contracts for recycling and treatment of Local Authority Collected Waste. There remains, however, a need for further new facilities for the recycling, treatment and disposal of other waste streams. <u>An enhanced provision of Recycling Centres for Household Waste will also be required to reflect changes in local population and demand.</u>	
MIN	33	Paragraph 5.2	The Plan is based on the principle of net self-sufficiency, where practicable. This means having sufficient waste transfer, recycling, recovery, and disposal capacity within the Plan area to manage the amount of waste generated, with only limited cross border movements with other authorities. Such an approach recognises that waste travels across administrative boundaries, particularly when	The Plan is based on the principle of net self-sufficiency, where practicable. This means having sufficient waste transfer, recycling, recovery, and disposal capacity within the Plan area to manage the amount of waste generated, with only limited cross border movements with other authorities. Such an approach recognises that waste travels across administrative boundaries, <u>particularly when</u>	This provides clarification.

Modification	Modification Number	Paragraph/Policy Reference	Original Text	Amendment	Justification
			the source of the waste is located close to an administrative border.	<u>the source of the waste is located close to an administrative border with the distance travelled being, at least in part, related to the volume of waste required to make a facility economically viable set against the amount of waste expected to arise in a given area. The smaller the quantity of a waste type generated, the less practical it is to be net self-sufficient due to economies of scale making small, purely local facilities unviable. Particularly specialist types of waste travel beyond one or more administrative boundaries.</u>	
MIN	34	Paragraph 6.6	The principle of net self-sufficiency does not apply to hazardous and low-level radioactive waste. This is because the management of the relatively small amounts of such waste generated will usually take place at either the	The principle of net self-sufficiency does not apply to hazardous and low-level radioactive waste. This is because the management of the relatively small amounts of such waste generated will usually take place at either the	This is a factual update.

Modification	Modification Number	Paragraph/Policy Reference	Original Text	Amendment	Justification
			specialist facilities for a particular industry or larger facilities to meet a national or regional need.	specialist facilities for a particular industry or larger facilities to meet a national or regional need.	
MIN	35	Paragraph 7.1	This chapter sets out the policy for locating the range of waste management facilities required in the Plan Area to 2032. The Plan meets the identified need for new capacity, set in the waste management capacity gap, by allocating strategic sites.	This chapter sets out the policy for locating the range waste management facilities required <u>to manage waste</u> in the Plan Area to 2032. The Plan meets the identified need for new capacity; set in the waste management capacity gap; by allocating strategic sites. <u>Although it is recognised that capacity gaps remain in all waste streams other than for biological treatment, it is considered that all suitable sites submitted to the Waste Planning Authorities have been allocated.</u>	This is a factual update.
MIN	36	Paragraph 7.2	“The strategic site allocations meet the identified need for: <ul style="list-style-type: none"> • biological treatment; • inert waste recycling; • other waste management facilities; 	“ The Strategic site allocations meet the identified need for <u>have been made to manage the following waste streams in the Plan Area:</u> <ul style="list-style-type: none"> • biological waste; 	This clarifies the type of waste management that have been the subject of site allocations.

Modification	Modification Number	Paragraph/Policy Reference	Original Text	Amendment	Justification
			<ul style="list-style-type: none"> inert landfill; hazardous landfill. 	<ul style="list-style-type: none"> inert waste recycling; Other waste management; non-hazardous residual waste; Inert landfill; hazardous waste. 	
Page 115 of 214	MIN	37 Paragraph 8.7	<p>The focus of the Areas of Search has been on employment land within industrial estates that have existing planning policy support for B2 (General Industry) and B8 (Storage or Distribution) uses under the Use Class Order. (6) Under this Order, waste management facilities are considered sui generis ('in a class of its own') and therefore do not fit under a specific use class. It is, however, considered that employment land designated for B2 and B8 uses represent the most suitable land as many waste management operations are similar in nature and impact to industrial activities and storage and distribution</p>	<p>The focus of for the Areas of Search has been on employment land within industrial estates that have existing planning policy support for B2 (General Industry) and B8 (Storage or Distribution) uses under the Use Class Order. (6) Under this Order, waste management facilities are generally considered as sui generis ('in a class of its own') and therefore do not fit under a specific use class. It is, however, considered that employment land designated for B2 and B8 uses represents the most suitable land as many waste management operations are similar in nature and impact to industrial activities and storage and distribution</p>	To provide further clarification.

Modification	Modification Number	Paragraph/Policy Reference	Original Text	Amendment	Justification
			facilities. Many of the Areas of Search are also near to the key centres for growth and so support the overarching Spatial Strategy. The Waste Planning Authority has a preference for waste management facilities to come forward in these locations over those which may be less suitable such as Greenfield sites or sites less well connected to main transport infrastructure or close to sensitive areas.	facilities. Many of the Areas of Search are also near to the key centres for growth and so support the overarching Spatial Strategy. The Waste Planning Authority has a preference for waste management facilities to come forward in these locations over those which may be less suitable such as Greenfield sites or sites less well connected to main transport infrastructure or close to sensitive areas.	
MIN	38	Paragraph 8.15		Redrafting of paragraph 8.15. Inclusion of a table ⁽²⁾ defining whether facility types are likely to be open or enclosed– See 'Appendix 6 - Paragraph 8.15'.	Paragraph re-drafted for clarity. This table has been moved from the evidence base into the Plan itself for clarification purposes.
MIN	39	Paragraph 8.23, 8.26	See 'Appendix 9 - Supporting Text and Policy 7'	See 'Appendix 9 - Supporting Text and Policy 7'	This is a factual update.

Modification	Modification Number	Paragraph/Policy Reference	Original Text	Amendment	Justification
				<ul style="list-style-type: none"> Update to reflect the publication of NDA Strategy III in March 2016. 	
<p>Page 117 of 214</p> <p>MIN</p>	40	Paragraph 8.32	<p>In contrast to VLLW, most disposal of LLW requires a permit to be held by both the waste producer and the operator of the waste management facility that receives it. LLW can go to a landfill permitted by the Environment Agency to accept LLW for disposal, storage at the national Low Level Waste Repository (LLWR) near Drigg in Cumbria, or may be dealt with by incineration (with or without energy recovery). Only radioactive waste from the lower spectrum of LLW can be sent to permitted landfill (ie up to 200 Becquerels per gram of activity concentration). Currently, the use of the national LLWR is the conventional management route, although it has limited capacity. The site is part of the</p>	<p><u>Most disposal of LLW requires permits to be held by both the waste producer that consigns the waste and the operator of the waste management facility that receives it. Some LLW may go to landfills permitted by the Environment Agency to accept LLW for disposal, some to the national Low Level Waste Repository (LLWR) near Drigg in Cumbria, some to decontamination or recycling facilities in the UK or abroad and some to incineration facilities. Only radioactive waste from the lower spectrum of LLW can be sent to permitted landfill. The LLWR site, which generally receives waste higher in the LLW spectrum, is part of the NDA's estate and as such it</u></p>	<p>This is a factual update.</p>

Modification	Modification Number	Paragraph/Policy Reference	Original Text	Amendment	Justification
			<p>NDA's estate and as such it is covered by both the UK LLW Strategy 2010 and the NDA's own Strategy (as referred to above). For example, the NDA has diverted more than 85% of LLW away from the LLWR through a wide range of more environmentally sustainable options such as waste prevention, re-use and recycling. LLW disposal, except for that to the national LLWR, usually takes place at facilities used for the management of other types of waste, subject to regulatory permits.</p>	<p><u>is covered by both the UK LLW Strategy 2016 and the NDA's own Strategy (as referred to above). Operators within the NDA estate such as Magnox have diverted more than 85% of LLW away from the LLWR through a wide range of more environmentally sustainable options such as waste prevention, re-use and recycling. In contrast to VLLW, most disposal of LLW requires a permit to be held by both the waste producer and the operator of the waste management facility that receives it. LLW can go to a landfill permitted by the Environment Agency to accept LLW for disposal; storage at the national Low Level Waste Repository (LLWR) near Drigg in Cumbria, or may be dealt with by incineration (with or without energy recovery). Only radioactive waste from</u></p>	

Modification	Modification Number	Paragraph/Policy Reference	Original Text	Amendment	Justification
				<p>the lower spectrum of LLW can be sent to permitted landfill (ie up to 200 Becquerels per gram of activity concentration). Currently, the use of the national LLWR is the conventional management route, although it has limited capacity. The site is part of the NDA's estate and as such it is covered by both the UK LLW Strategy 2010 and the NDA's own Strategy (as referred to above). For example, the NDA has diverted more than 85% of LLW away from the LLWR through a wide range of more environmentally sustainable options such as waste prevention, re-use and recycling. LLW disposal, except for that to the national LLWR, usually takes place at facilities used for the management of other types of waste, subject to regulatory permits.</p>	

Modification	Modification Number	Paragraph/Policy Reference	Original Text	Amendment	Justification
MIN	41	Paragraph 9.21	<p>“Local amenity impact” is usually understood to mean the effect on visual and aural characteristics of the immediate neighbourhood where the proposal is located. Impacts on amenity can cover a range of potential pollution and disturbance from, for example, light, noise, dust, and odour as well as concerns of the possible effects on human health from the development.</p>	<p>“Local amenity impact” is usually understood to mean the effect of the proposed development on the existing visual and aural characteristics of the immediate neighbourhood, including the impact on any residential and non-residential uses in the vicinity. Impacts on amenity can cover a range of potential pollution and disturbance from, for example, light, noise, dust and odour as well as concerns of the possible effects on human health from the development.</p>	To provide further clarification and a grammatical change.
MIN	42	Paragraph 9.23	<p>The impact on human health is therefore a material consideration in making planning decisions. However, national policy expects that in determining applications Waste Planning Authorities should not be concerned with “the control of processes which are a matter</p>	<p>The impact on human health is therefore also a material consideration in making planning decisions. However, national policy expects that in determining applications, Waste Planning Authorities should not be concerned with “the control of processes which are a matter</p>	To provide further clarification.

Modification	Modification Number	Paragraph/Policy Reference	Original Text	Amendment	Justification
			for the pollution control authorities. Waste planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced.” If granted, planning conditions may be imposed on a planning permission to mitigate any impact on local amenity.	for the pollution control authorities. Waste Planning Authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced.” If permission is granted, planning conditions may be imposed on a planning permission to help mitigate any impact on local amenity.	
MIN	43	Paragraph 9.44	In 2010, Essex County Council and Southend-on-Sea Borough Council became the Lead Local Flood Authorities for the Plan Area. These authorities have responsibility for ensuring that major development proposals do not compromise the fluvial environment through the effective installation of sustainable drainage systems (SuDS). SuDS reduce the quantity and slow down the rate of the surface water run-off from sites , as well as assist in treating any pollutants as waters drain from the	In 2010, Essex County Council and Southend-on-Sea Borough Council became the Lead Local Flood Authorities for the Plan Area. These authorities have responsibility for ensuring that major development proposals do not compromise the fluvial aquatic environment through the effective installation of sustainable drainage systems (SuDS). SuDS reduce the quantity and slow down the rate of the surface water run-off from sites ; as well as assist in treating any pollutants as waters drain from the	This is a factual update.

Modification	Modification Number	Paragraph/Policy Reference	Original Text	Amendment	Justification
			development. SuDs can also contribute greatly to improving the amenity and wildlife interest of new development through the introduction of water bodies and habitats. SuDS in new development should be in the most appropriate location, be well-designed and have a continued maintenance regime to ensure their continued effectiveness.	development. SuDs can also contribute greatly to improving the amenity and wildlife interest of new development through the introduction of water bodies and habitats. SuDS in new development should be in the most appropriate location, be well-designed and have a continued maintenance regime to ensure their continued effectiveness.	
MIN	44	Table 6 Monitoring Framework	See 'Appendix 13 - Table 6 Monitoring Framework'	See 'Appendix 13 - Table 6 Monitoring Framework' <ul style="list-style-type: none"> Update to Indicator 1 to allow all waste streams to be monitored. Removal of specific percentage targets. Additional clause to Indicator 6 to allow the monitoring of non B2/B8 applications granted in land allocated for B2/B8 use. 	These updates result in more effective monitoring indicators. The removal of specific percentage targets reflects the fact that these targets are no longer supported in government policy.
Appendix B - Development Principles					

Modification	Modification Number	Paragraph/Policy Reference	Original Text	Amendment	Justification
MIN	45	Table 7 – Basildon Waste Water Treatment Works	Original title of site and associated map - Basildon Waste Water Treatment Works	Amended title of site and associated map - Basildon Water Recycling Centre Waste Water Treatment Works	This is a factual update.
MIN	46	Table 16 – Rivenhall	Site Allocation For: Biological and Other Waste Management Capacity	Site Allocation For: Biological and Other Non-Hazardous Residual Waste Management Capacity	This clarifies the type of waste management at the site.
MIN	47	Table 11 – Little Bullocks and Crumps Farm, Great and Little Canfield Table 15 – Newport Quarry	Routing	Routeing routing	Spelling correction.
Appendix E - Areas of Search Development Principles					
MIN	48	Map 22 – Festival Business Park, Basildon		See 'Appendix 20 - Festival Business Park, Basildon' Update Map to reflect that used in the Areas of Search Methodology Report	This is a factual update.

Modification	Modification Number	Paragraph/Policy Reference	Original Text	Amendment	Justification
MIN	49	Map 39 – Land off Axial Way, Myland, Colchester		See 'Appendix 21 - Land off Axial Way, Colchester' Boundary updated	This is a factual update, taking into account recent planning permissions.
MIN	50	Map 41 – Tollgate, Stanway, Colchester		See 'Appendix 22 - Tollgate, Stanway, Colchester' Boundary updated	This is a factual update, taking into account recent planning permissions.
MIN	51	Map 43 – Langston Road/Oakwood Hill, Loughton, Epping Forest		See 'Appendix 23 - Langston Road/Oakwood Hill, Loughton, Epping Forest' Boundary updated.	This is a factual update, taking into account recent planning permissions.
Appendix F - Glossary					
MIN	52	"Residual Waste"	No previous definition.	<u>'Residual Waste' is waste that has undergone treatment of some kind, with treatment being that as defined under the European Landfill Directive 1999/31/EC. The Directive defines "treatment" as "physical, thermal, chemical or biological processes, including sorting,</u>	This clarifies the term used within the Plan.

Modification	Modification Number	Paragraph/Policy Reference	Original Text	Amendment	Justification
				<u>that change the characteristics of the waste in order to reduce its volume or hazardous nature, facilitate its handling or enhance recovery”.</u>	
			No previous definition.	<u>Collective term for water within watercourses (rivers, ditches, drains), groundwater (held in geological strata such as chalk) and surface water (ponds, lakes, coastal waters).</u>	This clarifies the term used within the Plan.

Appendices

Appendix 1 - The Waste Challenge at a Glance

4.21 Non Hazardous Waste

There has been and will continue to be cross boundary movements of waste. It has been identified within planning practice guidance that Greater London net imports of non-hazardous waste to the Plan area requires specific consideration. It is estimated that in total the net exports to the plan area from Greater London are estimated to be 4.92mtpa until 2026, with net importation from London having ceased by 2026 according to the adopted London Plan 2045;

There has been and will continue to be cross - boundary movements of waste. Planning Practice Guidance states that imports of waste from Greater London require specific consideration. The Vision & Strategic Objectives of this Plan therefore recognises the need to continue to make provision for imports from London, albeit at a reducing rate. After 2026, imports of non-hazardous waste to landfill should only be of non-recyclable and non-biodegradable wastes, while some provision may also be made for the management of residues suitable for energy recovery at consented plant.

Non-organic, non-hazardous waste arisings within the Plan area are expected to moderately increase during the Plan period. In 2015, it was estimated there ~~was~~ were 1.57mt of this type of waste arising in the Plan area. By 2031/32, arisings are estimated to be 1.67mtpa. Imports of non-hazardous waste from London have been estimated to be in the region of 375,000 tpa in the early years of the Plan reducing down to around 150,000 tpa at the end of the Plan period.

Organic non-hazardous waste arisings within the Plan area are also expected to increase slightly during the Plan period. In ~~2014~~ 2015, it was estimated that there was 331,000t of organic non-hazardous waste arising in the Plan area. By 2031/32, arisings are estimated to be 349,000tpa.

