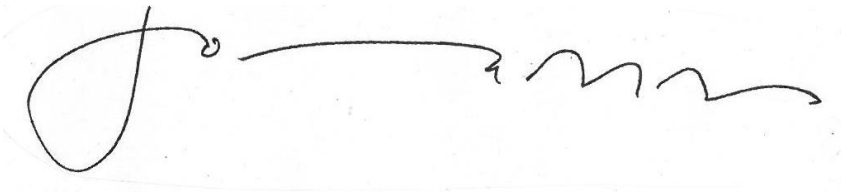


# Summons

To all Members of  
Essex County Council

You are hereby summoned to attend the meeting of the County Council to be held in the Council Chamber at County Hall, Chelmsford at 10:00 on Tuesday, 11 December 2012 to deal with the business set out in the following Agenda

The meeting is scheduled to end by 1:30 pm.



**Joanna Killian**  
Chief Executive

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**Officer Support to the Council:** Andy Gribben, Governance Officer  
**Telephone:** 01245 430044  
**Email:** [andy.gribben@essex.gov.uk](mailto:andy.gribben@essex.gov.uk)

This meeting is open to the public and the press.

The agenda is available on the Essex County Council website, [www.essex.gov.uk](http://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 can be provided on request in alternative formats such as large print, Braille and on disk.





# Agenda

## **Business to be conducted at the meeting on Tuesday, 11 December 2012**

The meeting will be preceded by Prayers led by Father Neil Brett, Assistant Priest at St James the Less and St Helen Church Colchester.

		<b>Page</b>
<b>1</b>	<b>Apologies for Absence</b>	
<b>2</b>	<b>Declarations of Interest</b> To note any declarations of interest to be made by Members	
<b>3</b>	<b>Confirmation of the minutes of the meeting held on 16 October 2012</b>	<b>5 - 26</b>
<b>4</b>	<b>Chairman's Announcements and Communications</b>	
<b>5</b>	<b>Receipt of petitions and deputations (if any)</b>	
<b>6</b>	<b>Executive Statements</b>	
<b>7</b>	<b>Motions (standing order 16.10.2)</b> <ul style="list-style-type: none"><li>• Boosting Economic Recovery in Essex</li><li>• Lord Hanningfield's Credit Card Claims 2005 - 2010</li><li>• Energy co-operatives</li><li>• Essex Education</li></ul>	<b>27 - 28</b>
<b>8</b>	<b>Statement of Community Involvement</b>	<b>29 - 82</b>
<b>9</b>	<b>Essex Minerals Local Plan</b>	<b>83 - 106</b>
<b>10</b>	<b>The Joint Health and Wellbeing Strategy</b>	<b>107 - 138</b>

<b>11</b>	<b>To receive the Corporate Parenting Panel Annual Report</b>	<b>139 - 144</b>
<b>12</b>	<b>To receive a report of Cabinet Issues</b> <ul style="list-style-type: none"> <li>• from the meeting of 30 October 2012</li> <li>• from the meeting of 7 December 2012 (to follow)</li> </ul>	<b>145 - 150</b>
<b>13</b>	<b>To receive a report of Overview and Scrutiny Issues</b>	<b>151 - 154</b>
<b>14</b>	<b>Questions (Standing Order 16.11)</b> <p>a) Oral questions of the Leader, Cabinet Members or the chairman of a committee upon any matter relevant to the business of the Council</p> <p>b) Written questions (Standing Order 16.11.3)</p> <p>c) Oral questions of the representative of the Essex Police Authority on any matter relevant to the business of that Authority prior to it ceasing to exist on 22 November 2012</p> <p>The report of the Authority's meeting held on 5 November 2012 is shown below</p> <p>d) Oral questions of the representative of the Essex Fire Authority on any matter relevant to the business of that Authority.</p>	
<b>14(c)</b>	<b>Essex Police Authority report 22 November 2012</b>	<b>155 - 158</b>

# Minutes of a meeting of Essex County Council held at County Hall, Chelmsford on 16 October 2012

## Present

Chairman: Councillor K Twitchen

Vice-Chairman: Councillor N Hume

## Councillors:

J F Aldridge	M Garnett	Mrs V Metcalfe
B Aspinell	R G Gooding	Mrs M A Miller
Mrs S Barker	C Griffiths	D Morris
L Barton	I Grundy	A Naylor
R L Bass	Mrs E M Hart	J W Pike
J Baugh	Mrs T M A Higgins	C C Pond
K Bentley	Mrs S Hillier	Mrs I Pummell
R G Boyce	R C Howard	Mrs J M Reeves
A Brown	A J Jackson	C G Riley
G Butland	E C Johnson	J Roberts
R Callender	J G Jowers	D C F Robinson
S C Castle	D J Kendall	S Robinson
R P Chambers	J Knapman	Mrs T L Sargent
P Channer	M C M Lager	J M Schofield
Mrs T M Chapman	D Louis	M Skeels
J A Deakin	J R Lucas	Mrs A Turrell
W J C Dick	G W McEwen	S M Walsh
J Dornan	M Mackrory	Mrs E A Webster
T Durcan	R A Madden	Mrs M J Webster
N D C Edey	P J Martin	Mrs J H Whitehouse
D Finch	S Mayzes	B Wood
M D Fisher	L Mead	J A Young

**1. Apologies for Absence**

Apologies for absence were received on behalf of Councillors S Candy, A M Hedley, G Mitchinson, M J Page, R A Pearson and R G Walters.

**2. Declarations of Interest**

Councillor S M Walsh declared an interest in respect of item 8 – Motions, as his wife is employed by the European Union and Councillor G Butland declared an interest in respect of item 8 – Motions, as a Braintree District Councillor and in respect of item 10 – Council Issues, as the District Council's representative on the Essex Police and Crime Panel.

**3. Minutes of the meeting held on 10 July 2012****Resolved:**

That the minutes of the meeting held on 10 July 2012 be approved as a correct record and signed by the Chairman.

**4. Minutes of the special meeting held on 4 September 2012****Resolved:**

That the minutes of the special meeting held on 4 September 2012 be approved as a correct record and signed by the Chairman.

**5. House fire in Harlow**

The Chairman on behalf of the Council expressed condolences for the family and friends of Dr Abdul Shakoor who's wife Dr Sabah Usmani and children had died in a house fire in Harlow. She also congratulated the Fire and Rescue Services for their prompt action in attending the fire. Members stood in silence as a mark of respect for the deceased.

**6. Duke of Edinburgh Operating Licence**

The Chairman received on behalf of the Council a presentation of the new Duke of Edinburgh Operating Licence from the Director for South East England, Mr Christian Scott. Members were advised that centres in Essex in the last three years had offered between 4,500 and 5,000 opportunities for young people to engage in activities arranged through the Duke of Edinburgh Scheme..

**7. Local Democracy Week**

Members of the Council were urged by the Chairman to support the activities taking place during Local Democracy Week.

**8. Anglia in Bloom Awards**

The Chairman congratulated Halstead on being the Town Category Gold Winner 2012 in the Anglia in Bloom Awards. Next year Halstead would compete for the Royal Horticultural Society award of 'Champion of Champions'.

**9. The Corporate Communications Team**

The Chairman on behalf of the Council congratulated the Corporate Communications Team, Strategic Services, who had recently won four gold awards and one silver award at the Chartered Institute of Public Relations Pride Awards. One of the four gold awards was to Michael Page who was named 'Young Communicator of the Year'.

**10. Joanna Killian, Chief Executive nominated as Chairman of SOLACE**

The Chairman congratulated Joanna Killian, Chief Executive, on being nominated by her peers as Chairman of the Society of Local Authority Chief Executives (SOLACE). Her absence from this meeting of Council was due to her being present at SOLACE to accept the nomination.

**11. Presentation of Olympic Torch**

The Chairman was pleased to receive on behalf of the Council, from Councillor Castle, Cabinet Member for Education, Lifelong Learning and the 2012 Games, a presentation of an Olympic Torch that had been borne around the Olympic Mountain Biking Course at Hadleigh Castle prior to the 2012 Olympic Games. He asked Members to note that it was estimated that approximately half of the population of Essex had attended the events around the County prior to the Games and to honour the Essex Olympians and Para-Olympians and he congratulated the Essex Legacy Team who had been named as 'Team of the Year' in the 'You Make the Difference in Essex Awards'.

**12. Presentation of petitions**

The Chairman formally received petitions relating to;

- Traffic calming measures in Hawthorn Road, Gt. Clacton, Essex presented by Councillor Skeels and

- Complete reconstruction of the carriageway in Burney Drive, Loughton, presented by Councillor Pond.

### **13. Executive Statements**

The Leader of the Council delivered a statement regarding the proposal being put forward by Essex as one of the four pilot areas nationally for the Whole Essex Community Budget Programme.

In accordance with the agreed procedure, Councillor Mackrory responded as Deputy Leader of the Opposition. The Leader of the Council replied to the matters raised by Councillor Mackrory and then, subsequently, to questions put by other members of the Council.

The statement was received.

### **14. Motion 1: Reducing Red Tape and Financial Burdens for our residents and businesses**

It was moved by Councillor D Finch and seconded by Councillor D Louis that

‘This Council believes that the red tape, regulations and laws emanating from the EU are a serious barrier to the Council’s Economic Growth Strategy as they add significant costs to Essex families and businesses, and that the EU should take immediate action to reduce these costs.

This Council finds the EU’s demands for an increase in its budget outrageous, particularly at a time when the public, including our residents and businesses, are facing significant austerity measures. This Council believes that hard-pressed taxpayers in Essex already pay far too much to the EU and that it should significantly reduce its budget to reduce the pressure on families and businesses in Essex and elsewhere.

This Council does not support any closer political integration or the transfer of further powers both of which will force even more red tape, regulations and laws on Essex’s residents and businesses.

We therefore call upon the County’s MPs and MEPs to encourage the Government and the EU:

- to reduce significantly the UK’s contributions to the EU and redirect that money back to the people of the UK, including Essex residents and businesses,
- to reduce significantly the overall size of the EU budget,
- to accelerate rapidly the removal of bureaucratic burdens from the EU on businesses and residents,



- to transfer no further powers to the EU without the consent of the British people through a referendum.'

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

'This Council believes that the red tape, regulations and laws emanating from the EU and often added to by Whitehall are a potential barrier to the Council's Economic Growth Strategy and therefore welcomes the action proposed by the European Commissioner for Industry on 1 October 2012 to reduce these costs.

This Council will respond to the Commission's consultation on reducing red tape with proposals that will help businesses in Essex and elsewhere.

This Council welcomes the recent votes against a budget increase, led by Committee Vice-President George Lyon, Liberal Democrat MEP, and the cuts agreed to the Parliament's own budget. This Council notes that any increase will only come about if other Member States support it.

The public, including our residents and businesses, are facing significant austerity measures. This Council believes that hard-pressed taxpayers in Essex will benefit from savings in the EU budget from Agriculture spending cuts but that these could go very much further, and could further save money by abandoning the monthly Parliamentary move to Strasbourg, to reduce the pressure on families and businesses in Essex and elsewhere.

This Council believes that Essex taxpayers would be pleased to note that the UK's net contribution to the EU is only 25p per person per day, a small fraction of what they pay to this Council.

This Council agrees with Prime Minister David Cameron that Britain should be an active member of the European Union but does not support any closer political integration or the transfer of further powers if it would force even more red tape, regulations and laws on Essex's residents and businesses.

We therefore call upon the County's MPs and MEPs to encourage the Government and the EU:

- to reduce significantly wasteful spending including on agriculture and Strasbourg sessions
- to co-operate with Commission plans for the removal of bureaucratic burdens from the EU on businesses and residents
- to transfer no further powers to the EU without the consent of the British people through a referendum.'

Upon being put to the meeting the amendment to the motion was declared to be lost.

Prior to the motion being put, ten Members demanded a division by name by standing in their places.

The motion having been put it was declared to be carried by 55 votes for and 11 against with two abstentions.

Those voting for the Motion were Councillors:

J F Aldridge	C Griffiths	D Morris
Mrs S Barker	I Grundy	A Naylor
R L Bass	Mrs E M Hart	J W Pike
J Baugh	Mrs S Hillier	C C Pond
K Bentley	R C Howard	Mrs I Pummell
R G Boyce	N Hume	Mrs J M Reeves
A Brown	A J Jackson	C G Riley
G Butland	E C Johnson	J Roberts
R Callender	J G Jowers	D C F Robinson
S C Castle	J Knapman	Mrs T L Sargent
R P Chambers	M C M Lager	J M Schofield
P Channer	D Louis	M Skeels
Mrs T M Chapman	J R Lucas	K Twitchen
W J C Dick	G W McEwen	S M Walsh
J Dornan	R A Madden	Mrs E A Webster
N D C Edey	P J Martin	Mrs M J Webster
D Finch	S Mayzes	B Wood
M Garnett	L Mead	
R G Gooding	Mrs V Metcalfe	

Those voting against the Motion were Councillors:

B Aspinell	Mrs T M A Higgins	S Robinson
L Barton	D J Kendall	Mrs A Turrell
J A Deakin	M Mackrory	Mrs J H Whitehouse
M D Fisher	Mrs M A Miller	

Councillors T Durcan and J A Young abstained.

**Motion 2: To examine the feasibility of extending the concessionary travel scheme**

It was moved by Councillor M Mackrory and seconded by Councillor D Kendall:

‘Council recognises that young unemployed people are particularly disadvantaged by the current economic situation and that they deserve extra support to move onto the first steps to permanent employment.

Council notes and supports the £1 billion Youth Contract Scheme – launched by the Coalition Government - that opens up various opportunities for young people.

Council further acknowledges that the cost of transport to Job Centres, Job Interviews, Work Experience and Apprenticeships can be a real barrier to young people.

Council, therefore, requests the Cabinet Member responsible to examine the feasibility of extending the concessionary travel scheme to include 18-24 year olds in receipt of Job Seekers Allowance or undertaking apprenticeships, and to report back to Council within 3 months. Would he further consider reintroducing the ‘BITE’ card for 14-18 year olds?’

It was moved by Councillor D Finch, Deputy Leader of the Council and seconded by Councillor S C Castle, Cabinet Member for Education, Lifelong Learning and the 2012 Games that the Motion be amended to read as follows:

‘Council recognises that young unemployed people are particularly disadvantaged by the current economic situation and that they deserve support to move onto the first steps to permanent employment.

Council acknowledges that the cost of transport to Job Centres, Job Interviews, Work Experience and Apprenticeships can be a real barrier to young people and applauds the considerable amount of work that ECC is already doing to support young people in this area.

Council, therefore, requests the Cabinet Member responsible to ask the Economic Development, Environment and Highways Policy and Scrutiny Committee to examine the feasibility of extending the concessionary travel scheme to include 18-24 year olds in receipt of Job Seekers Allowance or undertaking apprenticeships; noting that the ‘BITE’ card for 14-18 year olds is already in place and that any changes to concessionary fares must be contained within the existing budget for passenger transport.