Consented operational capacity ~~will~~ is expected to decline from 221,000tpa to 131,000tpa should no further planning permissions be granted over the Plan period. Consequently there ~~is~~ will be a requirement for ~~247,000~~ 218,000tpa of new organic treatment capacity by 2031/32;

At present, the Waste Disposal Authority is considering exploring long term **management** options surrounding the final destination for the stabilised residual waste output of the Tovi Eco Park Facility. In 2016, ~~Currently~~ the annual 200,000t output of the from this facility ~~is~~ was exported from the Plan area. A competitive tender process will identify the long-term management solution for this waste, which could include continued exportation from the Plan area. However, in line with: In line with the Plan's Strategy for the Plan area to become net self-sufficient with regard to its waste management needs where practicable, the Plan includes a site allocation which has capacity to potentially manage this residual waste in the Plan area in the longer term.

Assuming **the that suitable** facilities **are delivered on the sites** allocated in **the this** Plan **are all successfully delivered**, it is **forecasted** that **there will be a surplus capacity of some** non-hazardous landfill void space **will exist at the end of the Plan period**. However, in accordance with the waste hierarchy, **this remains the option of last resort and** is not considered to be a substitute for **developing further identifying additional** treatment capacity **that will move waste up the hierarchy**.

4.22 Construction, Demolition and Excavation Waste

It is estimated that local Construction, Demolition and Excavation waste arisings was 3.62mtpa in 2014 (including 0.31mt of **waste imported from** London's **projected needs**).

It is identified that there is a need for an additional **4.5 1.95**mtpa of Construction, Demolition and Excavation **waste recovery management** (recycling or disposal) capacity by 2031/32, partly due to the **expiry expiration** of existing temporary planning permissions.

Locally collected evidence suggests that there is further diversion from landfill through beneficial re-use of inert waste, which equated to approximately 765,000tpa in 2014.

It is estimated that there is a current inert landfill void space of approximately **3.4 3.25** million m³, which would equate to approximately **5.1 4.9** million tonnes of **GDE disposal** capacity. This is, however, not sufficient to accommodate the forecasted need for inert **landfill waste management capacity** over the Plan period, **to accommodate both the needs of the Plan Area and the inert waste projected to be imported from London**. To address this, **sites capable of providing 640,000tpa of inert waste recycling capacity and 9.52million m³ of inert waste disposal capacity landfill sites capable of accommodating 14.08 million tonnes in total** are allocated in the Plan. **It is, however, recognised that a proportion of the total inert waste recycling capacity is temporary in nature, and without further permissions, the total inert recycling capacity is likely to reduce to 340,000tpa at the end of the Plan period.**

Nonetheless, even after the allocation of all sites suitable for inert waste recycling and inert waste landfill. Following the above allocations, there is a further need to **find management solutions for** a total of **2.58mt 7.05mt** of inert waste. **Since no** other submitted **sites proposals** have been deemed suitable for the management of inert waste in the Plan area, **although** locational criteria policies **provide the means by which would be used to assess any additional** future inert waste management proposals. **can will be assessed**.

4.23 Hazardous Waste

In 2014, most of the 113,000tpa of hazardous waste requiring management is exported from the Plan area **for final management. Of this, around 23,000 tpa was disposed to landfill.**

The only landfill accepting hazardous waste (Stable Non-Reactive Hazardous Waste -SNRHW) within the Plan area closed in April 2014, so **in 2016** waste **was is-being** disposed of at sites beyond the Plan area. This facility, on average, accepted approximately 50,000 tonnes of SNRHW per annum, which included imports from other authority areas as well as waste generated within the Plan area.

Hazardous waste is not subject to net self-sufficiency within this Plan due to the specialist nature of the **waste facility type** and the **relatively** small quantities generated within the Plan area.

A new **disposal** site **for a Stable Non-Reactive Hazardous Waste Landfill** with **a total** capacity for 30,000 tonnes **per annum of Stable Non-Reactive Hazardous Waste Landfill** is allocated in the Plan. No other proposals for the management of hazardous waste in the Plan area were submitted. Locational criteria policies **would be used to assess any** future hazardous waste proposals **provide the means by which will be assessed**; should the market identify a need for further facilities in the Plan area.

Appendix 2 - Policy 1

Policy 1

Need for Waste Management Facilities

In order to meet the future needs of the Plan area, waste development will be permitted to meet the shortfall in capacity of:

- a. up to ~~247,000~~ **218,000** tonnes per annum by 2031/32 of biological treatment for non-hazardous organic waste;
- b. up to ~~4.5~~ **1.95** million tonnes per annum by 2031/32 for the management of inert waste;
- c. up to 200,000 tonnes per annum by 2031/32 for the **further management of non-hazardous residual waste** ~~other waste~~; and
- d. up to 50,250 tonnes per annum by 2031/32 for the management of hazardous waste.

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Appendix 3 - Supporting Text and Policy 2

Waste Consultation Areas

6.7 Safeguarding will be implemented through Waste Consultation Areas which are defined around all permitted waste developments (as indicated in the Authority Monitoring Report) and sites allocated in this Plan. Proposed development, including that proposed in Local Plans, within 250m of a safeguarded site (or 400m of a Water Recycling Centre - WRC) will be subject to consultation with the Waste Planning Authority. Waste Consultation Areas will be communicated to the Essex and Southend-on-Sea District/Borough and City Councils. Sensitive uses should not be located adjacent to, or within, 250 metres (or 400m of a WRC) of any part of a safeguarded site. However, the actual buffer needed around each site will depend upon the nature of the proposed 'sensitive' use and on the specific impacts of the current waste operation.

6.8 There will be instances where a proposed non-waste use may not be considered unlikely to compromise the operation of an existing or future waste management facility operating within that safeguarded site. As such, Table 21 'Development in Waste Consultation Area' sets out those development types which, when coming forward in Waste Consultation Areas, the Waste Planning Authority would not need to be consulted upon.

6.9 Existing and allocated waste sites and infrastructure will be protected from inappropriate neighbouring developments that may prejudice their continuing efficient operation. Waste development is not normally a high-value use in comparison with other land uses and as such the existing and allocated sites and facilities are safeguarded as they make an important contribution to the management of waste arising in Essex and Southend-on-Sea. Without a safeguarding policy, sites required to achieve a sustainable distribution of waste management facilities could be lost to other development. Sites covered by this policy that become vacant or where the existing waste use ceases operation, will continue to be subject to safeguarding.

6.10 In some cases, the potential adverse impact on loss of a waste site or operation of a waste facility may **not be contested by the WPAs. Such instances could include scenarios where be acceptable, or example, where it would enable the implementation of a town-centre improvement strategy and** it can be ascertained that there are wider social, environmental and/or economic benefits resulting from **new development that may such a scheme** outweigh the retention of the waste use. In such instances, alternative site provision for the displaced waste use could **will** be required should such capacity continue to be necessary.

6.11 Whilst Waste Consultation Zones apply to all permitted waste facilities in the Plan area, the WPAs are unlikely to object to development in close proximity to a small scale, non-specialist facilities, defined in this Plan as those with an annual capacity of 10,000tpa or less'.

6.12 The identification of alternative provision could be made by the relevant Local Planning Authority, the applicant for the non-waste development or potentially be considered through a focused review of this Waste Local Plan. This aims to ensure that no shortfall in equivalent waste management capacity occurs in Essex and Southend-on-Sea during the Plan period. **Any** ~~The~~ loss of waste capacity in the Plan area will be monitored through the Annual Monitoring Report.

6.13 The network of Local Authority Collected Waste facilities comprising the Integrated Waste Management Facility at Tovi EcoPark, Basildon and the six supporting transfer stations are integral for the sustainable management of household waste arising in the Plan area. As such, these sites (listed in Existing Waste Management Capacity, Table 3) are to be safeguarded unless it can be demonstrated that they are no longer required for the delivery of the Joint Municipal Waste Management Strategy.

6.14 Waste management infrastructure includes facilities such as wharves and railheads, which play an important role in the movement of waste materials. All current and any future facilities that come forward for this purpose during the plan period will be safeguarded under this policy.

Policy 2

Safeguarding Waste Management Sites and Infrastructure

Waste Consultation Areas

Where non-waste development is proposed within 250m of safeguarded sites, **or within 400m of a WRC**, the relevant Local Planning Authority is required to consult the Waste Planning Authority on the **planning application proposed non-waste development** (except for those developments defined as 'Excluded' in 'Appendix C - Development Excluded from Safeguarding Provisions').

Proposals which are considered to have the potential to adversely impact on the operation of a safeguarded waste site or infrastructure, including the site allocations within this Plan, are unlikely to be opposed where:

Non-waste development that would adversely impact on the operation of a safeguarded waste site or infrastructure (including site allocations within this Plan) could give rise to objection by the Waste Planning Authority unless:

- a temporary permission for a waste use has expired, or the waste management use has otherwise ceased and the site or infrastructure is **considered** unsuitable for a subsequent waste use; or

- b. redevelopment of the waste site or loss of the waste infrastructure would form part of a strategy or scheme that has wider environmental, social and/or economic benefits that **clearly** outweigh the retention of the site or the infrastructure for the waste use, and alternative provision is made for the displaced waste use; or
- c. a suitable replacement site or infrastructure has otherwise been identified and permitted.

~~Where proposed non-waste development gives rise to an objection from the Waste Planning Authority, it is expected that the proposed development would not be permitted:~~

Appendix 4 - Policy 3

Policy 3

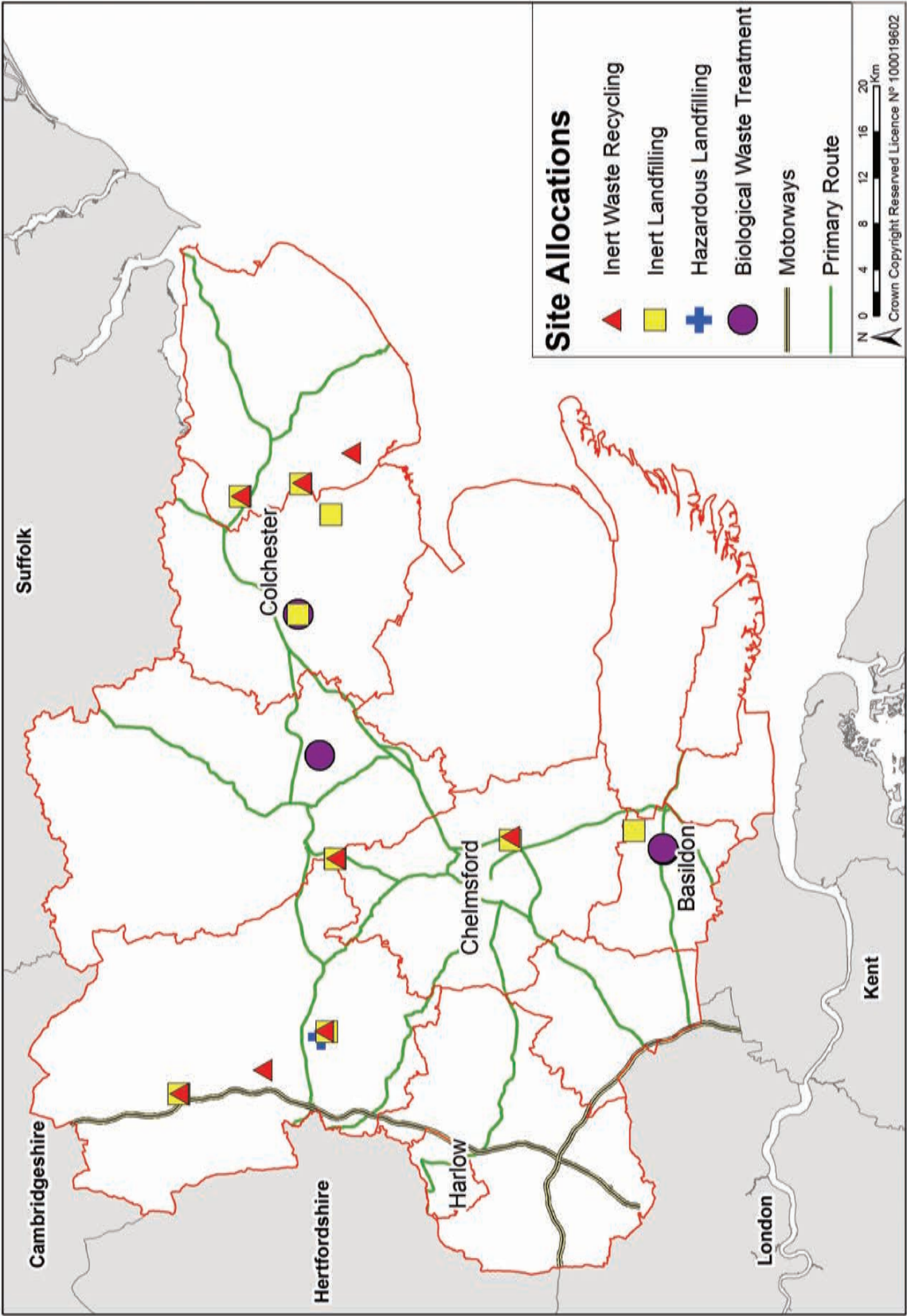
Strategic Site Allocations

Waste management development at the following locations (see Strategic Site Allocations Map) will be permitted **as follows and where proposals take into account the requirements identified in the relevant development principles: ~~(Allocated Sites: Development Principles)~~**:

1. For biological waste management at:
 - Bellhouse Landfill Site, Colchester (**Reg 18 ref: W29**);
 - Basildon **Water Recycling Centre Waste Water Treatment Works**, Basildon (**Reg 18 ref: W3**);
 - Courtauld Road, Basildon (**Reg 18 ref: W20**); and
 - Rivenhall, Braintree (**Reg 18 ref: IWMF2**).
- For inert waste recycling at:
 - Crumps Farm, Gt and Lt Canfield, Uttlesford (**Reg 18 ref: W32**);
 - Elsenham, Uttlesford (**Reg 18 ref: W8**);
 - Sandon East, Chelmsford (**Reg 18 ref: W7**);
 - Slough Farm Ardleigh, Tendring (**Reg 18 ref: L(n)1R**);
 - Blackley Quarry, Gt Leighs, Chelmsford (**Reg 18 ref: L(i)10R**);
 - **Sunnymead, Elmstead & Heath Farms, Tendring (W36)**;
 - **Wivenhoe Quarry Plant Area; Tendring (Reg 18 ref: W43)**;
 - Morses Lane - Brightlingsea, Tendring (**Reg 18 ref: W31**); and
 - Newport Quarry, Uttlesford (**Reg 18 ref: L(i)17R**).
3. For **other residual non-hazardous** waste management at:
 - Rivenhall, Braintree (**Reg 18 ref: IWMF2**).

4. For inert landfill at:
- Little Bullocks Farm, Great and Little Canfield, Uttlesford (~~Reg-18-ref: L(n)7R~~);
 - Slough Farm, Ardleigh, Tendring (~~Reg-18-ref: L(n)1R~~);
 - Blackley Quarry, Gt Leighs, Chelmsford (~~Reg-18-ref: L(i)10R~~);
 - Sandon, Chelmsford(~~Reg-18-ref: L(i)6~~);
 - Sunnymead, Elmstead & Heath Farms, Tendring (~~Reg-18-ref: L(i)5~~);
 - Newport Quarry, Uttlesford (~~Reg-18-ref: L(i)17R~~);
 - Bellhouse Landfill Site, Colchester (~~Reg-18-ref: L(n)5~~);
 - Fingringhoe Quarry, Colchester (~~Reg-18-ref: L(i)15~~);
 - **Dollymans Farm, Basildon/Rochford (L(i)16):**
5. For hazardous landfill at:
- Little Bullocks Farm, Great and Little Canfield, Uttlesford (~~Reg-18-ref: L(n)8R~~).

Map 5 Strategic Site Allocations



Appendix 5 - Policy 4

Policy 4

Areas of Search

Proposals for waste management development in the following locations will be permitted:

Proposals for waste management development in the following Areas of Search, as defined on the Policies Map, will be supported in principle provided that the design and use of the facility is compatible with existing uses in the employment area.

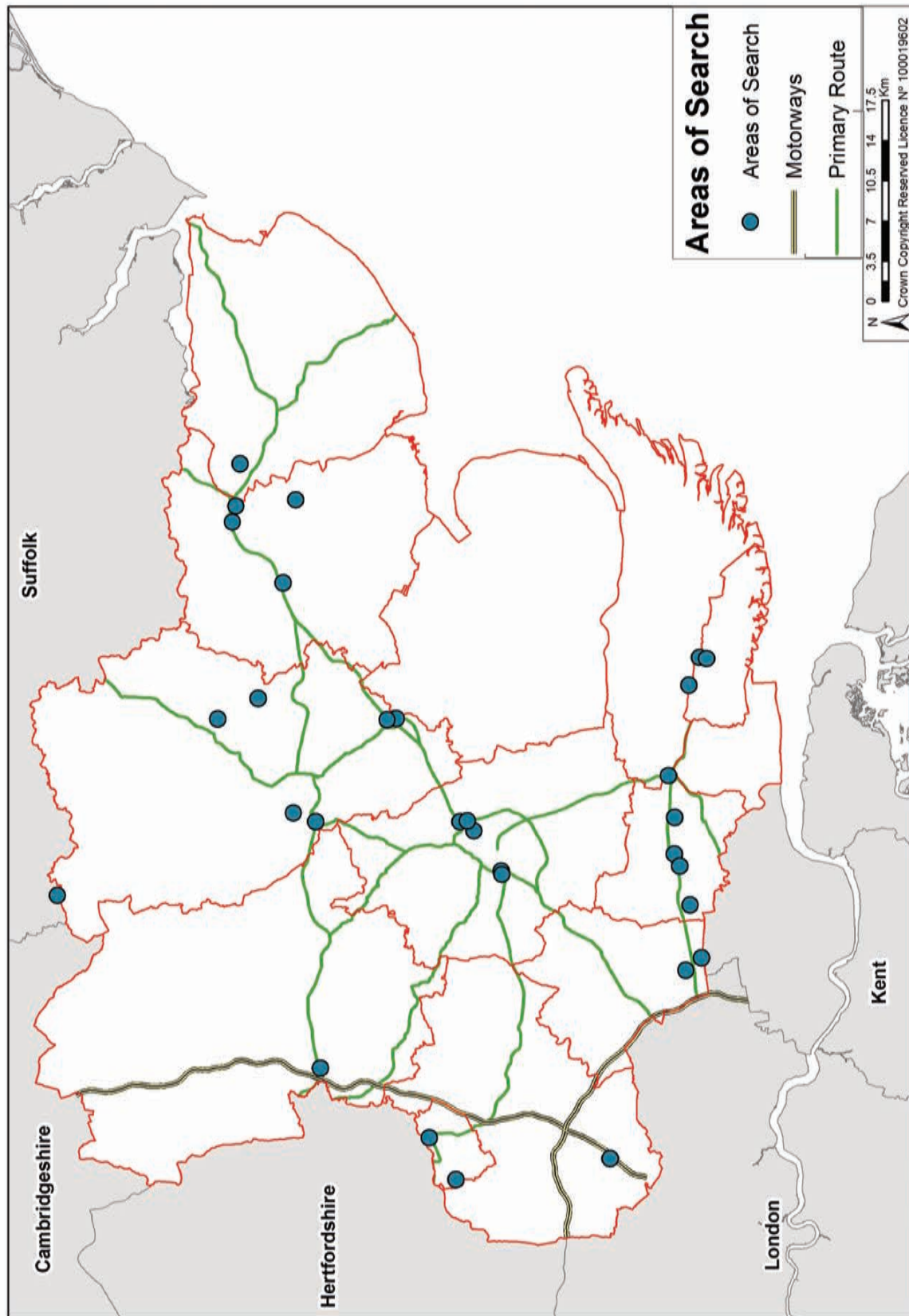
Proposals for waste management will be considered against other relevant policies of this Plan and the wider Development Plan.

Table 4

Area of Search	District	Area of Search	District
Burnt Mills Central	Basildon	Westways	Chelmsford
Festival Business Park	Basildon	Widford Industrial Estate	Chelmsford
Pipps Hill	Basildon	Land off Axial Way, Myland	Colchester
Southfield Business Park	Basildon	Severalls Industry Park	Colchester
Bluebridge Industrial Estate	Braintree	Tollgate, Stanway	Colchester
Earls Colne Airfield	Braintree	Whitehall Road Industrial Estate	Colchester
Eastways-Crittall Road, Waterside Park	Braintree	Langston Road/Oakwood Hill, Loughton	Epping Forest
Freebournes Industrial Estate	Braintree	Pinnacles and Roydenbury Industrial Estate	Harlow
Skyline 120	Braintree	Temple Fields	Harlow

Area of Search	District	Area of Search	District
Springwood Industrial Estate	Braintree	Rochford Business Park	Rochford
Sturmer Industrial Estate Area 1	Braintree	Michelins Farm	Rochford
Childerditch Industrial Estate	Brentwood	Stock Road	Southend-on-Sea
West Horndon	Brentwood	Temple Farm	Southend-on-Sea
Drovers Way	Chelmsford	Martell's Farm Industrial Area	Tendring
Dukes Park Industrial Estate	Chelmsford	Oakwood and Crusader Business Park	Tendring
Springfield Business Park	Chelmsford	Start Hill, Great Hallingbury	Uttlesford

Map 6 Areas of Search



Appendix 6 - Paragraph 8.15

8.15 Waste management development can, depending on its type, be delivered in either enclosed or open facilities. separated into two broad categories, those known as 'enclosed facilities' where waste is processed inside a building. Enclosed facilities can be broadly similar in appearance to other industrial processes developments such as factories which take place within warehouses. Some examples are listed in the table below. of enclosed waste facilities include in-vessel composting, anaerobic digestion and thermal treatment developments. The other category is 'open facilities', which although occasionally are can also be partially enclosed, largely deal with waste in the open air. Examples of open waste facilities include inert waste recycling and open windrow composting developments.

Table xx - ⁽³⁾Waste Facility Types

<u>Broad Waste Facility Type</u>	<u>Example Waste Facility</u>
<u>Enclosed Waste Facilities (housed in buildings)</u>	<u>Transfer Station</u>
	<u>Storage</u>
	<u>Materials Recovery Facility (MRF)</u>
	<u>Metal Recycling Facility</u>
	<u>End of Life Vehicle (ELV) Recycling Facilities</u>
<u>Enclosed Thermal Facilities (housed in buildings with flues and/or digestate piping)</u>	<u>In-vessel Composting Facility</u>
	<u>Mechanical Biological Treatment Facility (MBT)</u>
	<u>Combined Heat and Power Facilities (CHP)</u>
	<u>Gasification and Pyrolysis Facilities</u>
	<u>Anaerobic Digestion (AD)</u>
	<u>Autoclaving Facilities</u>

3 Table numbering to be confirmed upon adoption.

<u>Open Air Facilities</u>	<u>Construction, Demolition and Excavation (CD&EW) Recycling Facilities (or inert recycling)</u>
	<u>Metal Recycling Facility</u>
	<u>End of Life Vehicle (ELV) Recycling Facilities</u>
	<u>Windrow Composting Facilities</u>
	<u>Water Recycling Facilities (WRCs)</u>
	<u>Inert Landfill Sites</u>
	<u>Non-Hazardous Landfill Sites</u>
	<u>Hazardous Landfill Sites</u>

Appendix 7 - Policy 5

Policy 5

Enclosed Waste Facilities on Unallocated Sites or Outside Areas of Search

Proposals for new enclosed waste management facilities will be permitted where:

1. the waste site allocations ~~or~~ **and** the Areas of Search in this Plan are shown to be unsuitable ~~and~~ for unavailable for the proposed development;
2. **although not exclusively**, a need for the capacity of the proposed development has been demonstrated to manage waste arising from within the administrative areas of Essex and Southend-on-Sea;
3. it is demonstrated that the site is at least as suitable for such development as Site Allocations or Areas of Search, with reference to the overall spatial strategy and site assessment methodology associated with this Plan.

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In addition, proposals should be located at or in:

- a. employment areas that are existing or allocated in a Local Plan for general industry (B2) and storage and distribution (B8); or
- b. existing permitted waste management sites or co-located with other waste management development; or
- c. the same site or co-located in close proximity to where the waste arises; or
- d. the curtilages of Waste Water Treatment Works (in the case of biological waste); or,
- e. areas of Previously Developed Land; or
- f. redundant agricultural or forestry buildings and their curtilages (in the case of green waste and/or biological waste).

Proposals for energy recovery facilities with combined heat and power are expected to demonstrate that the heat produced will be supplied to a district heat network or direct to commercial or industrial users.

Any proposals that come forward on land use types not identified above will be assessed on their merits, based on the policies in **this Plan**, **the adopted RWLP. Such locations will be considered less favourably than those set out within this Policy.**

Appendix 8 - Policy 6

Policy 6

Open Waste Facilities on Unallocated Sites or outside Areas of Search

Proposals for new open waste management facilities will be permitted where:

1. the waste site allocations **or** and the Areas of Search in this Plan are shown to be unsuitable ~~and~~ for unavailable for the proposed development;
2. **although not exclusively**, a need for the capacity of the proposed development has been demonstrated to manage waste arising from within the administrative areas of Essex and Southend-on-Sea;
3. it is demonstrated that the site is at least as suitable for such development as Site Allocations or Areas of Search, with reference to the overall spatial strategy and site assessment methodology associated with this Plan.

In addition, proposals should be located at or in:

- a. redundant farm land (in the case of green waste and/or biological waste); or
- b. demolition and construction sites, where the inert waste materials are to be used on the construction project on that site; or
- c. existing permitted waste management sites or co-located with other waste management development; or
- d. the curtilages of Waste Water Treatment Works (in the case of biological waste); or
- e. mineral and landfill sites where waste material is used in conjunction with restoration, or proposed waste operations are temporary and linked to the completion of the mineral/landfill operation; or
- f. areas of Previously Developed Land; or
- g. employment areas that are existing or allocated in a Local Plan for general industry (B2) and storage and distribution (B8).

Any proposals that come forward on land use types not identified above will be assessed on their merits, based on the policies in **this Plan**. ~~the adopted RWLP. Such locations will be considered less favourably than those set out within this Policy.~~

Appendix 9 - Supporting Text and Policy 7

Nuclear Radioactive Waste

8.21 Bradwell-on-Sea Nuclear Power Station is a licensed Nuclear Site and is the principal source of radioactive waste arisings within the Plan area whilst the Power Station is decommissioned.

8.22 The nuclear waste arisings from this process comprise Very Low Level (VLLW), Low Level (LLW) and Intermediate Level (ILW) Radioactive Wastes. A key element of the decommissioning is to manage the waste arising, to enable the waste to be safely retrieved from the facility, stored and processed whilst having regard to the level of radioactivity and long term options available.

8.23 ~~The Bradwell-on-Sea site is the first site operated by Magnox within the Government's "Nuclear Decommissioning Authority (NDA)" to be decommissioned, and this is within an accelerated programme to deliver the "care and maintenance" stage in 2046/47. At this stage the site would be cleared and secured as appropriate, including the storage of LLW within a dedicated on-site long-term ILW Storage facility. The LLW will remain in the store until a national Geological Disposal Facility is available to receive the packages. This process is in accordance with DECC's UK's waste management strategy for LLW & ILW (dated 2010). The Bradwell-on-Sea site is one of the first UK nuclear reactor sites to be decommissioned. Within the period covered by this policy document, the site will enter into an extended period of care and maintenance prior to which the site will be secured as appropriate, and packaged ILW placed in storage within the dedicated on-site interim ILW Storage facility. The packaged ILW will remain in the store until a national Geological Disposal Facility (GDF) is available to receive the packages. This process is in accordance with DECC's UK's waste management strategy for LLW & ILW (dated 2010). Following the extended period of care and maintenance, the site will be decommissioned and remediation activities undertaken which when completed will allow the site to reach end state and enable the next planned use.~~

8.24 The Government is separately pursuing its strategy (Implementing Geological Disposal: A framework for the long-term management of higher activity radioactive waste, 2014) for a long term national Geological Disposal Facility (GDF) which is scheduled to be operational by 2040. It proposes a range of activities to be taken forward between 2014 and 2016 to set the framework for the GDF site selection process. The GDF is a "Nationally Significant Infrastructure Project" (NSIP) and the future siting is still to be determined. NSIPs are a national consideration and therefore outside of the remit of the RWLP.

8.25 It is noted that although the Plan cannot rule out any type of development, it was held in the Waste Local Plan 2001 that the geology of the Plan area does not support the disposal and containment of nuclear waste and that it was therefore likely that any such facility would be located beyond the Plan area. However, evidence contained in the Radioactive Waste Management Ltd consultation on 'National Geological Screening Guidance – Providing information on Geology' (September 2015) indicates that there is not a specific type of geology to accommodate

a national GDF. This is due to the number of possible design solutions to accommodate different types of geology and the respective safety issues. The location of a GDF will be addressed through a public consultation, managed by Government, to determine an appropriate strategy. Any new GDF will receive the ILW waste that is currently stored at Bradwell-on-Sea.

8.26 The NDA was established as a Non-Departmental Public Body under the Energy Act (2004) to ensure that the UK's nuclear legacy sites are decommissioned and cleaned up safely, securely, cost-effectively and in ways that protect people and the environment. The NDA is responsible for developing nuclear decommissioning plans and implementing them through an estate-wide strategy. The Strategies are to develop a clear understanding of what is required to deliver the decommissioning agenda with a strategic focus and coherent approach to decommissioning. The third Strategy "NDA Strategy III" is to be published for consultation in January 2016 and takes into account best practice and new procedures as a result of de-commissioning activities at Bradwell-on-Sea and other licenced sites across the UK. This includes the application of the Waste Hierarchy to reduce the quantity of waste to be disposed. The NDA was established as a Non-Departmental Public Body under the Energy Act (2004) to ensure that the UK's nuclear legacy sites are decommissioned and cleaned up safely, securely, cost-effectively and in ways that protect people and the environment. The NDA is responsible for developing nuclear decommissioning plans and implementing them through an estate-wide strategy. The Strategies are to develop a clear understanding of what is required to deliver the decommissioning agenda with a strategic focus and coherent approach to decommissioning. The third Strategy "NDA Strategy III" was published in April 2016 and takes into account best practice and new procedures as a result of de-commissioning activities at Bradwell-on-Sea and other licenced sites across the UK. Proposals that are consistent with the current strategy (or its subsequent revisions) will be supported in line with Policy 7. This includes the application of the Waste Hierarchy to reduce the quantity of waste to be disposed and the beneficial reuse of material and waste to achieve the site end state and enable the next planned use.

8.27 The Government's National Policy Statement (NPS) for Nuclear Power Generation⁽⁴⁾ is considering the Bradwell-on-Sea site, alongside seven other sites nationally, for future nuclear energy development. If the Bradwell-on-Sea site is selected as one of the suitable sites for nuclear energy development, then there would be further arisings of ILW in the Plan area. The fate of these materials ultimately depends upon the progress of the GDF and would need to be considered in the context of future national policy.

8.28 Given the formative status of this process any potential waste arisings cannot be planned for at this stage. Such a new nuclear power station would be considered an NSIP and therefore outside of the remit of this Plan.

4 Two volumes: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/47859/2009-nps-for-nuclear-volume1.pdf
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/37052/1943-nps-nuclear-power-annex-vol11.pdf

Policy 7

Radioactive Waste Management ~~Nuclear Waste Treatment and Storage at Bradwell-on-Sea~~

Proposals for facilities for the **management** ~~treatment and/or storage~~ of nuclear radioactive Intermediate Level Waste (ILW), Low Level Waste (LLW) or Very Low Level Waste (VLLW) will **be supported** ~~only be acceptable~~ within the Nuclear Licensed Areas at Bradwell-on-Sea, where:

- a. the proposals are consistent with the national strategy for managing ILW, LLW and VLLW as well as the decommissioning plans for the Bradwell-on-Sea power station;
- b. the proposals are informed by the outcome of economic and environmental assessments that support and justify the management of **radioactive decommissioned nuclear** waste **at this location** ~~on-site~~; and;
- c. the proposals would not cause any unacceptable adverse impacts to the environment, human health or local amenity.

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Appendix 10 - Policy 9

Policy 9

Waste Disposal Facilities on Unallocated Sites

Proposals for landfill facilities will be permitted where:

1. the landfill site allocations in this Plan are shown to be unsuitable ~~and~~ or unavailable for the proposed development;
2. **although not exclusively**, a need for the capacity of the proposed development has been demonstrated to manage waste arising from within the administrative areas of Essex and Southend-on-Sea;
3. it is demonstrated that the site is at least as suitable for such development as the landfill site allocations, with reference to the site assessment methodology associated with this Plan; and
4. that the proposed landfill has been demonstrated to be the most appropriate and acceptable development in relation to the Waste Hierarchy.

In addition, preference will be given to proposals:

- a. for the restoration of a preferred or reserve site in the Minerals Local Plan; or
- b. for an extension of time to complete the permitted restoration within the boundary of an existing landfill site.

Proposals for non-inert landfill are required to demonstrate the capture of landfill gas for energy generation by the most efficient means.