The amendment was accepted by Councillors Mackrory and Kendall and, therefore, the amendment became the substantive Motion.

Upon being put to the meeting the substantive Motion was declared to be carried.

## **15. Amended Standards Regime**

Councillor J W Pike as Chairman of the Joint Standards Committee presented a report on the amended Standards Regime.

### **Resolved:**

- (1) That the Joint Standards Committee with the Essex Fire Authority and a Standards (Hearings) Sub-Committee be retained, with the membership, quorum and terms of reference set out in Paragraph 5.4 of the report.
- (2) That a new member Code of Conduct as set out in the Annex to the report and the sanctions described in Paragraph 7.6 of the report.
- (3) That the revised arrangements and delegations set out in Paragraph 7.8 of the report for the management and determination of complaints against members be adopted.
- (4) That Mr. Norman Hodson and Mr. Jonathan Swan be appointed as independent persons under Section 28 of the Localism Act 2011.

The report was received and adopted.

## **16. Report of Council Issues**

Councillors P Channer and J G Jowers declared interests in item 3 as members of the Essex Police and Crime Panel. Councillor S Walsh declared an interest in item 3 as a member of the Essex Policy Authority.

The report of Council Issues was received and upon being put to the meeting recommendations relating to:

Item 1: Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012,  
Item 2: Membership of the Essex Pension Fund Board,  
Item 3: Police and Crime Panel and  
Item 5: Dates of Future Meetings

were agreed and accordingly it was

### **Resolved:**

**Item 1:**

That an addition be made to Council Standing Orders to formalise the arrangement whereby the Chairman responds to any request for the recording or filming of meetings by third parties and this also be added to Standing Order 16.20 (Standing Orders to apply to committees).

**Item 2:**

That the membership of the Essex Pension Fund Board as set out in paragraph 8.1.7 of the Council's Constitution be amended to read as follows:

"14 members consisting of six Members of the Council (in the ratio of five Conservative and one Liberal Democrat), two members representing District and Borough Councils in Essex, one member representing Southend-on-Sea Borough Council, one member representing Thurrock Council, **one member representing Essex Police and Crime Commissioner**, one member representing Essex Fire Authority, one member representing Scheme Members nominated by UNISON and one member representing Smaller Employing Bodies nominated by the Employer Forum."

**Item 3:**

That the Panel Arrangements for the Essex Police and Crime Panel as set out in the Annex to the report be approved.

**Item 5:**

That meetings of the Council be held on Tuesdays at 10am on 9 July, 15 October and 10 December 2013 and 4 February (Budget) and 13 May 2014 (Annual).

The report was adopted.

**17. Report of Cabinet Issues**

Councillor S Barker declared an interest in item 1 as a member of Uttlesford District Council.

The report of Cabinet Issues was received and adopted and upon being put to the meeting the recommendation relating to item 1: Essex Countywide Traveller Unit

was agreed and accordingly it was

**Resolved:**

That the Essex Countywide Traveller Unit Joint Committee be included under Paragraph 13.3 (Executive Functions) of the Constitution as a joint body exercising Executive Functions in accordance with the agreement currently in operation.

The report was adopted.

**18. Overview and Scrutiny Issues**

The Overview and Scrutiny Issues Report was received and adopted.

**19. Questions to the Leader of the Council, Cabinet Members and Committee Chairmen**

Members responded to questions as follows:

- (i) On whether the numbers of highways repairs were a direct result of Liberal Democrat campaigns (Councillor I Grundy of the Cabinet Member for Highways and Transportation)

The Cabinet Member replied that to date there had been 31,204 pothole and highway repairs and that, contrary to recent reports, he did not consider that Liberal Democrat campaigns had contributed significantly to this number. He paid tribute to the work of the Maintenance Teams.

- (ii) The sound system and hearing loop system in the Council Chamber today (Councillor Higgins of the Deputy Leader and Cabinet Member for Finance and Transformation Programme)

The Cabinet Member agreed that there appeared to be problems with the system and he would ensure that it was investigated and appropriate action taken.

- (iii) Concerns expressed regarding those accessing services through personal budgets and protecting them against unsuitable workers. (Councillor Whitehouse of the Cabinet Member for Adult Social Care)

The Cabinet Member agreed to look into the matter and respond to her direct.

- (iv) The processes in place to deal with requests for the transfer of community assets (Councillor Aspinell of the Deputy Leader and Cabinet Member for Finance and Transformation Programme)

The Cabinet Member outlined the processes involved.

- (v) Concerning the scheme for improvements to Loughton High Road (Councillor Pond of the Cabinet Member for Highways and Transportation)

The Cabinet Member stated that the improvements would be progressed as far as possible.

- (vi) Concerning the reported 3,000 two-year old children eligible for nursery entitlements – and the Liberal Democrats involvement (Councillor Chapman of the Cabinet Member for Children's Services)  
The Cabinet Member responded that this was a Labour idea progressed by the Coalition Government.
- (vii) Concerning a request that an officer from Highways attend the Halstead in Bloom Board (Councillor Pike of the Leader)  
  
The Leader agreed to discuss with the Cabinet Member for Highways and Transformation, and the relevant service, the possibility of an officer being authorised to attend.
- (viii) Following the Local Highways Panel in July seeking clarity concerning a proposed pedestrian crossing in Linnit Drive, Chelmsford (Councillor Madden of the Cabinet Member for Highways and Transportation)  
  
The Cabinet Member clarified the position.
- (ix) Concerning recent press reports referring to the Council's level of financial reserves (Councillor Lager of the Deputy Leader and Cabinet Member for Finance and Transformation Programme)  
  
The Cabinet Member confirmed the adequacy of the Council's reserves.
- (x) Concerning the economic prospects for Essex (Councillor Walsh of the Cabinet Member for Economic Growth, Waste and Recycling)  
  
The Cabinet Member replied that Essex economy was 'holding its own'
- (xi) Would thanks be conveyed to staff of the Record Office for helping the Essex Police Museum Trust prepare a Business Case for accessing additional funding? (Councillor Schofield of the Cabinet Member for Customer Services, Environment and Culture)  
  
The Cabinet Member was pleased to pass on the Member's kind remarks.

## **20. Written Questions (Standing Order 16.11.3)**

### **1. By Councillor D Kendall of the Cabinet Member for Customer Services, Environment and Culture.**

'How much has Essex County Council received as a 'subsidy' from when they first started using 0845 telephone numbers up to now?'

#### **Reply**

Essex County Council does not earn any rebates or credits for 0845 inbound calls received. This also applies to other ECC inbound numbers. Essex County Council is not charged by its suppliers for any inbound 0845 calls. The caller to the 0845 number would usually pay between 3 to 5 pence per minute. However, some residential and mobile packages offer free calls to these numbers.

**2. By Councillor B Aspinell of the Cabinet Member for Customer Services, Environment and Culture.**

'Following the Government's requirement to list heritage assets, and recent reports in the press regarding Essex County Council's ownership of valuable artwork and maps, estimated some years ago at approximately £14.3 million, would the Cabinet Member please advise:

- When the artwork was last valued?
- Is it now prudent to have another valuation?
- Should a cross party committee be convened to discuss the possible exhibiting, storage and, where appropriate, disposal of some works of art?'

**Reply**

The heritage assets on the register compiled by Finance for the Statement of Accounts comprise the following areas:

- 1) The archive collection at the Essex Record Office which forms the largest part of the £14.3m at £9.3m. This valuation is purely for insurance purposes and has regard to conservation and repair in case of a disaster, as the documents themselves are irreplaceable if lost.
- 2) Paintings in the Barrett-Lennard collection, which are part of the ERO collection but only physically came to us in 2009 although donated by the family in 1974. The valuation for these is as provided by the family to us in 2009.
- 3) Historic paintings in the core collection at County Hall, Shire Hall and Maynetrees. These were last valued in 2010.
- 4) Historic buildings such as mills and Jaywick Martello Tower. As with the archive collection, valuations are for insurance purposes and relate to potential repair costs in the event of



damage by storm, fire etc. Evidence from elsewhere suggests that the sale values of these premises could be much lower.

Officers are currently drafting a policy to provide a framework to manage the collection effectively, which includes a periodic review by a cross-party working group. This builds on a piece of work undertaken by the Chairman and Vice-Chairman last year.

**3. By Councillor M Fisher of the Cabinet Member for Highways and Transportation**

'Would it be better use of resources if there were fewer inspections to prioritise highways work and more crews going round area by area and actually fixing the potholes properly? It is ludicrous to have two-thirds of the potholes in one street mended and leaving the remainder because they do not (at that point) meet the criterion for being filled.

Would the portfolio holder please tell me how many members of staff are manning Enquiries and how many pothole inspectors there are?'

**Reply**

Highways inspectors perform a vital function in enabling Essex County Council to fulfill its statutory duty as the Highways Authority. I would be happy for Cllr Fisher to spend a day with them and if she has any subsequent constructive suggestions on how they could more efficiently and effectively deliver their service I would be happy to review them.

With regards to her other questions:

If Councillor Fisher could provide me with examples of where and when potholes have been left when others in the same street have been repaired I will be able to provide her with a response.

If Councillor Fisher could clarify what she means by "Enquiries" I will also be able to give her a response to her question.

**4. By Councillor D Kendall of the Cabinet Member for Highways and Transportation**

'Brentwood's Local Highways Panel budget for potential schemes in 2012 is £449,876, which is the third lowest allocation in Essex. This low figure means it is impossible for us to fund the two major junction

improvements that are needed in Brentwood at the Devil's Head crossroads in Warley and at Sandpit Lane / Ongar Road in Pilgrims Hatch, as their projected cost of £1,500,000 is well over our allocation. Brentwood residents have been told that the County has no money available to pay for these road safety schemes, but at the same time they have seen £11 million miraculously appear from nowhere for the emergency pothole repair programme. Would the Cabinet Member tell me:

- (1) How many personal injury accidents have to take place at these dangerous junctions before the County Council allocates the funding to improve them?
- (2) Which budget was used to pay for the £11 million pothole repair programme?
- (3) Did the £11 million found for pothole repairs mean that the budget allocated to local Highway Panels across Essex for locally determined schemes was reduced?

### Reply

1. The prioritisation of local schemes by Members is an important function of Local Highways Panels (LHPs) and where a scheme is too large to deliver in a single year, LHPs have the option of spreading the cost of these over more than one year.
2. The £11m for highways repairs was allocated following unprecedented weather extremes and as a result of ECC listening and responding to residents' genuine concerns. The £11 million was made up of the following:
  - £2m revenue from the highways maintenance reserve
  - £1m from the general reserve
  - £8m capital from unsupported borrowing.
3. No.

### 5. **By Councillor T Higgins of the Cabinet Member for Highways and Transportation**

'Whilst fully supporting initiatives for safer driving, would the Cabinet Member agree with me that the positioning of 'No Excuse for Poor Driving' (and similar) signs, should not distract or obstruct drivers' vision?

There seems to me to be a plethora of street clutter – shouldn't signs be consolidated where possible?

Would the Cabinet Member let me know the cost of putting up such a sign?’

**Reply**

Positioning and numbers of signs in a particular location is governed by the Council’s policies and/or DFT guidelines. If Councillor Higgins can provide me with some examples of her concerns I will investigate them and get back to her with a response.

The cost of installing a no excuse sign on two supporting poles is approximately £480.

**6. By Councillor J Whitehouse of the Cabinet Member for Highways and Transportation**

‘How many times in the past two and a half years (April 2010-April 2011 and April 2011-September 2012) have contractors had to return to redo a highways job because it was not done satisfactorily or correctly the first time? What was the shortest, longest and median time for this second repair to be done? How many of these unsatisfactory repairs were reported? ’

**Reply**

If Councillor Whitehouse could clarify what she means by a “Highways Job” then I will be happy to respond to her question.

**7. By Councillor M Fisher of the Cabinet Member for Education, Lifelong Learning & the 2012 Games.**

‘It has come to my attention that a survey on attitudes to the Olympic Legacy was conducted on behalf of the Council after the Olympic Games and the Paralympic Games were finished.

The survey was a random one, with no socio-economic questions, i.e. age of resident, any children, working, etc. The questions that were asked were unnecessarily repetitive.

I would like to ask who commissioned this survey and was he/she aware of the sampling method, i.e. random? A better method is to take every 10<sup>th</sup> name on the electoral register to interview and although this is more expensive than random surveys, the results would have been better. I wonder what effect the cost of this survey will have on the portfolio holder’s budget.

Would that money not have been better spent giving grants to sports clubs, many of which are having to close, or for the hire of sports halls and playing fields?’

### **Reply**

The London 2012 Olympic and Paralympic Games were promoted as the greatest and biggest show on earth and the County of Essex was privileged to be named Host County to the Olympic Mountain Bike venue and have 17 communities throughout the County welcome the Olympic Torch Relay.

As we now move into the legacy phase of the Games, we are looking to use the excitement of the games to inspire the next generation of athletes in the County, as well as encourage sports participation across all ages. The survey referred to was essential in assisting us in evaluating the impact the Games and associated activity had on the residents of Essex. The results will allow us to learn from our past efforts and ensure our future activity is based on tried and tested methods.

Firstly to correct inaccuracies in the detail of the question, the survey had 26 questions of which, nine were socio-economic questions including: resident's age, number of dependents, working status and ethnic background. The method suggested by Cllr Fisher would have been both more expensive and less valuable for the purposes required. It would have been possible to use other methods to complete the survey, including a random sampling approach based on the electoral register. However, as phone numbers are not available from the electoral register, this would have required a postal survey. A postal survey would have been a more expensive option and is likely to have under-represented certain demographic groups, particularly younger residents, males and those from BME backgrounds.

The survey was commissioned by Essex County Council's communication team with my approval. A telephone survey was identified as the most appropriate methodology to deliver a representative sample of residents from across the County within the available budget. It meant that we could interview residents from a wide geographical area and the profile of participating respondents could be controlled via the use of quotas set on recruitment for key demographics. Crucially, the use of a quota sample allows all waves of the research to have a similar demographic profile, something which is essential when comparing findings year-on-year. To ensure that respondents were selected at random, Random Digit Dialling was used to provide the sample of contact numbers to call.

The 2012 team are responsible for a wealth of work inspiring people to make sport happen at the local level, embedding the Olympic and Paralympic values in grassroots sport. Some examples include:

- Sport Makers - recruiting, training and deploying the next generation of sports volunteers to organise and lead grassroots sporting activities, building on the legacy of the Essex Ambassadors programme.
- Club Leaders programme - provides free business skills, training and support to individuals running community sport across the County.
- Sportivate - Initiative which provides opportunities for teenagers and young adults to receive six weeks of coaching in the sport of their choice, guiding them into regular participation in clubs and community groups across the County.