Any proposals that come forward on land use types not identified above will be assessed on their merits, based on the policies **in this Plan**, ~~the adopted RWLP. Such locations will be considered less favourably than those set out within this Policy.~~

Appendix 11 - Policy 10

Policy 10

Development Management Criteria

Proposals for waste management development will be permitted where it can be demonstrated that the development would not have an unacceptable impact (including cumulative impact in combination with other existing or permitted development) on:

- a. local amenity (including noise levels, odour, air quality, dust, litter, light pollution and vibration);
- b. ~~the quality and quantity of water within water courses, groundwater and surface water; the quality of water within water bodies, with particular regard to:~~
 - ~~preventing the deterioration of their existing status; or~~
 - ~~failure to achieve the objective of 'good status'; and~~
 - ~~the quantity of water for resource purposes within water bodies'~~
- c. the capacity of existing drainage systems;
- d. the best and most versatile agricultural land; farming, horticulture and forestry;
- e. aircraft safety due to the risk of bird strike and/or building height and position;
- f. the safety and capacity of the road and other transport networks;
- g. the appearance, quality and character of the landscape, countryside and visual environment and any local features that contribute to its local distinctiveness;
- h. the openness and purpose of the Metropolitan Green Belt;
- i. Public Open Space, the definitive Public Rights of Way network and outdoor recreation facilities;
- j. land stability;
- k. the natural and geological environment (including internationally, nationally or locally designated sites and irreplaceable habitats);
- l. the historic environment including heritage and archaeological assets and their settings; and
- m. the character and quality of the area, in which the development is situated, through poor design.

Where appropriate, enhancement of the environment would be sought, including, but not exclusively, the enhancement of the Public Rights of Way network, creation of recreation opportunities and enhancement of the natural, historic and built environment and surrounding landscape.

Appendix 12 - Policy 12

Policy 12

Transport and Access

Proposals for waste management development will be permitted where it is demonstrated that the development would not have an unacceptable impact on the efficiency and effective operation of the road network, including safety and capacity, local amenity and the environment.

Proposals for the transportation of waste by rail and/or water will be encouraged subject to other policies in this Plan. Where transportation by road is proposed, this will be permitted where the road network is suitable for use by Heavy Goods Vehicles or can be improved to accommodate such vehicles.

The following hierarchy of preference for transportation will be applied:

a. the transport of waste by rail or water;

b. where it is demonstrated that (a) above is not feasible or practicable, access will be required to a suitable existing junction with the main road network (not including secondary distributor roads, estate roads and other routes that provide local access), via a suitable section of existing road, as short as possible, without causing a detrimental impact upon the safety and efficiency of the network; or

c. where it is demonstrated (b) above is not feasible, direct access to the main road network involving the construction of a new access and/or junction where there is no suitable existing access point and/or junction; or

d. **Where access to the main road network in accordance with (b) and (c) above is not feasible, road access via a suitable existing road prior to gaining access onto the main road network will exceptionally be permitted, having regard to the scale of the development, the proximity of sensitive receptors, the capacity of the road and an assessment of the impact on road safety.**

Appendix 13 - Table 6 Monitoring Framework

Table 6 The Monitoring Framework

Indicator	Related Policy/Strategic Objective	Target	Data Source	Trigger Level(s)
1	<p>Amount of Local Authority Collected Waste, Commercial, Industrial and GD&E-waste diverted from Landfill Amount of waste arisings, split by waste stream, in the Plan Area</p>	<p>The adopted national targets as specified in the National Waste Management Plan for England (2013) as based on the WFD:</p> <ul style="list-style-type: none"> Household Waste –50% by 2020 to be recycled Biodegradable Non-hazardous waste landfill diversion of 35% of the 1995 level by 2020; CD&E Waste – 70% by weight need to be recycled/diverted from landfill by 2020. <p><u>Waste arisings in line with forecasts from evidence base</u></p>	<p>Waste Disposal Authority Environment Agency - Waste Data Interrogator</p>	<p>Waste arisings not in line with waste forecasts. Failure to achieve a national target.</p>

Indicator	Related Policy/Strategic Objective	Target	Data Source	Trigger Level(s)
6	<p>a. Number of new waste facilities delivered in accordance with Areas of Search designations</p> <p>b. Number of waste facilities delivered on non-designated industrial land</p> <p>c. <u>Area of land within Areas of Search permitted for non B2/B8 development</u></p>	Permissions granted in accordance with Area of Search designations.	Planning Applications and Decisions	<p>Waste development on Areas of Search not coming forward for development.</p> <p>A significant number of non designated industrial areas are developed.</p> <p><u>Any loss of land designated as an Area of Search.</u></p>

Appendix 14 - Table 11 Little Bullocks and Crumps Farm, Great and Little Canfield

Table 11 Little Bullocks and Crumps Farm, Great and Little Canfield

District	Uttlesford
Area	7.77 6.90 ha - Site 1
	6.15ha - Site 2
	3.52 ha - Site 3
Indicative Facility Scale	420,000m ³ - Inert Landfill (Site 1)
	45,000m ³ - Hazardous Landfill (Site 2)
	80,000tpa - Inert Recycling Capacity (Site 3)
Link to Waste and Mineral Activities	Site 1 is allocated for extraction within the MLP 2014 as site A22.
	Site 2 is allocated for extraction within the MLP 2014 as site A23.
Site Allocation For	Inert Landfill Capacity (Site 1)
	Hazardous Landfill Capacity (Site 2)
	Inert Waste Recycling Capacity (Site 3)
Access	Via haul road through existing Crumps Farm site to B1256

Estimated Availability	<p>Site 1 - 5 to 10 years</p> <p>Site 2 - Upon adoption of RWLP</p> <p>Site 3 5 to 10 years would be brought forward, during the Plan period at an appropriate stage to ensure that it could be operated within the context of the existing Major Waste Management Facility at Crumps Farm.</p>
Life	<p>Site 1 - 12 years</p> <p>Site 2 - 30 years 15 years</p> <p>Site 3 - Permanent 15 years</p>

These sites would be extensions to the existing mineral/waste site at Crumps Farm. The following issues apply to all three sites:

- A vehicle **routing** ~~routeing~~ agreement is required to ensure the site would be accessed via the existing access for Crumps Farm onto Stortford Road (B1256) to travel via the A120/M11. An internal haul road would be required between the site and the Crumps Farm access.
- Dust mitigation measures, limits on duration (hours of operation) and noise standards (from noise sensitive properties) will be established in the interests of protecting local amenity.

The following specific issues and opportunities are to be addressed for Site 1:

- The eastern end of the site lies in a small secluded valley with a small river and nearby woodland. Advanced planting should screen views of the area from this direction, including views from the PRoW Lt Canfield 19.
- The river and Local Wildlife Site (LoWS) require protection for example through an appropriate buffer of at least 15m and through the assessment of potential hydrological impacts with appropriate protection. Existing vegetation to the south of the site should be protected and retained.
- Those areas of archaeological deposits preserved in-situ from the extraction phase shall be included as part of any restoration scheme.
- The impacts from the proposal need to be addressed on the designated buildings located in the vicinity - especially on the setting of the Church of All Saints.

- The site layout should ensure a sequential approach is adopted whereby areas of greater vulnerability, such as buildings and stockpiles are located in Flood Zone 1.
- Careful consideration must be given to the final restoration contours to ensure the final landform blends with the surrounding topography and the restoration would be predominantly back to agricultural use given the presence of Grade 2 agricultural soil.

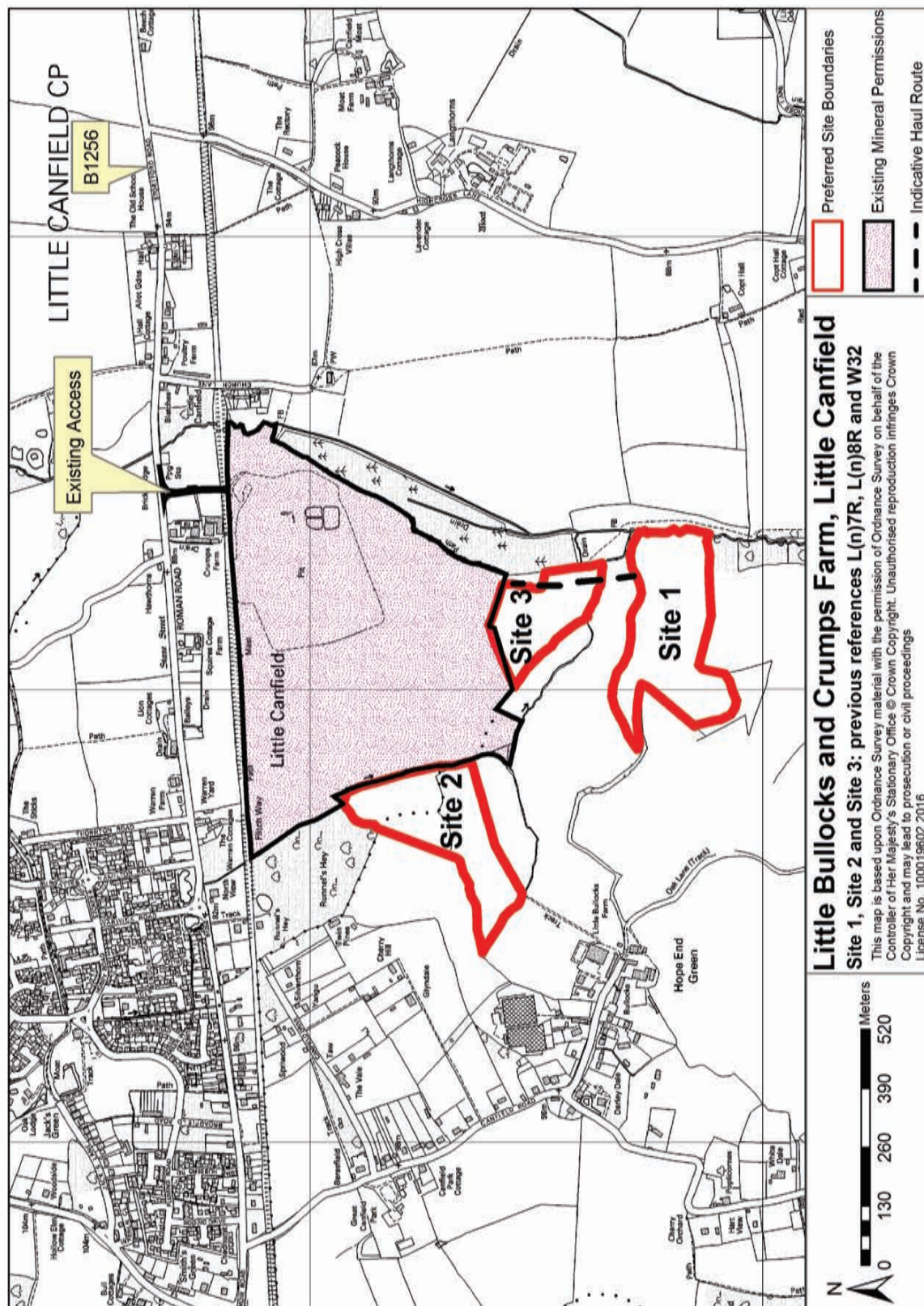
The following specific issues and opportunities are to be addressed for Site 2:

- ~~Waste shall be restricted to stable non-reactive hazardous waste. No liquids, slurries, sludges, clinical wastes or oils shall be deposited on site.~~
- Residential property off Canfield Drive with views of the site should be protected by appropriate bunding/screening. Gaps in hedging on the boundary should be addressed to screen views.
- The site is adjacent to a Local Wildlife Site (UFD 172 – Runnels Hey), and area of Ancient Woodland. This site must be protected for example, through an appropriate buffer.
- To demonstrate that there would not be an adverse effect on a European site through HRA. Any development would need to ensure that there would not be an adverse impact on water quality. Most likely potential impacts to consider would be caused by water pollution:
- A hydrological assessment should be undertaken.
- Those areas of archaeological deposits preserved in-situ from the extraction phase shall be included as part of any restoration scheme.
- The impacts from the proposal need to be addressed on the designated buildings located in the vicinity - especially on the setting of Church of All Saints.
- PRoW footpaths Great Canfield 2 and Little Canfield 8 cross the site and would require temporary diversion during operations.
- Careful consideration must be given to the final restoration contours to ensure the final landform blends with the surrounding topography and the restoration would be predominantly back to agricultural use given the presence of Grade 2 agricultural.

The following specific issues and opportunities are to be addressed for Site 3:

- An archaeological evaluation should be undertaken to assess the area for surviving archaeological deposits. This should comprise a programme of trial trenching covering the total area of development. If deposits are identified then an appropriate mitigation strategy for preservation in situ or preservation by excavation should be submitted.
- Any proposal shall include planting to screen development on south and east boundaries of the site.

Map 11 L(n)7R and L(n)8R - Little Bullocks Farm and W32 - Crumps Farm, Great and Little Canfield



Appendix 15 - Table 14 Morses Lane, Brightlingsea

Table 14 Morses Lane, Brightlingsea

District	Tendring
Area	1.82ha
Indicative Facility Scale	75,000tpa
Link to Waste and Mineral Activities	N/A
Site Allocation For	Inert Waste Recycling Capacity
Access	Morses Lane
Estimated Availability	Immediately
Life	Permanent

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This undeveloped site on the edge of an urban area adjoins an existing waste operation. The following specific issues and opportunities are to be addressed:

- To demonstrate that it could not have an adverse effect on European sites through HRA. Most likely potential impacts would be by exhaust emissions (from the road into Brightlingsea) and disturbance to birds.
- Site should be screened by planting on the north, south and west sides of the site to mitigate visual and landscape effects.
- A trial trenching evaluation should be undertaken to assess the area for surviving archaeological deposits. If deposits are identified then an appropriate mitigation strategy should be submitted.
- **It is expected that operations would be enclosed within an appropriate building.** Dust mitigation measures, limits on duration (hours of operation) and noise standards (from noise sensitive properties) will be established in the interests of protecting local amenity.
- **The configuration and operation of the proposed facility shall have regard to impacts on neighbouring land uses, including the potential impacts on the adjacent retail use.**

Appendix 16 - Table 15 Newport Quarry

Table 15 Newport Quarry

District	Uttlesford
Area	8.4ha
Indicative Facility Scale	15,000tpa - Inert Waste Recycling Capacity 300,000m ³ - Inert Landfill Capacity
Link to Waste and Minerals Activities	ESS/17/12/UTT granted planning permission for chalk extraction
Site Allocation For	Inert Landfill Capacity Inert Waste Recycling Capacity
Access	Via Unnamed Road to B1383 London Road
Estimated Availability	Up to 5 years
Life	Until 2042

This site is within an existing quarry. The following specific issues and opportunities are to be addressed:

- The site should continue to be restored to **lowland** calcareous grassland, with areas also retained to demonstrate its geological importance.
- ~~Areas already restored should not undergo any further development except to ensure that the chalk grassland develops into Priority Habitat Lowland Calcareous Grassland and/or Open Mosaic Habitat, improve any other existing biodiversity and to retain the sand piles. Careful consideration of the environmental and visual impacts of the waste development will be necessary as~~

part of a planning application, particularly if a proposal relates to already restored areas. Specifically, ecological enhancement of the site would be sought, with the final restoration and long-term aftercare expected to result in the creation of lowland calcareous grassland priority habitat. It will be necessary to consider phased working to avoid the loss of existing species.

- Retain existing trees and hedges to screen views of site. Consider new planting to screen views into site.
- No development should occur outside the quarried areas as this will have the potential to impact important archaeological deposits.
- Dust mitigation measures, limits on duration (hours of operation) and noise standards (from noise sensitive properties) will be established in the interests of protecting local amenity.
- A vehicle **routing** agreement is required to ensure the site would be accessed via the existing access to Newport Quarry and via the Main Road Network **(B1383). The number of heavy vehicle movements to and from the east shall be limited to those serving Widdington only.**

Consideration would need to be given at the planning application stage to the safe operation of the road bridge over the railway line west of the site access and the requirement for any additional traffic management.