They survey was not at the expense of this work but rather to strengthen and direct future efforts.

**8. By Councillor J Deakin of the Cabinet Member for Communities and Planning.**

'As highlighted by some of my recent casework, I was astonished to find that the public are unable to access Essex County Council Planning Applications on the Council's own website in order to view plans in detail, read attached reports, and see comments submitted.

It appears that the majority of other County Councils in England already have this facility. When will this public service be available to the residents of Essex?'

**Reply**

Thank you for your question.

At present summaries of planning applications are available online; however, we have been working hard to enable full public access to planning applications on-line and we hope to be able to provide this service within the next few months.

**9. By Councillor T Higgins of the Cabinet Member for Children's Services.**

'In view of the fact that from 2013 nursery places are to be available for 2 year olds who meet the "free school meal" criteria, would the Portfolio Holder tell me how Essex is planning to cater for these children? Is further accommodation to be built at current nurseries, many of which already have waiting lists, or are they to be looked after in different / new accommodation?'

The fact that there is an underspend in this budget heading does not, I

think, indicate that there is no demand for nursery places, but merely that parents would prefer places in Nursery departments of Infant Schools, not the provision in the private sector, hence the waiting list.

Would the Portfolio Holder please tell me the number of children currently on the waiting lists of the Council's nursery classes?'

### **Reply**

Work is already underway within the Council to meet this target by working with current early years provision or in some cases extending or creating new places. The Department for Education has commissioned two organisations to support Local Authorities nationally to work on this Achieving Two Year Old Initiative. The Council has been allocated, along with other east region Local Authorities, an advisor working for Mott McDonald to provide support and advice. A bespoke package of support is currently being agreed for the Council. An internal project team has been created who have developed and will lead a structured plan for the implementation of this initiative.

This plan will include:

- working with childminders who have not previously been approved to accept free entitlement funding. There will be a thorough quality assurance process undertaken on the environment and ability of childminders to provide this based on a good or outstanding Ofsted and 'green' Council rating.
- reviewing the current funding rate to ensure it is financially viable for the most outstanding early years provision to provide high quality places for 2 year olds which in turn leads onto quality 3 and 4 year old free entitlement places and therefore contributing to an improved educational outcome at the end of the early years foundation stage
- working with maintained nurseries to look at if there is space that can be developed into an appropriate environment for 2 year olds and that Ofsted requirements can be met
- using the capital that has been identified (final Council allocation to be confirmed but £100m nationally) to remodel spaces such as additional toilets and small internal works to create separate spaces. The capital allocation will not give scope to allow for new builds.

To clarify the Council's County Childcare Sufficiency Collection gathers data on occupancy levels. Overall the returns for June 2012 do not show maintained nurseries across Essex with having waiting lists for three and four year olds, although a few are shown at 100% occupancy . There will not currently be waiting lists for two year olds as places are approved as referrals are received and only 2 school sites are offering two year old funding. The September 2012 Childcare Sufficiency Collection is currently being finalised.

**10. By Councillor M Mackrory of The Deputy Leader and Cabinet Member for Finance & Transformation Programme.**

'In answer to my question at the October 2011 Council, I was told by the (then) Cabinet Member that proposals were being drawn up for the future use of the Shire Hall.

One year on, will the Cabinet Member update me on what progress has been made, and will he ensure that serious consideration be given for the display of public art?'

**Reply**

The reply is from The Leader at his request;

The public consultation and expressions of interest will be launched shortly; this consultation will allow proposals to be submitted to us for review.

I wish to make it clear though that all bids will be judged against the following criteria:

- i. Continued ownership of Shire Hall by the Council, who will maintain a role in both setting the strategy for proposed future use, and retaining an interest in the operation of the building;
- ii. Achieving demonstrable value for money and financial sustainability;
- iii. A continuation of public access to the building with a sense of community ownership.

Following my discussions with Councillor Roy Whitehead of Chelmsford City Council, a Reference Group was established to identify future uses for Shire Hall. It has representatives from a number of societal, heritage and community groups, and is chaired by Dick Madden. So far it has met four times.

Later this year we are planning an open day for Shire Hall, and I would encourage all to visit this historic building and see the site for themselves.

Councillor Mackrory's suggestion of Shire Hall becoming an art gallery is of course one proposal for the building but it must however be financially sustainable.

**11. By M Mackrory of The Deputy Leader and Cabinet Member for Finance & Transformation Programme.**

'Further to the Freedom of Information request, reference ECC

0124611– 12 dated 27 September 2012, would the Cabinet Member state what action has been taken to recover the 90 reported lost or stolen mobile phones during the period March 2011- August 2012?’

### **Reply**

The County Council takes all matters of lost or stolen phones seriously, and we have robust policies in place to manage these situations.

In the event that a device is stolen, the phone holder must inform the police, keep a note of the incident or Crime reference number and notify Information Services via the Essex Service Desk.

Once a phone or device is reported as lost, the telephone numbers are cancelled immediately and no further calls can be made from the device. Where possible the devices are remotely wiped of all information.

Depending on the reason for the loss of the phone, the line manager of the person concerned, Information Services or Risk Management Consultancy Services will investigate and disciplinary action will be taken if there is good reason for it.

The Essex Service Desk, which deals with these incidents, is available 24 hours a day 7 days a week.

The Council does not claim on the insurance for these devices as the excess is £500 per request.

### **12. By Councillor J Whitehouse of the Cabinet Member for Adult Social Care.**

‘The changeover of providers of Meals on Wheels to Sodexo was poor and caused anxiety to many residents, particularly those with diabetic conditions, and their families. It also brought adverse publicity to the County Council.

What sanctions are being applied to Sodexo, and what compensation or refund is being offered to those whose meals were late?

Are you satisfied with the Meals on Wheels service delivery now? Are all the meals being delivered in the specified time band?’

### **Reply**

Over the course of the last two weeks Essex County Council staff have worked closely with the new Meals on Wheels provider Sodexo to improve delivery times. There has been a significant improvement;



99% of the meals are now being delivered on time and all meals are being delivered by 2.15pm. Sodexo are committed to ensuring this performance improves to 100%.

As part of the Essex County Council meals on wheels contract Sodexo are required to adhere to the terms and conditions of the contract. Due to the late deliveries these requirements have not been met; Essex County Council staff will therefore be working with Sodexo as part of the formal performance monitoring process to ensure that the contractual requirements are met.

Sodexo will be applying a full refund and a further gratuity to the affected service users whose meals were delivered late as an apology for the disruption to their service.

Cllr Aldridge will be visiting the meal delivery sites in due course and will be joining a driver on their round; meal tastings will also be set up to ensure the quality of the meals is being maintained.

## **21. Questions to the Essex Police Authority Representative**

The report of the Authority's meeting held on 3 September 2012 was received.

There were no questions.

Councillor Jackson, Chairman of Essex Police Authority thanked all those who had served on the Essex Police Authority and noted that the newly-elected Police Commissioner would take office on 23 November.

The Chairman thanked Mr Jackson for his term as Chairman of the Essex Police Authority in what had proved to be challenging times.

## **22. Questions to the Essex Fire Authority Representative**

The report of the Authority's meeting held on 5 September 2012 was received.

There were no questions.

The meeting closed at 13:22

Chairman  
11 December 2012



# Motions under Standing Order

## 16.10.2

### 1. Boosting Economic Recovery in Essex

Moved by Councillor K Bentley and seconded by Councillor D Finch.

This Council recognises the disastrous state in which that the last Labour Government left the economy and welcomes news that the policies of the Conservative led coalition means the UK economy will grow faster than other countries in the EU. It also recognises that growth will still be slow and therefore calls on ministers to do more to reduce red tape to boost recovery in Essex by;

1. speeding up its BDUK Broadband roll-out programme to allow Essex County Council to bring faster download speeds to businesses and residents,
2. approving our Deal for Growth bid and allowing all partners across the county the opportunity to work closer together to reduce costs to the taxpayer and increase the potential for private sector jobs and
3. reducing costs to businesses and allowing SME start-ups 'holidays' for National Insurance and Corporation Tax to ensure their survival in the crucial first year.

### 2. Lord Hanningfield's Credit Card Claims 2005 - 2010

Moved by Councillor M Mackrory and seconded by Councillor T Higgins.

This Council, whilst recognising the changes to its governance and member expenses procedures since the Audit Commission's report of September 2010, nevertheless still has serious concerns about how Lord Hanningfield, the former Leader of this Council, was able to spend £287,000 of council taxpayers' money on expensive hotels, restaurants, bars and visits to 24 countries from 2005-2010. In particular, how this was allowed to happen without any action being taken by senior members of the Conservative administration, or the Senior Management Team.

Council therefore:

1. Considers that the residents of Essex deserve a full explanation about how this lack of accountability was allowed to occur for at least six years before any action was taken by;
  - a) those responsible for the political administration of the County Council,
  - b) Senior Officers of the Council and that disciplinary action be taken, if appropriate.
2. Immediately begins proceedings in the Civil Court to recover the misspent council taxpayers' money from Lord Hanningfield.

### **3. Energy Co-operatives.**

Moved by Councillor S Robinson and seconded by Councillor D Kendall

Council :

1. notes the allegations that energy companies are operating a price-fixing cartel;
2. notes that people in energy poverty often pay the highest prices;
3. notes the success of council-led consumer co-operatives to buy cheaper energy in places like South Lakeland and Peterborough;
4. instructs officers to prepare a report on;
  - a) how Essex County Council could facilitate the creation of energy co-operatives in Essex,
  - c) whether it would be appropriate to join the multi-council energy co-op [www.readytoswitch.co.uk](http://www.readytoswitch.co.uk) to benefit the residents of Essex and
  - d) how the benefits of such a scheme could be shared around the districts of Essex.

### **4. Essex Education**

Moved by Councillor S Castle and seconded by Councillor J Lucas

This Council supports Michael Gove's policy on the creation of Academies and is pleased to note that Essex has now seen its 100th academy established. Standards in Essex Schools have improved significantly in recent years, however Council recognises that there is still more to do, and it calls upon the coalition government to acknowledge local authorities key role in holding all publicly funded schools accountable for driving up education standards in the county.

# Statement of Community Involvement

Report by Councillor John Jowers, Cabinet Member for Communities & Planning

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Enquiries to Vee Green, Service Development Officer, Minerals and Waste Planning,  
01245 437201

## Purpose of report

Cabinet will be considering this matter on Friday, 7 December when it has before it a recommendation to approve the Statement of Community Involvement for adoption by Council.

The outcome of Cabinet's consideration of this matter will be reported in the Report of Cabinet Issues on 7 December 2012 (to follow).

## Background

The Statement of Community Involvement (SCI) is a statutory document setting out the standards by which the County will produce planning policy documents (the Replacement Minerals & Waste Local Plans) and through which the people and businesses of Essex can contribute to these plans, and to the consideration and determination of planning applications for minerals, waste and the County Council's own developments.

The SCI was adopted by Full Council in October 2009 after extensive public consultation and submission to the Secretary of State for approval. It has been reviewed on a yearly basis since then via the Annual Monitoring Report on the Minerals & Waste Development Framework (MWDF).

Since the adoption of the SCI, a number of changes have made it appropriate to review and update the document before further consultation takes place on the Replacement Minerals & Waste Local Plans. Conformity with the SCI is one of the Tests of Soundness for the Local Plans at the Examination in Public, and it is essential that the SCI is kept up-to-date. These changes include changes in legislation, changes in Corporate Policy and general and cultural progression. Any changes proposed have been subjected to Equality Impact Assessment.

Approval to carry out the First Review of the SCI and subsequent approval of the draft document for public consultation was authorised by Cabinet Member Action in June and August 2012. The document was published for public consultation between 30 August and 25 October 2012.

## Conclusions and next steps after consideration of the responses to the Consultation

Main change proposed in SCI FR	Action proposed as a result of consultation
<p><u>Proposal 1:</u> That electronic communication should become the preferred method for how we engage and involve everyone in consultation on documents in the Minerals &amp; Waste Development Framework, including the Replacement Minerals &amp; Waste Local Plans, in line with ECC's Corporate Communications Strategy</p>	<ul style="list-style-type: none"> <li>a) That electronic communication should become the preferred method of engagement for Minerals &amp; Waste Planning consultations, but with hard copies of main documents for inspection at specified locations only;</li> <li>b) That the equalities issues identified in the EqIA regarding those potentially disadvantaged by the implementation of the corporate print policy should be considered by the Corporate Communications Team in relation to the targeted evidence provided by the service area;</li> <li>c) Alternatively, that hard copy main documents whose production costs are less than £10 should be available on demand, free of charge;</li> <li>d) where production costs (including printing, postage and packing) are £10 or more, hard copy main documents would only be Available upon prior receipt of payment of those production costs above £10.</li> </ul>
<p><u>Proposal 2:</u> That the consultation period for policy documents should reduce from 8 weeks to the statutory 6 weeks, thereby bringing the Council in line with neighbouring authorities</p>	<ul style="list-style-type: none"> <li>a) That the consultation period for policy documents should be reduced from 8 weeks to the statutory 6 weeks;</li> <li>b) That the wording of paragraph 4.16 (and anywhere it recurs in the document) be amended to state that the consultation period will be reduced to the statutory 6 weeks, but with some flexibility over holiday periods and for multiple consultations.</li> </ul>
<p><u>Proposal 3:</u> That developers now be required to carry out pre-application public consultation for major developments under the terms of Chapter 4 of the Localism Act 2011</p>	<ul style="list-style-type: none"> <li>a) That officers vigorously encourage developers to carry out pre-application public consultation for major developments;</li> <li>b) That Bullet 3 of the Summary, p4 (and further references throughout the document, be amended to reflect the fact that the full legislation is not yet in force;</li> <li>c) That the 250m radius for DNN continues to</li> </ul>

	be used for reasons of conformity with the national norm and cost-effectiveness.
<u>Proposal 4:</u> That hard copies of planning applications should no longer be available once the Council's new Advanced Planning Application System (APAS) became fully operational	a) That entirely electronic viewing of planning applications should be introduced once APAS is fully operational; b) That the equalities issues identified in the EqIA regarding those potentially disadvantaged by this should be considered by the Corporate Communications Team in relation to the targeted evidence provided by the service area.
<u>Other:</u> Consultees suggested alternative / additional wording which might be included in the SCI, eg reference to the Duty to Co-operate and to a more detailed description of the pre-application process for planning applications.	c) That those changes be included in the Adopted SCI First Review; d) That the Duty to Co-operate and Pre-application guidance be produced as separate documents with a link from the SCI First Review.

## Policy context

- Corporate Plan, especially:
  - Giving people a greater say and a greater role in building safer and stronger communities, encouraging residents to get more involved in their communities and helping communities play a greater role in shaping, challenging and developing local services;
  - Securing the highways infrastructure and environment to enable businesses to grow, ensuring planning services are cost-effective, transparent and timely and delivering minerals and waste plans/determining applications in a timely and cost-effective manner whilst always seeking improvements to the service.
- ECC Communications & Marketing Strategy 2012-2017 and accompanying Print Policy.