Appendix 17 - Table 19 Sunnymead, Elmstead and Heath Farms

Table 19 Sunnymead, Elmstead & Heath Farms

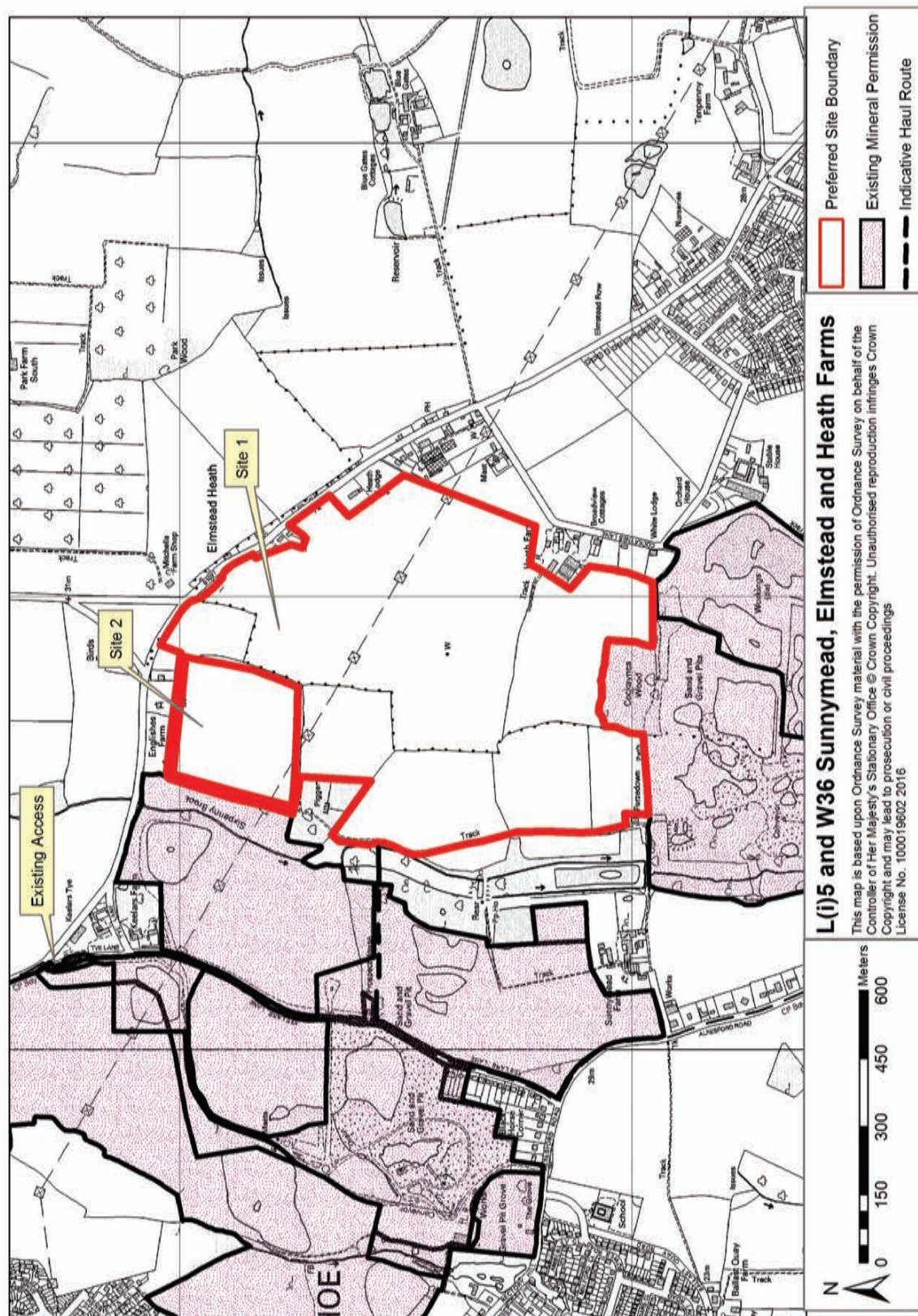
District	Tendring
Area	<u>Site 1: 63.74ha</u> <u>Site 2: 7ha</u>
Indicative Facility Scale	<u>Site 1: 1,800,000m³</u> <u>Site 2: 40,000tpa</u>
Link to Waste and Minerals Activities	Site is allocated for extraction within the MLP 2014 (site A20)
Site Allocation For	<u>Site 1: Inert Landfill Capacity</u> <u>Site 2: Inert Waste Recycling</u>
Access	Current Haul road extended in from currently operational processing area where the existing access of Keelers Tye & B1027 will be used
Estimated Availability	2018
Life	8 -17 years

The following specific issues and opportunities are to be addressed:

- The site would be an extension to the existing Wivenhoe Quarry, linked by a haul route to the existing processing plant and utilising the existing highway access onto the B1027.
- Improvements required to visibility at the junction of the private access and Keelers Tye.

- Restoration provides the opportunity for significant biodiversity enhancement and habitat creation on site. In-filling and restoration should be in line with habitat creation and outcomes sought in the Minerals Local Plan and any associated documents.
- To demonstrate that it could not have an adverse effect on European sites through HRA. Most likely potential impacts would be caused by disturbance.
- ~~Those areas of archaeological deposits preserved in-situ from the extraction phase shall be included as part of any restoration scheme.~~
- An archaeological desk based assessment would be required to investigate the gravels to establish their potential for Palaeolithic remains and trial trench evaluation will be required, along with a mitigation strategy, to form part of the Environmental Statement.
- The infilling must return the site to original ground levels and to agricultural use. Woodland planting of an appropriate species/character, scale etc must be considered to ensure compatibility with adjacent Ancient Woodland.
- PRoW footpath Elmstead 24 crosses ~~the~~ site 1 and is adjacent to site 2, and requires sufficient stand-off distance and protection during operations (e.g., satisfactory crossing point(s) provided for quarry vehicles).
- Dust mitigation measures, limits on duration (hours of operation) and noise standards (from noise sensitive properties) will be established in the interests of protecting local amenity.
- Careful consideration must be given to the final restoration contours used to ensure the final landform blends with the surrounding topography and to ensure Grade 2 agricultural soils are retained on site.
- The following specific issues and opportunities are to be addressed for Site 1:
- A minimum of 100m standoff should be provided for all residential properties and effective screening provided to screen views of the site.
- Cockaynes Wood Local Wildlife Site adjoins the southern boundary and would require protection during operations.
- Footpaths Elmstead 19 and Alresford 2 also run along the southern boundary and through Cockaynes Wood and need protection during operations. The ability to reinstate these fully needs to be investigated as part of the suggested restoration scheme.
- The following specific issues and opportunities are to be addressed for Site 2:
- Bunding is required on north, east and south sides to screen the site.
- To demonstrate that it could not have an adverse effect on European sites through HRA. Most likely potential impacts would be caused by disturbance.

Map 19 L(i)5 and W36 Sunnymead, Elmstead and Heath Farms



Appendix 18 - Table xx Dollymans Farm

Table xx Dollymans Farm ⁽⁵⁾

<u>District</u>	<u>Basildon/Rochford</u>
<u>Area</u>	<u>16.09ha</u>
<u>Indicative Facility Scale</u>	<u>500,000 tonnes</u>
<u>Link to Waste and Mineral Activities</u>	<u>The site constitutes a former mineral borrow pit.</u>
<u>Site Allocation For</u>	<u>Inert Landfill Capacity</u>
<u>Access</u>	<u>Via private road adjoining A130</u>
<u>Estimated Availability</u>	<u>2017</u>
<u>Life</u>	<u>Up to 5 years</u>

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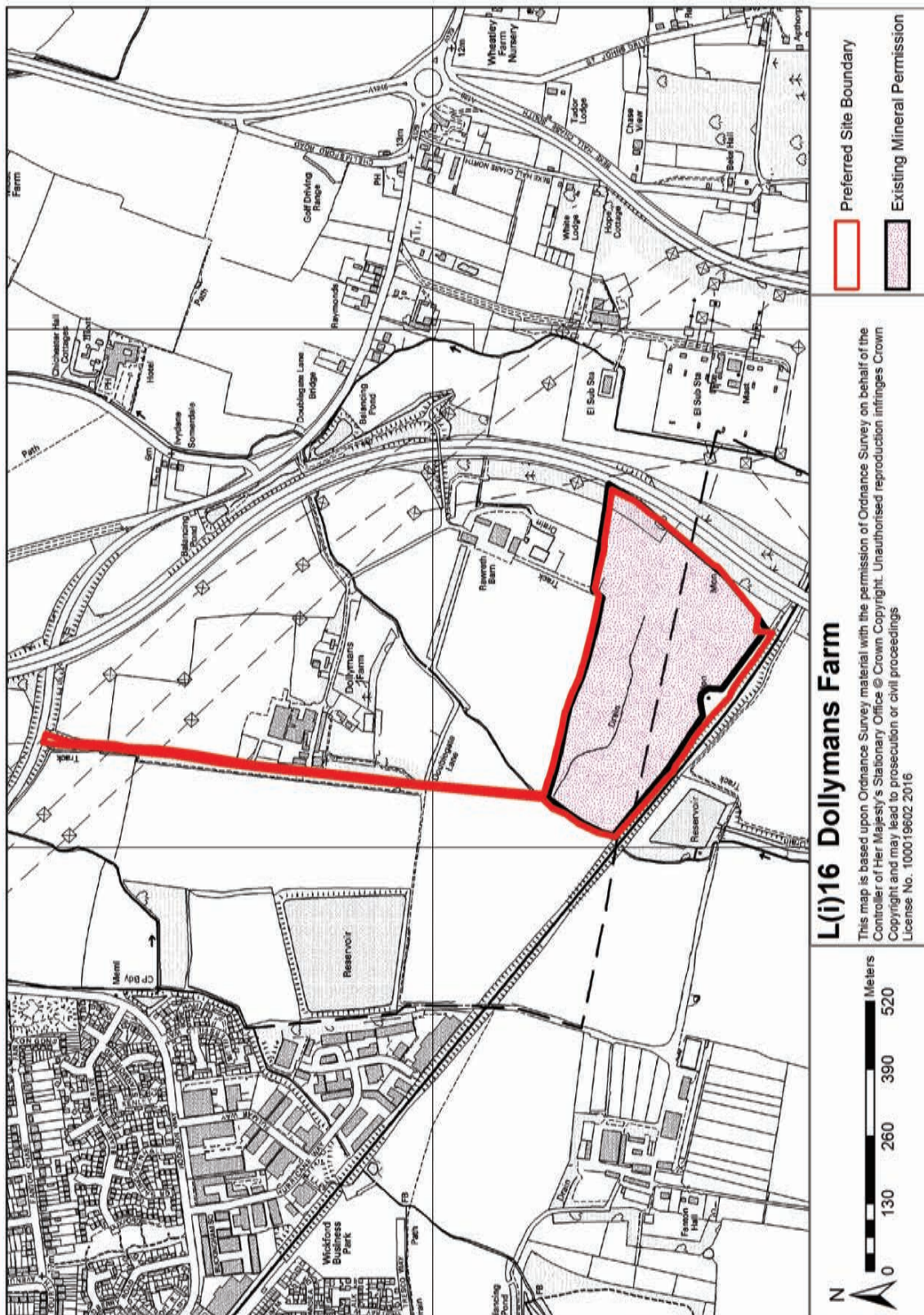
This site would culminate in the restoration of a former mineral void. The following specific issues and opportunities are to be addressed:

- All access should be via the A129. A Transport Assessment would be required at the planning application stage to review access arrangements and examine safety and capacity of the local road network. This may result in the diversion of bridleway to segregate users from vehicles or other mitigation works.
- Restoration of the site through this allocation provides the opportunity for biodiversity, landscape and visual enhancement. Careful consideration of the environmental impacts of the waste development will be necessary as part of a planning application with proportionate levels of mitigation to be established. Specifically, the WPA would seek the overall landscape improvement of the site, with the final restoration and long-term aftercare to be beneficial to the Green Belt and biodiversity.
- Retain trees and shrubs to screen plant and materials from the road. Consider new planting and bunding to screen views into the site.

5 Table and Map numbering to be confirmed upon adoption.

- Dust mitigation measures, limits on duration (hours of operation) and noise standards (from noise sensitive properties) will be established in the interests of protecting local amenity.
- An Archaeological Desk Based Assessment should be carried out to identify the extent of preservation within the northern part of the site and preservation requirements around war memorials.
- Areas of archaeological deposits preserved in situ will require excavation if working is likely to cause ground disturbance in the north western part of the site
- A management proposal for the survival and maintenance of the memorial for the burial sites should be submitted with any application.

Map xx L(i)16 Dollymans Farm



Appendix 19 - Table 21 Development in Waste Consultation Area

Table 21 Development in Waste Consultation Area

Nature of Development	Included or Excluded from consultation with the Waste Planning Authority
Applications for development on land, which is already allocated in adopted local development plan documents.	Included
Proposals for minor infilling of development within the defined settlement limits for towns, villages and hamlets identified in adopted local development plan documents.	Included
<p>Applications for householder development including:</p> <ul style="list-style-type: none"> Construction of a replacement dwelling where the new dwelling occupies the same or similar footprint to the building being replaced; Minor extensions to existing dwellings or properties where they lie within the immediate curtilage and would not bring the building within 250m of the boundary of an existing strategic facility or preferred site allocation; Proposals for the provision of incidental and non-habitable structures lying within the curtilage of an existing dwelling (such as driveways, garages, car parks and hard standing). 	Excluded
Proposals for the erection of agricultural buildings immediately adjacent to an existing working farmstead.	Excluded
<p>Applications for change of use:</p> <ul style="list-style-type: none"> <u>From B2/B8 to any other use</u> <u>To Class A and C, from any other use</u> 	Included
<u>Other applications for change of use.</u>	Excluded
<u>Applications for temporary buildings, structures or uses (for up to five years):</u>	Included
Applications related to existing permissions such as for reserved matters, or for minor amendments to current permissions.	Excluded

Nature of Development	Included or Excluded from consultation with the Waste Planning Authority
Applications for other kinds of consent – advertisements; listed building consent; Conservation Area consent and proposals for work to trees or removal of hedgerows.	Excluded
Proposals for the demolition of a residential or other building.	Excluded
Proposals for minor works such as fencing or bus shelters.	Excluded
Proposal for any extension of and/or change to the curtilage of property.	Included
Proposals for B2 and B8 development on land allocated for such uses.	Excluded

[illegible]

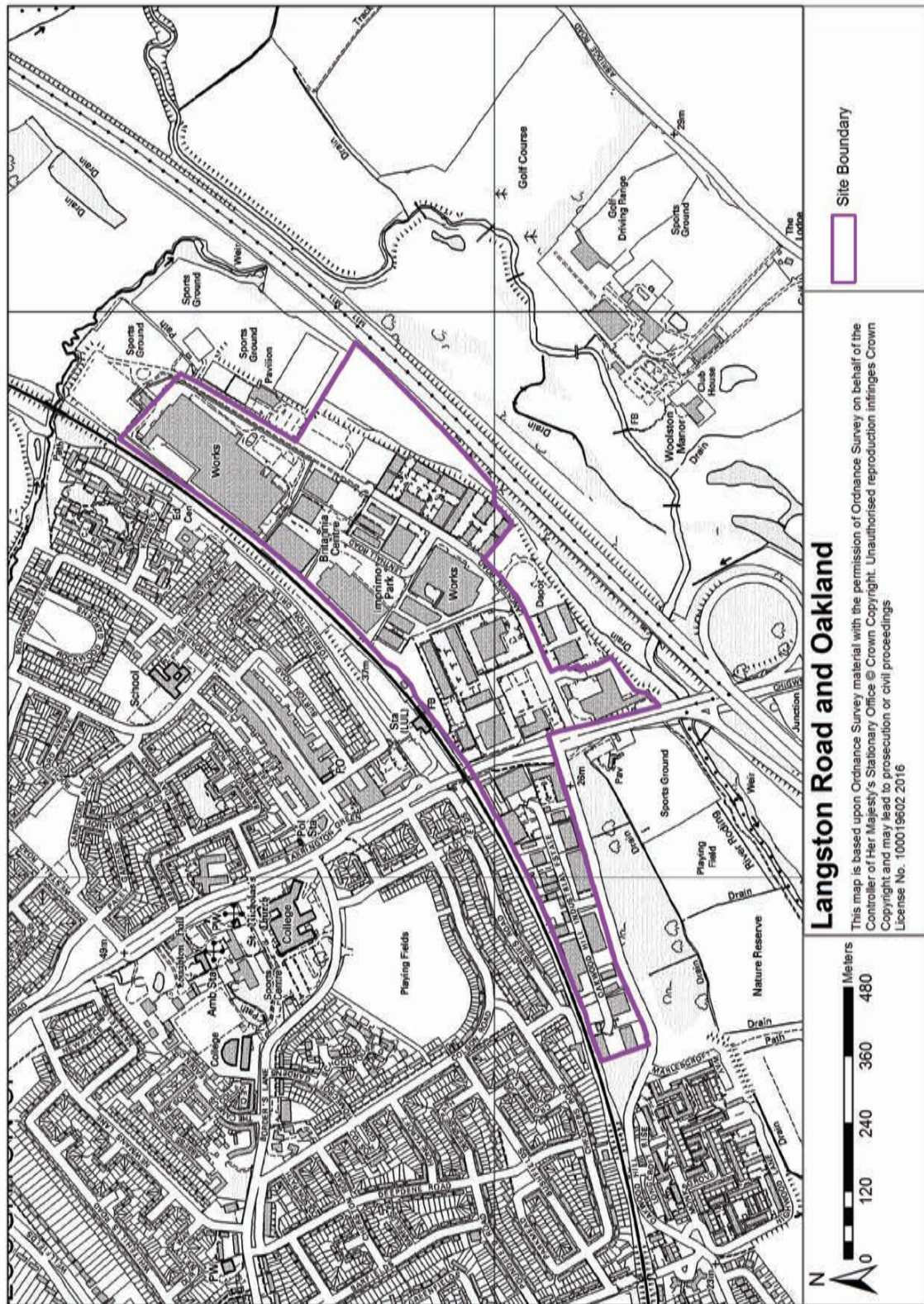
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Appendix 23 - Langston Road/Oakwood Hill, Loughton, Epping Forest

Map 43 Langston Road/Oakwood Hill, Loughton, Epping Forest



This information is issued by:
Essex County Council
Minerals and Waste Planning as part of the
Minerals and Waste Development Framework

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formats, on request.