## Financial Implications

The proposals set out in the SCI First Review will update and improve consultation and engagement techniques in line with new corporate requirements, national policy and changes in custom and practice.

Under Proposal 1, the changes proposed will involve a total saving in costs from £3,995 for the previous Adopted SCI of 2009 to approximately £750 now, through reductions in quantity printed, quality of paper and length of document. It is felt appropriate, in view

of the EqIA carried out, to continue with this very limited production of inspection copies for certain specified locations. If, as identified as an alternative under Proposal 1 above, Cabinet supports the on-demand printing of hard copy main documents either free of charge or upon receipt of production costs above £10 (see Proposal 1), this would involve some additional costs and reduce the savings predicted.

Under Proposal 3, the continuing use of the 250m radius for Direct Neighbour Notification (DNN) for both policy and planning application consultations is recommended. Using the 250m radius, costs for DNN on major policy consultations are estimated to be about £2,500 each time. The relatively modest costs of 250m DNN are outweighed by the benefits in meeting equality and diversity targets.

There are no identified financial implications for Proposal 2, and the total cost savings for Proposal 4 have already been set out in the business case for APAS, estimated at just under £50,000.

## **Legal Implications**

There are two main drivers for the review of the SCI: ensuring that it is accurate and up to date and ensuring that it fully supports the next stage of policy adoption. Whilst some alternatives have been provided for consideration and decision, the recommendations are demonstrably necessary to achieve these aims. Further revisions may be necessary when the development order anticipated by section 122 of the Localism Act 2011 is available.

## **Equality and Diversity implications**

8.1 An updated Equality Impact Assessment (EqIA) Part 1 was carried out on the SCI First Review, and a Part 2 EqIA has been completed based on the feedback from this public consultation. The EqIA Part 1 included an independent review of the document by a project manager from the Council's Transformation Support team.

8.2 The main findings of the EqIA are that the implementation of the corporate Print Policy has the potential to disadvantage certain sectors of the community. Although Minerals & Waste Planning staff are being pro-active in identifying ways forward, care needs to be taken to reduce the impact wherever possible, and to identify ways in which this can be done cross-functionally, recognizing that some solutions are not likely to be immediate.

<b>Abbreviations used throughout the report</b>			
<b>APAS</b>	<b>Advanced Planning Application System</b>	<b>gen</b>	<b>General consultee</b>
<b>CCs</b>	<b>County Councils</b>	<b>MWDF</b>	<b>Minerals &amp; Waste Development Framework</b>



<b>DBCCs</b>	<b>District, Borough &amp; City Councils</b>	<b>PTCs</b>	<b>Parish &amp; Town Councils</b>
<b>DNN</b>	<b>Direct Neighbour Notification</b>	<b>sc</b>	<b>Specific (on policy documents) or statutory (on planning applications) consultee</b>
<b>EqlA</b>	<b>Equality Impact Assessment</b>	<b>SCI (FR)</b>	<b>Statement of Community Involvement (First Review)</b>



# **Statement of Community Involvement**

## **First Review**

**Essex Minerals and Waste  
Development Framework**

**August 2012**



Essex County Council



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## GLOSSARY, LINKS AND ABBREVIATIONS

**Glossary:** a useful and up to date glossary of planning terms used in the SCI can be found [here](#) on the National Planning Portal.

**Links:** text which is [blue and underlined](#) provides an online hyperlink to further information which may be useful. If you are viewing this document in hard copy at one of our inspection points, please ask a member of staff to open the attached CD which will help you to access all these links on line.

**Abbreviations:** we've tried to avoid abbreviations wherever possible, but some have inevitably crept in. Abbreviations shown in **BOLD** in the text are expanded below.

**Table 1**

Stands for		Stands for	
<b>AMR</b>	<b>Annual Monitoring Report or Review</b>	<b>M(L)P</b>	<b>Minerals (Local) Plan</b>
<b>APAS</b>	<b>Advanced Planning Application System</b>	<b>MWDDs</b>	<b>Minerals &amp; Waste Development Documents</b>
<b>CD</b>	<b>Compact Disc</b>	<b>MWDF</b>	<b>Minerals &amp; Waste Development Framework</b>
<b>CLOG</b>	<b>(Department of) Communities &amp; Local Government</b>	<b>MWDS</b>	<b>Minerals &amp; Waste Development Scheme</b>
<b>D&amp;R</b>	<b>Development &amp; Regulation (Committee)</b>	<b>PCPA</b>	<b>Planning &amp; Compulsory Purchase Act</b>
<b>DBCCs</b>	<b>(Essex) District, Borough &amp; City Councils</b>	<b>PIP</b>	<b>Public Involvement Programme</b>
<b>DNN</b>	<b>Direct Neighbour Notification</b>	<b>PTCs</b>	<b>Parish &amp; Town Councils</b>
<b>DPD</b>	<b>Development Plan Document</b>	<b>SA</b>	<b>Sustainability Assessment</b>
<b>ECC</b>	<b>Essex County Council</b>	<b>SCI</b>	<b>Statement of Community Involvement</b>
<b>EIA</b>	<b>Environmental Impact Assessment</b>	<b>SEA</b>	<b>Strategic Environmental Assessment</b>
<b>EiP</b>	<b>Examination in Public</b>	<b>SPD</b>	<b>Supplementary Planning Document</b>
<b>EqIA</b>	<b>Equality Impact Assessment</b>	<b>WDD</b>	<b>Waste Development Document</b>
<b>LDD</b>	<b>Local Development Document</b>	<b>W(L)P</b>	<b>(Joint) Waste (Local) Plan</b>
<b>MDD</b>	<b>Minerals Development Document</b>		

# 1 FOREWORD

By John Jowers, Cabinet Member for Communities and Planning

Essex County Council (ECC) is the local planning authority for minerals and waste planning, both for policy development and for planning applications, as well as determining the County Council's own developments. As the planning authority, **ECC** is required to prepare and maintain up to date minerals and waste local plans which provide the policy basis on which to determine minerals- and waste-related planning applications.



Essex County Council's original Statement of Community Involvement (**SCI**) was adopted in 2009. This set out how we would consult the people and businesses of Essex on our future policies for minerals, waste and County Council development, and in determining planning applications in accordance with these policies.

Since then, progress has been rapid. Consultations on the Minerals and Waste Development Documents (which will become the replacement Minerals Local Plan and Waste Local Plan) have been carried out in accordance with the Adopted SCI, and these consultations are reviewed in the Annual Monitoring Reports each year. The monitoring reports have identified the most successful methods of engagement from those proposed in the SCI, and have shaped subsequent consultations accordingly.

This First Review of the SCI takes on board what we have learnt from the consultation experience on both policy-making and decision-taking since 2009. It also responds to our consultees' requests for a shorter and less technical document.

The First Review has also been triggered by changes in national legislation (see 3.7 below), changes in Essex County Council (**ECC**) corporate policy and procedures (see 3.8 below) and reflects behavioural and cultural changes (see 3.9 below) happening in Essex now.

I believe that this document sets out very clearly how we intend:

- To provide accurate and accessible information about our planning consultations;
- To involve the community effectively in policy-making and decision-taking by engaging them early in the process;
- To enable the people and businesses of Essex to let us know how they feel about proposals in a timely and straightforward way and
- To make the best possible and most effective use of the communication channels open to us.