Published January 2017.

Appendix 6- Further Minor Modification

Minor Modification reference	Section of the draft Plan	Modification supported by Cabinet and as subject to consultation in January 2017	Further Modification recommended
MM30	Paragraph 4.24	Bradwell Nuclear Power Station is a licensed Nuclear Site and is the principal source of radioactive arisings within the Plan area whilst the Power station is decommissioned. At present there is sufficient <u>national LLW disposal capacity and sufficient local ILW interim storage</u> capacity for this decommissioning process	<p><i>As additional text under para 4.24:</i></p> <p><u>The Government is pursuing its strategy for a long term national Geological Disposal Facility (GDF) for higher activity radioactive waste which is scheduled to be operational by 2040. Any proposed GDF facility would be approved as a Nationally Significant Infrastructure Project (NSIP) under the Planning Act 2008.</u></p> <p><u>The national strategy for the management of radioactive waste is prepared and issued by the Nuclear Decommissioning Authority. The Energy Act 2004 requires that the NDA Strategy is reviewed and republished at least every five years. UK Government and the Scottish Ministers approved the current Strategy, "NDA Strategy III" in March 2016 and it came into effect in April 2016. The Local Plan seeks to be consistent with prevailing NDA Strategy and recognises its status as a national policy in the arena of radioactive waste management.</u></p>
MM39	Paragraph 8.23	8.23 <u>The Bradwell-on-Sea site is one of the first UK nuclear reactor sites to be decommissioned. Within the period covered by this policy document, the site will enter into an extended period of care and maintenance prior to which the site will be secured as appropriate, and packaged ILW</u>	The Bradwell-on-Sea site is one of the first UK nuclear Magnox reactor sites to be decommissioned. Within the period covered by this policy document, the site will enter into a period of quiescence, termed care and maintenance. Prior to this, ILW will be packaged and placed within the dedicated on-site storage facility. The packaged ILW will remain in the

Minor Modification reference	Section of the draft Plan	Modification supported by Cabinet and as subject to consultation in January 2017	Further Modification recommended
		<p><u>placed in storage within the dedicated on-site interim ILW Storage facility. The packaged ILW will remain in the store until a national Geological Disposal Facility (GDF) is available to receive the packages. This process is in accordance with DECC's UK's waste management strategy for LLW & ILW (dated 2010). Following the extended period of care and maintenance, the site will be decommissioned and remediation activities undertaken which when completed will allow the site to reach end state and enable the next planned use.</u></p>	<p>store until a national Geological Disposal Facility (GDF) is available. This process is in accordance with DECCs UKs waste management strategy for LLW & ILW (dated 2010), <u>the UK Strategy for the Management of Solid Low Level Waste from the Nuclear Industry, published in February 2016, as well as the Nuclear Decommissioning Authority Strategy April 2016 ("NDA Strategy III")</u>. <u>These strategies are subject to continual review.</u> Following the extended period of care and maintenance, the site will be decommissioned and remediation activities undertaken (<u>which may include in-situ disposal</u>) which when completed will allow the site to reach end state and enable the next planned use.</p>

Essex Pension Fund Board

Annual Report 2016/17

July 2017

1. Introduction

This is the eighth Annual Report of the Essex Pension Fund Board(s), covering the period from 1 April 2016 until 31 March 2017.

2. Roles and Functions

Essex Pension Fund Strategy Board

The Essex Pension Fund Board was established by the County Council in May 2008 to ensure that the Pension Scheme complied with the best practice principles for governance as required by the amended Local Government Pension Scheme Regulations 1997.

The Board's terms of reference, as approved by the County Council, are as follows:

To exercise on behalf of the Council all of the powers and duties of the Council in relation to its functions as Administering Authority of the Essex Pension Fund except where they have been specifically delegated by the Council to another Committee or to an officer; this will include the following specific functions:

- (i) to monitor and oversee the work of the Essex Pension Fund Investment Steering Committee through its quarterly reports;
- (ii) to monitor the administration of the Pension Scheme, including the benefit regulations and payment of pensions and their day-to-day administration including the Internal Disputes Resolution Procedures, and ensure that it delivers best value and complies with best practice guidance where considered appropriate;
- (iii) to exercise Pension Fund discretions on behalf of the Administering Authority;
- (iv) to determine Pension Fund policy in regard to employer admission arrangements;
- (v) to determine the Pension Fund's Funding Strategy and approve its Funding Strategy Statement;
- (vi) to receive periodic actuarial valuation reports from the Actuary;
- (vii) To co-ordinate Administering Authority responses to consultations by Central Government, professional and other bodies; and
- (viii) to consider any views expressed by employing organisations and staff representatives.

The Board met four times during the period covered by this report: on 13 July 2016, 15 September 2016, 21 December 2016 and 8 March 2017.

Membership

During the period covered by this report the Board had 11 members. They represented Essex County Council, the other local authorities in Essex (including Unitary Councils), Scheme members and Smaller Employing Bodies (i.e. those which are not already specifically represented on the Board).

The membership of the Board as at 31 March 2017 was as follows:

Essex County Council (7)

Councillor Susan Barker	Vice-Chairman
Councillor Rodney Bass	Chairman
Councillor Stephen Canning	
Councillor Karen Clempner	
Councillor Norman Hume	
Councillor Nigel Le Gresley	
Councillor Jon Whitehouse	

District/City/Borough Councils in Essex (1)

Councillor Colin Riley	Castle Point Borough Council
------------------------	------------------------------

Unitary Councils in Essex (1)

Councillor Andrew Moring	Southend-on-Sea
--------------------------	-----------------

Scheme Members (nominated by UNISON) (1)

Mrs S Child

Smaller Employing Bodies (1)

Mrs Jenny Moore

Essex Pension Fund Advisory Board

The Essex Pension Fund Advisory Board is appointed by Essex County Council as its Local Pensions Board in accordance with section 5 of the Public Service Pensions Act 2013 and Part 3 of the Local Government Pension Scheme Regulations 2013.

The Board has the following remit:

- (i) To assist the Scheme Manager to secure compliance with the Local Government Pension Scheme (LGPS) regulations and any other legislation relating to the governance and administration of the LGPS and to secure compliance with requirements imposed in relation to the LGPS by the Pension Regulator

- (ii) To secure the effective and efficient governance and administration of the LGPS for the Essex Pension Fund (EPF)
- (iii) To help ensure that the EPF is managed and administered effectively and efficiently and complies with the code of practice.
- (iv) To assist the Scheme Manager with such matters as the scheme regulations may specify.
- (v) To be a “critical friend” to the PSB and the Investment Steering Committee (ISC).
- (vi) The Board may review any decision made by or on behalf of the Scheme Manager.
- (vii) The Board will adopt a policy statement on reporting breaches.
- (viii) At the invitation of the PSB, the Board may also undertake other tasks.
- (ix) Appointing Observers to attend meetings of the PSB and the ISC.

Membership

During the period covered by this report the Advisory Board had 9 members. They represented employer and scheme representatives and an independent Chairman

The membership of the Advisory Board as at 31 March 2017 was as follows:

Employer Representatives (4)

Vacancy	Unison
Paul Hewitt	Deferred Member
Jenny Hunt	Deferred member
Mark Paget	Essex County Council

Scheme Representatives (4)

James Durrant	Essex Fire Authority
Cllr Terry Cutmore	Rochford District Council
Cllr Shane Hebb	Thurrock Council
Cllr Simon Walsh	Essex County Council

Independent Chairman (1)

Nicola Mark	Head of Norfolk Pension Fund
-------------	------------------------------

3. Dimensions of the Fund

Based on the draft accounts, as at 31 March 2017 the value of the Fund’s assets was £6.031 billion.

The total value of pensions paid during 2016/17 was £183.1m, together with other benefits totalling £42.2m.

The total number of beneficiaries are as follows:

	2016	2017*
Contributors	61,543	59,951
Deferred Pensioners	47,041	55,536
Pensioners	37,666	39,106
Total	146,250	154,596

(Deferred Members are former employees who have chosen not to transfer their pension rights.)

The Board exercises on behalf of the Council the management of the Pension Fund whose membership comes from around 640 separate Employing Bodies, including:

- Essex County Council, Unitary, Borough, City and District Employers
- Incorporated Colleges
- Schools and Academies
- Town and Parish Councils
- Other Scheduled Bodies
- Small Admitted Bodies
- Admitted Bodies
- Community Admission Bodies.

4. Pooling of investment management arrangements

Considerable time and effort throughout the year was devoted to the development of pooling arrangements in line with the Government criteria. The key milestones reached and the major stages later in 2017 are set out in the paragraphs below.

With the Autumn statement in November 2015, DCLG issued the following criteria for pooling:

- asset pools that achieve the benefits of scale (minimum size £25bn as at 31 march 2015 values)
- strong governance & decision making
- reduced costs and excellent value for money
- improved capacity to invest in infrastructure

As highlighted in last year's report in February 2016, Essex along with ten other Councils in the East Anglia & the South East submitted an initial pooling proposal to Government. The pool has become known as ACCESS (A Collaboration of Central, Eastern & Southern Shires). This was followed in July 2016 with a more detailed submission outlining ACCESS's intentions.

One of the key aims of 2016/17 was to finalise an Inter Authority Agreement (IAA) between each of the Funds listed below.

AREA	VALUE AS AT 31 MARCH 2016 (£bn)
Cambridgeshire	£2.276
East Sussex	£2.771
Essex	£5.037
Hampshire	£5.189
Hertfordshire	£3.584
Isle of Wight	£0.474
Kent	£4.598
Norfolk	£2.905
Northamptonshire	£1.871
Suffolk	£2.213
West Sussex	£2.986
Total	£33.904

Following further analysis, in the autumn, Essex along with a number of other ACCESS Funds made representations to the Secretary of State regarding the approach to, and cost of, pooling investment arrangements. In particular, it was felt that Collective Joint Procurement (CJP) could meet the objectives specified in the Government's criteria (released in the 2015 Autumn statement) without the need for the cost involved in procuring an Operator for a Collective Investment Vehicle (CIV) – which had been the basis of the July proposal.

Local Government Minister, Marcus Jones MP met with all pools in late 2016, and the Fund's then Chairman, Cllr Rodney Bass was one of the

representatives for the ACCESS meeting. The basis for CJP was underlined at that meeting and a full business case was subsequently submitted.

Whilst it had been the intention to bring to the IAA to the February 2017 meeting of Council, there was insufficient clarity on whether the Minister would allow CJP as the basis for ACCESS's pooling approach. As such, in February, Council noted that a further motion would be considered once matters were clarified.

In March, the Minister confirmed his view that although CJP would have delivered cost savings, an approach based on a CIV gave the greatest assurance to stakeholders. In view of this both the Investment Steering Committee and the ACCESS shadow Joint Governance Committee agreed that the ACCESS approach to pooling would be based on a CIV.

In light of this development, at its May 2017 meeting Council considered and agreed to Essex being party to an IAA based upon a CIV.

Next steps for pooling in 2017 include:

- the appointment of a single passive manager for all ACCESS Funds following a framework procurement;
- the procurement of a CIV operator

5. Work of the Pension Strategy Board

In addition, the following key issues were considered by the Board between 1 April 2016 and 31 March 2017:

2016/17 LGPS Triennial Actuarial Valuation

All LGPS Funds in England & Wales were required to commission an independent actuarial valuation as at 31 March 2016. Given the scale of the work, which included the consultation with employing bodies around contribution rates, the process would take around one year to complete.

This is the first Actuarial Valuation to take place since the introduction of the Career Average benefit structure on 1 April 2014 and cost control mechanisms.

The Board received regular updates of progress throughout the year and at the meeting held on 8 March 2017 were informed the Fund Actuary would issue the valuation report and rates and adjustment certificate alongside the final version of the FSS by 31 March 2017. This concluded the 2016 Actuarial Valuation process in compliance with statutory requirements.

Review of the Pension Advisory Board (PAB)

In accordance with the requirements of the Public Service Pension Act 2013 and revised LGPS Regulations, at its February 2015 meeting Essex County Council established the Essex Pension Fund Advisory Board as its Local Pension Board.

Section 6 of the PAB's Terms of Reference stipulates:

The Board will undertake an annual review process to assess its performance with a view to seeking continuous improvement in the Board's performance. The first review will take place no later than 1 October 2016.

The Board will commence a review of its efficacy after the first 18 months to determine whether it is meeting the needs of EPF's stakeholders and in time for any changes to be made in May 2017.

The current arrangement of the Essex PAB complies with the legal requirement that there be an equal split of Employer and Member representatives. The appointment of an independent Chair is permitted by the PSPA 2013 and LGPS Regulations.

The chairing of the PAB is part of a reciprocal arrangement with the Norfolk Pension Fund. Under the arrangement Kevin McDonald, Director for the Essex Pension Fund, chairs the Norfolk equivalent of the PAB, while Nicola Mark, Head of the Norfolk Pension Fund, chairs the PAB.

At the meeting of the Pension Strategy Board held on 8 March 2017 the recommendations made following the review of the PAB were noted and agreed.

Other areas considered were:

- Reports on the work of the Essex Pension Fund Investment Steering Committee
- External Audit Programme of Work
- Reports from Internal Audit regarding the control environment of the Pension Fund and Administration
- Reports of the Pension Advisory Board
- Consultation on the Guaranteed Minimum Pensions (GMP) indexation and equalisation
- Year-end returns 2016/17 charging policy
- A review of the Governance Policy and Compliance Statement
- A review of the Communications Policy

6. Member Training

There is a firm commitment to training and development, with a view to ensuring that Members are able to fulfil their roles effectively.

Details of Members' attendance at Essex Pension Fund Boards and Investment Steering Committee meetings and training events (internal and

external) are monitored throughout the year and reviewed annually at the Strategy Board's July meeting.

Member training is predominately delivered within the Board meetings.

7. Three-Year Business Plan

The Strategy Board has developed a 3-year Business Plan which provides a high level summary of key work streams and feeds into more detailed annual business plans.

8. Awards

The Essex Pension Fund won the Pension Administration Award at the Pension Age Awards 2017.

Cllr Susan Barker
Chairman of the Essex Pension Strategy Board and of the ISC.
Portfolio holder for Culture, Communities and Customer
Essex County Council

Council Issues

1. Property Investments

At its July meeting the Cabinet is due to receive a report asking it to agree to establish a fund to invest in property in order to take a more balanced approach to investment. The size of the funds available for investment in property will be fixed by the Cabinet.

Property transactions need to be enacted quickly as the Council will be competing with other investors. It is proposed that the Cabinet Member for Resources is responsible for these investment decisions. In order to do this it is proposed to amend the constitution so that investment decisions are not key decisions and to make it clear that the Cabinet Member for Resources may take investment decisions, in consultation with the Leader. This requires changes to Financial Regulations.

Recommendations

- 1) That the paragraph 5.3.2 of the constitution be amended by adding a third exemption to the definition of a Key Decision by the addition of an additional sub-paragraph:

‘(iii) The purchase of property for the purpose of investment.’
- 2) That Financial Regulations 7.1.4 and 10 shall be amended to insert the underlined text

£2m and above but less than £5m	<p><u>For transactions relating to land acquired for operational purposes</u> the Cabinet Member with responsibility for Property Management (<i>following consultation with Executive Director as above and the Cabinet Member for Finance</i>)</p> <p><u>In the case of a property transaction for investment purposes rather than operational purposes</u> the Cabinet Member for Finance after consulting the <u>Leader</u></p>
£5m and above	<p><u>For transactions relating to land acquired for operational purposes</u> Cabinet (<i>following consultation with Cabinet Members as above and Executive Director as above</i>)</p> <p><u>In the case of a property transaction for investment purposes rather than operational purposes</u> the Cabinet or the Cabinet Member for Finance after consulting the <u>Leader</u></p>

- 3) That an additional paragraph be inserted in financial regulation 7.1.4 to read:

‘Where property is acquired for the purposes of investment the role of the Cabinet Member with responsibility for Property shall be discharged by the Cabinet Member for Finance. Any proceeds of sale of any investment may be reinvested in property by the Cabinet Member for Finance.’
and

- 4) In paragraph 14.6.6 of the constitution, the role of the Portfolio Holder, Resources, by the insertion of the following bullet point after the first sub point:

- Decisions about investment property (subject to prior consultation with the Leader on acquisition and sale decisions)

2. Cabinet Issues Report

Currently, paragraph 16.12.5 of the Constitution states that:

‘A Member may ask the Leader, Cabinet Member or Chairman of a committee any question on any report of the Cabinet or a committee when that item is under consideration by the Council.’

It is proposed that the format of the Cabinet Issues Report be revised and brought before Council for noting only. If Members wish to raise any question relating to Cabinet Issues then they may continue to raise it as an oral question.

Recommendation

That paragraph 16.12.5 of the Constitution, paragraph 16.12.5 be amended to:

‘A Member may ask the Leader, Cabinet Member or Chairman of a committee any question on any report of the Cabinet or a committee (other than a report which is for information only) when that item is under consideration by the Council.’

3. Appointments to Committees

The names of Members appointed to committees are approved at the Annual Meeting of Council. Currently, subsequent amendments must also be approved at a meeting of Council. This leads to unnecessary delay. It is proposed that authority for amendments to Members’ appointments to committees be delegated to the Director, Legal and Assurance. It is important to note that this is an administrative delegation only and will allow political

groups to change their appointments without the need to wait until a meeting of Council. The Council is required by law to give effect to the wishes expressed by political group leaders. Any use of this will be reported to Council for noting.

Recommendations

- 1) That the Delegations to the Director, Legal and Assurance as detailed in the Constitution, paragraph 15.3.10 be amended by addition of an additional sub-paragraph:

‘(xiii) To change the membership of any committee, substitute or appointment to an outside body in accordance with wishes expressed by the Leader of a political group.

PROVIDED THAT use of this delegated power authorise amendments of Members’ appointments to committees that are recommended subsequent to the Annual Meeting of Council.’

4. Scrutiny Committees

That the Constitution be amended throughout to show the internal Scrutiny Committees re-named to add the word ‘Policy’ to their titles.

Recommendation

- (1) That the Scrutiny Committees shall be re-named:
 - Corporate Policy and Scrutiny Committee,
 - People and Families Policy and Scrutiny Committee and
 - Place Services and Economic Growth Policy and Scrutiny Committee
 - Health Overview, Policy and Scrutiny Committee.
- (2) That the constitution shall be updated with the new names of the committees wherever they occur.

5. Changes to Call-in

At present the call-in procedure applies to all decisions taken by the Cabinet or a Cabinet Member, unless the decision is certified as urgent. Two changes are proposed

- (a) A change to the urgency process to align with the process for taking urgent key decisions. This is because at present the most urgent decisions require officers to follow two different urgency processes with different approvers - one to allow the decision to be taken without being on the forward plan and a second to exclude call in. It is proposed that in future the Chairman of the Corporate Policy and Scrutiny Committee will be able to take both decisions.

(b) It is proposed that there are some decisions which ought not to be subject to call-in because they are not substantive decisions affecting council services. These are:

- Making a recommendation to full Council - where all members will be able to participate in the debate and vote on the substantive decision.
- Going out to consultation - where there is no substantive decision, because any substantive decision will be taken later on.
- Responding to a consultation - where the Council is not the ultimate decision maker.
- Appointing individuals to roles – where this is the discretion of the decision maker.

It is important to note that even though call-in will not apply, there will be a full opportunity for Scrutiny to debate any such decision if it so wishes. It is also important to note that this will not affect substantive decisions.

Recommendation

That paragraph 20.15 (xix) of the Constitution be amended to read as follows:

(xix) The call-in procedure set out above does not apply where

- (a) The Chairman of the Corporate Policy and Scrutiny Committee or in their absence the Chairman of the Council or in the absence of both, the Vice Chairman of the Council agrees that it is in the interests of the Council for the decision to be implemented urgently.
- (b) The decision is to make a recommendation to full Council
- (c) The decision is to go out to consultation or to respond to a matter upon which the Council has been consulted; or
- (d) The decision is to appoint an individual to a particular role.

Decisions exempt from call-in on the grounds of urgency shall be reported to the next available meeting of the Council, setting out the decision and the reasons for urgency.

6. Joint Committees

The Council participates in five joint committees and it is proposed that in order to improve compliance with the Local Government Act 2000 we should include the terms of reference of these committees in the constitution.

The joint committees are:

- North Essex Parking Partnership (NEPP) Joint committee
- South Essex Parking Partnership (SEPP) Joint Committee
- ACCESS Pension Fund Pool Joint Committee
- South East Local Enterprise Partnership (SELEP) Accountability Board
- Essex Countywide Traveller Unit (ECTU) Joint Committee.

It is therefore proposed to include the terms of reference for these committees at paragraph 13.3.1 of the constitution as set out in the appendix to this report

Recommended

- 1) The penultimate paragraph in section 13.3 of the constitution be amended to read

The following joint committees exercise Executive Functions in accordance with their terms of reference as set out in Appendix 4 and the agreements currently in operation:

- the South Essex Parking Partnership Joint Committee;
 - the North Essex Parking Partnership Joint Committee;
 - the Essex Countywide Traveller Unit Joint Committee
 - the South East Local Enterprise Partnership Accountability Board
 - the ACCESS Pension Fund Pool Joint Governance Committee.
- 2) All bodies named in paragraph 13.3 to be included in the List of Approved Bodies shown as Appendix 3 to the constitution
 - 3) A new Appendix 4 of the constitution be created as appended to this report.

7. Change to Job Title of the Monitoring Officer

The individual appointed as Monitoring Officer at Council in May 2016 has recently been appointed to a new role within the Council. It is proposed that he will continue to act as the Council's Monitoring Officer as part of the new role. As a result it is necessary to update the list of statutory officers in paragraph 4.5 of the constitution.

Recommendation

That paragraph 4.5 of the constitution, Statutory Officers be amended such that the words 'Principal Lawyer (Governance)' be deleted and replaced with 'Director, Legal and Assurance.'

8. Number of Motions raised under the 'notice of motion' procedure at Council Meetings

At present paragraph 16.8.2 allows a maximum of 5 motions to be debated at each meeting. Subject to the discretion of the Chairman, each motion is allowed 35 minutes, making a total of 175 minutes available for motions.

Following discussion with the Constitution Working Group, the Leader recommends that the number of motions at each meeting be reduced to 4,

with 2 being allocated to the majority party and the remaining being allocated to opposition groups on a proportionate basis.

On current proportionality this would mean that each of the three opposition groups are allocated a motion at 2 out of every 3 meetings. Under the current rules, each group would be permitted to raise one motion at each meeting.

This proposal has been debated by the Constitution Working Group and is not supported by the leaders of the opposition political groups who regret the loss of motions allocated to them.

Recommendation

That paragraph 16.8.2 of the constitution be amended to read:

16.8.2 Notices of motion

Except for motions which may be moved without notice under paragraph 16.8.5 below, written notice of every motion must be delivered to the Chief Executive not later than 10:30am on the eleventh calendar day before the Council meeting.

Written notice must be signed by the Member intending to move the motion and at least one other.

Other than at the annual budget meeting for which no notices of motions shall be accepted, a maximum of four motions shall be accepted for debate at an Ordinary Meeting of the Council under this standing order.

The motions available at each meeting will be allocated annually by the Chairman in advance of the Annual Meeting in accordance with the following rules:

- (i) A group which has a majority of seats on the Council shall be allocated 2 motions at each meeting where motions are allowed.
- (ii) The remaining motions shall be allocated to other groups in proportion to the proportion of opposition seats held by that group. Where exact proportionality cannot be achieved the Chairman shall have regard to broad proportionality and to the number of motions received by a group in preceding years.

If any Group does not take its allocation of motions at a meeting there will be no reallocation to another Group.

If there are two or more independent members then they shall be considered as a group for the purposes of this rule only.

9. Appointments to Outside Bodies

The Scheme of Members Allowances includes a list of bodies to which the Council appoints members as its representative. Where a body is listed in the list, the Council will pay travel expenses to its appointed representative when undertaking the activities of the body.

The list of bodies is reviewed regularly. A revised list has been prepared, removing those bodies to which the Council no longer makes appointments and adding in new bodies where we do appoint.

The revised list is at appendix 2 to the Council Issues report.

Recommendation

That Appendix 3 of the Constitution is updated with the revised list at Appendix 2 of this report.

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Appendix 1 to Council Issues Report

(this will form a new Appendix 4 to the Constitution)

Appendix 4

Joint Committees and their Terms of Reference

For further information please contact Democratic Services

North Essex Parking Partnership Joint Committee

The Joint Committee is authorised to discharge the following functions within Braintree, Colchester, Epping Forest, Harlow, Tendring and Uttlesford districts:

1. Collection of charges for on street parking;
2. The administration of residents' parking schemes and the collection of charges for permits in those districts;
3. Issuing Penalty Charge Notices;
4. Deal with all correspondence, appeals, adjudication and representations to the Traffic Tribunal;
5. Take steps necessary to recover payments and charges due under these functions;
6. Immobilisation, removal, recovery, storage and disposal of vehicles in connection with the above activities;
7. Procurement and maintenance of signs and lines relating to on-street enforcement;
8. Determine the levels and nature of fees and charges in respect of on street car parking provisions in North Essex;
9. Establish and manage the cost of the operation incurred under the Joint Committee;
10. Decide how any surplus is re-invested in parking services;
11. Provide a forum to discuss strategic issues relating to parking across North Essex;
12. Provide a forum to review at a strategic level the success of the Joint Committee
13. Making relevant 'parking' traffic regulation orders (TRO) in accordance with the Traffic Management Act 2004 and the Road Traffic Regulation Act 1984 except where this falls within the remit of ECC in respect of safety, congestion and 'new build'.

South Essex Parking Partnership Joint Committee

The Joint Committee is authorised to discharge the following functions within Basildon, Brentwood, Castle Point, Chelmsford, Maldon and Rochford districts:

1. Collection of charges for on street parking;
2. The administration of residents' parking schemes and the collection of charges for permits in those districts;
3. Issuing Penalty Charge Notices;

4. Deal with all correspondence, appeals, adjudication and representations to the Traffic Tribunal;
5. Take steps necessary to recover payments and charges due under these functions;
6. Immobilisation, removal, recovery, storage and disposal of vehicles in connection with the above activities;
7. Procurement and maintenance of signs and lines relating to on-street enforcement;
8. Determine the levels and nature of fees and charges in respect of on street car parking provisions in North Essex;
9. Establish and manage the cost of the operation incurred under the Joint Committee;
10. Decide how any surplus is re-invested in parking services;
11. Provide a forum to discuss strategic issues relating to parking across North Essex;
12. Provide a forum to review at a strategic level the success of the Joint Committee
13. Making relevant 'parking' traffic regulation orders (TRO) in accordance with the Traffic Management Act 2004 and the Road Traffic Regulation Act 1984 except where this falls within the remit of ECC in respect of safety, congestion and 'new build'.

Essex Countywide Travellers Unit

1. The Joint Committee shall exercise the following functions;
2. The Joint Committee shall be responsible for:
 - 2.1 Overseeing the provision of the baseline services namely:
 - 2.1.1 **Ensuring fire safety on all sites by:**
 - a. Providing advice and guidance on all sites in respect of fire safety including helping to facilitate any on site sessions the Essex County Fire and Rescue Service might wish to undertake.
 - b. Undertaking Site Fire Safety Inspections to assess particular fire risks and how these can be mitigated.
 - c. Undertaking Home Fire Safety Visits to assess particular fire risks and how these can be mitigated
 - 2.1.2 **Improving educational outcomes by ensuring access and take up of pre-school and compulsory education by:**
 - a. Identifying children and young people of pre and compulsory school age living on sites, checking that they are registered in pre-school/school and are attending regularly.
 - b. Working with appropriate departments in partner agencies to deal with any issues and provide support to ensure school attendance.
 - 2.1.3 **Improving education outcomes by facilitating access to further education, Vocational training and other learning opportunities by:**

- a. Identifying any other individuals who have a learning need/wish to improve their skills.
- b. Providing support and practical help to enable individuals to access suitable educational provisions.
- c. Working with partner agencies to undertake targeted initiatives or on site work.

2.1.4 Increasing the number of individuals registering with a GP practice, particularly those with long term conditions by:

- a. Identifying individuals with long term conditions and facilitating access to primary and specialist health services with a focus on attaining permanent registration with a GP practice.
- b. Work with communities and GP practices to foster links, increase understanding and encourage individuals to register with a GP practice.

2.1.5 Working with health partners to develop and promote specific interventions namely: Immunisation, accident prevention, stopping smoking, alcohol awareness, health checks, access to antenatal care, access to dental services, introduce the Health Champions scheme.

2.1.6 To improve the knowledge of, access to, and take up of social care support for carers by

- a. Identifying individuals with an unmet need and referring for an assessment
- b. Facilitating links between the assessor and participant during the assessment if required
- c. If the outcome of the assessment is negative, continuing to provide a point of contact if further assistance/assessment is required.

2.1.7 Addressing the following priority areas: Management of ECC owned sites remain the Councils responsibility however ECTU will address the following priority areas. Despite these areas being addressed by ECTU all final responsibility and decisions remain with the Council.

- a. ECTU are responsible for rent and arrears collection across all sites.
- b. ECTU are responsible for collecting charges and arrears for the direct supply of electricity that has been supplied to sites. ECTU plan to introduce a direct water supply to sites and when this occurs will be responsible for collecting charges and arrears in respect of the same.
- c. ECTU are responsible for routine site maintenance
- d. ECTU are responsible for addressing fly-tipping

2.1.8 Dealing with unauthorised encampments

2.2 Agreeing future Annual Business Plans for the Joint Committee;

2.3 Agreeing all new, or revised, strategies and processes for the implementation of the Partner Authorities' and Chief Constable's policies (such as enforcement);

- 2.4 Agreeing the level of service provision through the annual budget setting process and as set out in this Agreement;
- 2.5 Annually agreeing the level of fees and charges pertaining to the Joint Committee (to be proposed to each Partner Authority's and Chief Constables appropriate decision-making body for final approval as appropriate);
- 2.6 Agreeing an annual budget proposal to be submitted to each Partner Authority's and Chief Constables appropriate decision making body for final approval;
- 2.7 Making decisions relating to the use of funding of end of year deficits and surpluses;
- 2.8 Approving an Annual Report to be made available to the Partner Authorities and Chief Constable; and
- 2.9 Reviewing this agreement at the annual meeting held after 1 April in any year.
- 2.10 Such other functions as the Authorities may from time to time delegate to the Joint Committee with the written agreement of the Joint Committee.
3. The Joint Committee may not delegate the functions referred to in paragraph 2 above;
4. The Joint Committee will not have responsibility for staffing decisions but the Authorities and Council agree that the appointment of a replacement for the Unit Manager will be carried out in consultation between all Authorities and an officer from each of the Authorities shall be invited to take part in the recruitment process if they choose to do so.

Accountability Board of the South East Local Enterprise Partnership

1. The Joint Committee shall exercise and be responsible for:
 - 1.1 the implementation of the Partnership's Accountability and Assurance framework and the all the processes by which bids are assessed, risks considered, approvals made and performance managed
 - 1.2 appraisals and approvals of grants and loans, in accordance with the SELEP Strategic Board recommendations
 - 1.3 monitoring project assessment and delivery
 - 1.4 ensuring accountability from each of the federated areas relating to expenditure and programme delivery
 - 1.5 approving variations to schemes
 - 1.6 quarterly performance reporting on the exceptions basis to the SELEP Strategic Board
 - 1.7 reporting on progress to central government
 - 1.8 any other accountability or assurance function required by central government or recommended by the Accountable Body's auditors or the S.151 Officer of the Accountable Body

- 1.9 approving an Annual report to be made available to the Partner Authorities
 - 1.10 agreeing all new, revised processes, including the Assurance Framework
3. The Joint Committee may perform such other functions as the Partner Authorities from time to time delegate to the Joint Committee with the written agreement of the Joint Committee.

ACCESS Pension Fund Pool Joint Committee in respect of Pensions

Part 1 Functions in relation to the Operator

- 1. **Specifying Operator services:** Deciding, in consultation with the Councils, the specification of services and functions that the Operator will be required to deliver including the sub-funds and classes of investments required to enable each Council to execute its investment strategy.
- 2. **Procuring the Operator:** agreeing the method and process for the procurement and selection of the Operator.
- 3. **Appointing the Operator:** Making a recommendation to the Councils as to the identity of the Operator and the terms upon which the Operator is to be appointed.
- 4. **Reviewing the Performance of the Operator:** Keeping the performance of the Operator under constant review and making arrangements to ensure that the Joint Committee is provided with regular and sufficient reports from the Officer Working Group to enable it to do so including but not limited to:
 - 4.1 the performance of the Operator against its contractual requirements and any other performance measures such as any Service Level Agreement (SLA) and key performance indicators (KPIs) and Officer Working Group recommendations on any remedial action;
 - 4.2 sub-fund investment performance;
 - 4.3 investment and operational costs including the annual review of investment manager costs;
 - 4.4 performance against the strategic business plan agreed by the Councils.
- 5. **Managing the Operator:** The Joint Committee shall:
 - 5.1 Make recommendations to the Councils on the termination or extension of the Operator Contract and
 - 5.2 Make decisions about any other action to be taken to manage the Operator Contract including the giving of any instruction or the making of any recommendation to the Operator including but not restricted to recommendations on investment managers (within any regulatory constraints that may apply).
- 6. **Appointment of Advisers**

- 6.1 The Joint Committee may appoint such professional advisers on such terms as it thinks fit. Any procurement of advisers must comply with the constitution of the Authority designated to undertake the procurement and that Authority will enter into a contract with the appointed adviser on behalf of the Authorities.
- 6.1 The Joint Committee may appoint such professional advisers on such terms as it thinks fit. Any procurement of advisers must comply with the constitution of the Authority designated to undertake the procurement and that Authority will enter into a contract with the appointed adviser on behalf of the Authorities.
- 6.2 The Joint Committee shall decide which tasks shall be performed by the Client Unit and which Council shall manage the Client Unit including the employment arrangements for employees in the Client Unit.

Part 2 Functions in relation to management of Pool Assets

7. The Joint Committee shall make recommendations to the Councils on the strategic plan for transition of assets that are to become Pool Assets.

Part 3 Functions Concerning Pool Aligned Assets

8. Making recommendations to the Councils about Pool Aligned Assets (including proposals concerning the migration of investments-such as passive investments via life fund policies-to become Pool Aligned Assets) in accordance with this Agreement or any other delegation to the Joint Committee by the Councils.

Part 4 Functions concerning Business Planning and Budget

1. Make recommendations to the Councils about the annual strategic business plan for the Pool
2. Determine the budget necessary to implement that plan and meet the expenses of undertaking the Specified Functions (insofar as they will not be met by individual transaction costs paid by Councils to the Operator) in accordance with Schedule 5 hereof.
3. Keep the structures created by this Agreement under review from time to time and make recommendations to the Councils about:
 - 3.1 the future of the Pool;
 - 3.2 any changes to this Agreement; and
 - 3.3 as to the respective merits of continuing to procure operator services by means of a third party or by creation of an operator owned by the Councils.
4. The Joint Committee is required to commence the first review of this Agreement by the second anniversary of its first meeting.

- 5. The Joint Committee is required to undertake a review of the Pool and this Agreement:
 - 5.1 to be completed 18 months before the expiry of each and every Operator Contract including as a result of the exercise of any option to terminate the Operator Contract;
 - 5.2 whenever a Council gives notice of withdrawal under clause 12 of this agreement

Appendix 2 to Council Issues Report

This will replace the current Appendix 3 to the Constitution

Abberton Rural Training

ACCESS Pension Fund Pool Joint Committee

Active Essex Foundation

Adoption Panel North

Adoption Panel South

Adoption Panel West

Age UK Essex

Ann Johnson's Educational Foundation

AONB Suffolk Coast and Heath Advisory Committee

Bancroft School

Basildon and Brentwood CCG

Basildon and Thurrock University Hospital NHS Foundation Trust

Basildon Bus Forum

Billericay Educational Trust

Bradwell Local Community Liaison Committee

Bradwell Quarry Liaison Group

Bulls Lodge Liaison Group

Canewdon Charities

Castle Point and Rochford CCG

Civilian Military Partnership Board

Chelmsford Children's Centre Partnership Group

Chelmsford Educational Foundation

Chelmsford Youth Strategy Group

Coastal Renaissance Partnership Board (CRPB)

Colchester Hospital University Trust (formerly) Essex Rivers NHS Foundation Trust - Members Council

County Councils Network (CCN)

Crouch Harbour Advisory Committee

Crumps Farm Liaison Group

Danbury Lakes Country Park Forum

Dedham Vale AONB and Stour Valley Joint Advisory Committee

Earls Colne and Halstead Educational Charity

East of England - Energy Group (Observer)

East of England LGA (EELGA) Assembly

East of England LGA Employment and Skills Panel

East of England Regional Transport Forum

Epping and Theydon Garnon Joint Charities

Epping Forest Locality Panel

Essex Association of Local Councils

Essex Cares limited

Essex Coastal Forum

Essex Countywide Traveller Unit (ECTU) Joint Committee.

Essex Local Highways Panel - Basildon

Essex Local Highways Panel - Braintree

Essex Local Highways Panel - Brentwood

Essex Local Highways Panel - Castle Point

Essex Local Highways Panel - Chelmsford

Essex Local Highways Panel - Colchester

Essex Local Highways Panel - Epping Forest

Essex Local Highways Panel - Harlow

Essex Local Highways Panel - Maldon

Essex Local Highways Panel - Rochford

Essex Local Highways Panel - Tendring

Essex Local Highways Panel - Uttlesford

Essex Partnership Steering Group

Essex Partnership University Foundation Trust

Essex Rural Partnership

Essex Waterways Ltd: Chelmer and Blackwater Navigation

Fawbert and Barnard's Educational Foundation

Feering and Kelvedon Local History Museum

Fire Authority

Firstsite

Fitch and Mott Trust

Fostering Panel - Mid

Fostering Panel - North East 1 & 2

Fostering Panel - South

Fostering Panel - West

Gosling Education Foundation

Grange Farm Centre Trust

Great and Little Leighs Educational Charity (British School, Great Leighs)

Great Notley Country Park Joint Partnership Board

Harlow College of Further Education Corporation

Harlow Strategic Partnership for Educational Attainment

Hatfield Forest National Trust Local Committee - Management Committee

Haven Gateway Partnership

IGNITE Enterprise Centre at Braintree

Kent and Essex Inshore Fisheries and Conservation Authority

King Edward VI School at Chelmsford (Foundation) V.C.

Lee Valley Regional Park Authority

Leverton Educational Foundation

LGA - Executive Board

LGA - General Assembly

LGA City Regions Board

Local Children's Partnership Board - Mid Essex

Local Children's Partnership Board - North East Essex

Local Children's Partnership Board - South East Essex

Local Children's Partnership Board - South West Essex

Local Children's Partnership Board - West Essex

Local Strategic Partnership - Basildon

Local Strategic Partnership - Chelmsford

Local Strategic Partnership - Epping Forest

Local Strategic Partnership - Harlow 20/20

Local Strategic Partnership - Rochford

Local Strategic Partnership - Uttlesford

Local Strategic Partnership - Castle Point

Locality Board - Braintree

Locality Board - Epping Forest

Locality Board - Maldon

Locality Board - Tendring

Locality Board - Uttlesford

Mid Essex CCG

National Association of Areas of Outstanding Natural Beauty

North East London Joint Health Overview and Scrutiny Committee

North Essex CCG

North Essex Mental Health Partnership Trust

North Essex Parking Partnership (NEPP)

Partnership Member Board - Waste

Princess Alexandra Hospital NHS Foundation Trust

Regional Flood & Coastal Committee Anglian (Central)

Regional Flood & Coastal Committee Anglian (Eastern)

Regional Flood & Coastal Committee Thames

Reserve Forces and Cadets Association for East Anglia (East Anglia RFCA)

Rural Community Council of Essex (RCCE)

Safer Essex

Saffron Walden Museum Society

Saffron Walden Town Library Society

South East Local Enterprise Partnership (SELEP) Accountability Board

South Essex Parking Partnership (SEPP)

Southend Airport Consultative Committee

Southend University Hospital NHS Foundation Trust

Standing Advisory Committee for Religious Education (SACRE)

Stansted Airport Community Trust

Stansted Airport Consultative Committee

Thames Estuary 2100 Strategic Programme Board

Thames Gateway South Essex Partnership

The Plume Educational Trust

Thomas Plume's Library

Transport Routes Appeal Panel

Visit Essex Board

West Essex Clinical Commissioning Group

Youth Strategy Group - Basildon

Youth Strategy Group - Braintree

Youth Strategy Group - Brentwood

Youth Strategy Group - Castle Point

Youth Strategy Group - Chelmsford

Youth Strategy Group - Colchester

Youth Strategy Group - Epping Forest

Youth Strategy Group - Harlow

Youth Strategy Group - Maldon

Youth Strategy Group - Rochford

Youth Strategy Group - Tendring

Youth Strategy Group - Uttlesford

The Leader's Report of Cabinet Issues

To Leader for comments/approval 21/6

This report details the main issues considered by the Cabinet at its meetings on 23 May and 20 June 2017.

The Essex Organisation Strategy and the Waste Local Plan have also been considered by the Cabinet, and are the subject of separate items on the agenda for this meeting.

1. Installation of LED Street Lighting Phase 3

Following a successful pilot undertaken by the Council in 2015/2016 to evaluate the use of LED street light technology, work began to convert the 19,292 lights in the County which are currently lit all night. The Cabinet has agreed to implement a further phase of this project, focussing on the high wattage lights which are subject to part night lighting, at a cost of £9.1m. The work will be commissioned from Ringway Jacobs Ltd (RJ), in accordance with the existing long term highways partnership agreement, and authority to agree the technical specification and to issue an order to RJ has been delegated to the Director, Highways and Transportation.

This phase of the project will commence in September 2017, for completion in January 2019. The entire project is expected to save the Council an estimated £21.7m in energy, maintenance costs and carbon tax reduction over 20 years, and to generate other non-financial benefits, including a reduction in carbon emissions.

2. 2016-17 Provisional Outturn Report

The Cabinet has received a commentary upon and noted the provisional outturn position for 2016/17 prior to formal closure of the accounts. An over spend on revenue of £3.785m was reported, after adjusting for proposals to carry forward under spends for use in 2017/18 and other reserve movements. This was a slight improvement on the position reported at the Third Quarter stage.

An over spend on capital of £1.435m against the final approved budget of £224.614m was also reported.

The Cabinet noted that changes to the current position may follow as a result of the external audit of the Council's 2016/17 Statement of Accounts, due to be carried out during the summer. The results of the external audit will be reported to the Audit Committee on 18 September 2017, at which stage the Committee is expected to approve the 2016/17 Statement of Accounts for publication.

3. Supported Living Scheme in Braintree

In 2013, a Concordat placed additional responsibilities on local authorities and clinical commissioning groups to reduce the number of people with learning disabilities and/or autism inappropriately placed in long term hospital placements. Related to this, the Council is part of a 'Transforming Care' partnership comprising clinical commissioning groups and local authorities in Essex, Southend and Thurrock, which has a clear target for reducing the number of people in hospital. In response to this target, the Council has purchased two properties situated next to each other in Braintree to provide housing for ten adults with learning disabilities and/or autism with behaviours that can be challenging.

In order to secure the care, support and housing management for this supported living scheme, the Cabinet has approved the procurement of a contract by inviting bids from care and support providers who can partner with housing organisations. The contract will commence on 1 November 2017 for a duration of five years, with the potential to extend for a further two years.

4. Review of Falls Service

The Cabinet has agreed to decommission the falls prevention service as soon as possible.

The Service is not mandatory and has been found not to be delivering the level of benefits originally anticipated. This, coupled with a reduction in public health grant receivable from the Department of Health and the need to respond to pressures in other areas, has made it essential to review current service provision. As the notice periods for early termination of the relevant contracts vary between 6 and 12 months, this will allow sufficient time to work with partners to develop a redesigned model of service provision.

Councillor David Finch
Leader of the Council



Essex Fire Authority

Report to the Constituent Authorities of the meetings on 14 and 28 June 2017

The items reported below are the main issues considered by Essex Fire Authority at its meetings on 25 April, 14 June and 28 June 2017. Full details of all the matters considered, together with the minutes of the meetings, can be viewed on the Essex County Fire and Rescue Service website, www.essex-fire.gov.uk.

1. Chief Fire Officer

Following a robust process in compliance with the law in relation to statutory officers, the Authority has agreed to dismiss the Chief Fire Officer, Mr David Johnson, on grounds of gross misconduct with effect from 25 April 2017. As it relates to the personal circumstances of the former Chief Fire Officer, it is not possible to provide any further information about this issue.

2. Chairman and Vice-Chairman

The Authority has elected County Councillor Anthony Hedley as its Chairman and Southend Borough Councillor Ann Holland as its Vice-Chairman for the Municipal Year 2017/18.

3. Membership of the Authority

The Authority has welcomed a number of new members appointed by the Constituent Authorities, in particular following the Essex County Council elections in May 2017 and in the light of a by-election and other political changes at Southend Borough Council.

The political make-up of the Authority is now as set out below:

Group	Members
Conservative	18
Labour	2
Liberal Democrat	2
Non-aligned	3
Total	25

The Authority has also agreed appointments to membership of its committees and other key Member roles, and approved the calendar of meetings for the forthcoming year.

4. Annual Performance Report

The Authority received a report and presentation providing them with an overview of the Service's performance over the financial year 2016-2017.

Members noted the performance and commentary against the targets established for the Service for 2016-17. The outcome headlines highlighted that there had been a 13% increase in attendance at incidents. All three incident classifications of Fire, Special Services and False Alarms, had seen an increase in the period 2016/17 over the previous reporting year. Members noted the performance against targets in the areas of prevention, protection, response, people and leadership and public value and collaboration.

Members raised a number of concerns with regard to appliance availability, particularly relating to stations which were moving to on-call under the 2020 programme and where there had been issues with the recruitment and retention of on-call fire-fighters. There were also concerns raised regarding the future direction of the service with regard to any outcomes that may come out of the Grenfell Tower Fire inquiry.

Members requested more detailed information on a number of targets and it was agreed that a revised report would be considered by the Audit, Governance and Review Committee which would set performance targets for 2017-18. The more detailed report and performance targets for 2017-2018 would be considered by the Authority at its next meeting on 6 September 2017. The Finance Director and Treasurer also undertook to meet with Cllr Henderson outside of the meeting to review the figures for the number of leavers and joiners relating to on-call recruitment.

5. Staff Survey Outputs

The Authority has received a presentation on the results of the annual Make Some Noise Employee Engagement Survey carried out in March 2017, the third such survey to be conducted.

Members noted that 582 employees completed the survey which equated to 42% of the workforce, a one point increase on 2016.

The overall engagement score was 68%, calculated based on the results of questions relating to pride, endeavour, advocacy and care. This was a five point increase on the result in 2016.

The Authority received information on the survey results, which had been analysed by People Insight (the independent survey provider). The presentation outlined the top 10 results, the questions with the most positive responses, the greatest improvements since 2016 and the greatest declines since 2016.

Members noted that there was a variation in results based on length of service, with those responders who had been at Essex County Fire and Rescue Service

over 10 years having a lower overall engagement score and fewer of them feeling that follow up action would be taken following the survey results.

Members noted the analysis regarding focussing improvement on the key drivers of engagement. Some of the comments made regarding the best things about working for the service were highlighted, along with some comments on the one thing responders would change about the service.

The Authority noted the potential action areas highlighted which included celebrating and maintaining the improvement in engagement, prioritising the pace of change and management effectiveness and leadership and investigating why people believe that action has not been taken since the last survey.

Members considered that there was still work to do regarding improving the number of responders to the survey, on engagement and relating to diversity and inclusion.

**Councillor Anthony Hedley
Chairman**