Please take this opportunity to let us have your views on the proposed changes in the SCI First Review during the consultation period from 30 August to 25 October 2012.

## 2 SUMMARY

### 2.1 A summary of the main changes proposed in the SCI First Review:

- **Electronic communication becomes the preferred method for how we engage and involve everyone in consultation, in line with ECC's Corporate Communications Strategy. This affects procedures for both policy-making and decision-taking (See Table 6 and Table 9 below).**
- **The consultation period for policy documents reduces from our previous 8 weeks to the statutory 6 weeks, bringing ECC in line with neighbouring authorities (See 4.14 to 4.15 below).**
- **Developers are now required by the [Localism Act 2011](#) to carry out pre-application public consultation for major developments. Previously, the planning authority could only encourage pre-application consultation (See 5.8 to 5.10 below).**
- **ECC's new Advanced Planning Application System (APAS) has provided the opportunity to handle planning applications in a more speedy and cost-effective way. Once this system is fully operational, hard copies of applications will no longer be available to view in local planning offices and libraries, but the bonus for consultees is that it will provide the ability to view and comment on planning applications on line, with enhanced accessibility options. This was previously not practicable because of the size and complexity of the applications we deal with. This will bring ECC in line with Essex district, borough and city councils, and the APAS system will also facilitate progress-tracking of minerals, waste and County Council applications from submission to determination (See Table 8 below).**



### What's in a name?

For many years, **ECC**'s documents for policy development for minerals and waste planning were known as the [Minerals Local Plan](#) and the [Waste Local Plan](#), the latest versions of which were adopted in 1996 and 2001 respectively. These are still the current plans providing the framework for determining planning applications.

The [Planning & Compulsory Purchase Act 2004](#) required us to prepare new policy documents replacing the Minerals & Waste Local Plans. These documents were to be known as the [Minerals Development Document \(MDD\)](#) and the [Waste Development Document \(WDD\)](#), forming part of the [Minerals & Waste Development Framework \(MWDF\)](#) suite of documents (see Table 4 below).

We are currently going through the various stages of plan-making and consultation on this Minerals Development Document and Waste Development Document, which will replace the Minerals & Waste Local Plans when adopted.

However, following the change in national government in 2010, a new set of [Town & Country Planning \(Local Planning\)\(England\) Regulations](#) came into force in 2012, and these revert to the former terminology for development documents as Minerals & Waste Local Plans.

To avoid unnecessary confusion for consultees, we shall now refer to these documents as the Replacement Minerals Local Plan (**MLP**) and the Replacement Waste Local Plan (**WLP**) as they continue to progress towards adoption. After this, they will be known as the Minerals Local Plan and the Waste Local Plan, superseding the current Minerals Local Plan of 1996 and Waste Local Plan of 2001.

## 3 INTRODUCTION

### What is a Statement of Community Involvement and why is it produced?

The SCI is a statutory document which sets out how the County Council will involve the people and businesses of Essex:

- In shaping new planning policies (in the form of Minerals and Waste Local Plans) which will determine how future minerals and waste development is carried out in the county and
- In helping us to make the right decisions on planning applications for minerals, waste and County Council developments

**3.1** The [Planning and Compulsory Purchase Act 2004](#) introduced major changes to the planning system including the requirement to produce a **Minerals and Waste Development Framework (MWDF)** and an accompanying **Statement of Community Involvement (SCI)**.

**3.2** The SCI is a statutory document which sets out how the County Council will involve the people and businesses of Essex in two ways:

- In shaping the planning policies which will determine how future minerals and waste development is carried out in the county and providing the planning framework to determine planning applications
- In helping us to make the right decisions on planning applications for minerals, waste and the County Council's own developments.

**3.3** The processes for consultation described in the SCI are all in conformity with national planning legislation and regulations, but also with broader legislation including:

- [The Data Protection Act 1998](#)
- [The Equality Act 2010](#)
- [The Freedom of Information Act 2000](#)
- [The Human Rights Act 1998](#)
- [The Environmental Information Regulations 2004](#)

**3.4** In addition, the processes follow **ECC** policy as set out in the [EssexWorks Corporate Plan](#), in particular:

### **Giving people a greater say and a greater role in building safer and stronger communities by:**

- encouraging Essex residents to influence decisions and shape their communities
- helping communities play a greater role in shaping, challenging and developing local services.

### **Why review the SCI?**

Since the adoption of the SCI in 2009, a number of key changes have made it appropriate to produce a revised version of the document. These include changes in national legislation, changes in ECC corporate policy and general behavioural and cultural changes.

**3.5** The **SCI** was adopted by **ECC's** Full Council in October 2009 after considerable consultation with the people and businesses of Essex and submission to the Secretary of State for approval. The document also set out how the SCI would be monitored and reviewed each year through the **Annual Monitoring Report (AMR)**: any activities proposed above the minimum statutory requirements would be kept under regular review, and if identified as unsuccessful at the [Annual Monitoring Review](#) stage, would be refined or replaced at the next consultation stage. This has been done.

**3.6** However, since the [adoption of the SCI](#), a number of key changes have now made it appropriate to produce a revised version of the document. These include:

#### **a. Changes in National Legislation and Policy Guidance**

**3.7** New legislation such as the [Town and Country Planning \(Local Planning\)\(England\) Regulations 2012](#), the [National Planning Policy Framework 2012](#) and the [Localism Act 2011](#) has affected some of the statutory requirements set out in the SCI, or the way in which procedures are carried out.

#### **b. Changes in ECC Corporate Policy**

**3.8** A shift in the County Council's [Corporate Policy](#) to reflect the straitened economic climate nationally has led to an even greater emphasis being placed on cost-effectiveness and value for money. This is supported by the new ECC Communications and Marketing Strategy 2012-2017 which aims to provide clear, accurate and accessible information while making the best possible and most cost-effective use of current technology. The strategy and accompanying corporate Print Policy advocate the use of electronic communication as the preferred method of communication; this has implications for our consultations both on policy documents and on planning applications.

### c. Behavioural and Cultural Changes

**3.9** Since the SCI was first drafted in 2005, public willingness to view and respond to documents electronically has increased steadily, as response rates to our consultations show. When ECC commissioned the Ipsos MORI Customer Insight Report in 2009, results indicated that the website was the preferred method of finding information about the County Council, ahead of printed information, local media, telephone or word of mouth.

**3.10** This willingness enables us to review our consultation methodology and identify where more cost-effective options may be implemented in future.

**3.11** Any changes to processes for either policy consultations or planning applications are subject to [Equality Impact Assessment](#), as is this current document. The Equality Impact Assessment on this SCI First Review will be carried out once consultation responses are received.

### The principles behind our community involvement

All the methods of public consultation used in both policy documents and planning applications contribute to the three-fold process of community involvement: providing information, encouraging consultation and promoting participation.

**Table 2 How the public engagement process works in a planning context**

Providing Information	<ul style="list-style-type: none"> <li>Explaining how the planning system works for policy-making and decision-taking</li> <li>Setting out the spatial planning and land use implications of various options</li> <li>Using straightforward language</li> </ul>
Encouraging consultation	<ul style="list-style-type: none"> <li>Inviting your comments at each stage of policy development</li> <li>Expanding the range of consultees</li> <li>Taking your comments on board in the next stage of policy development and in <b>D&amp;R</b> committee reports</li> <li>Making it easier to participate</li> </ul>
Promoting participation	<ul style="list-style-type: none"> <li>Providing opportunities for active involvement at local level</li> <li>Making it easier for more people to have their say</li> <li>Making participation an interesting and enjoyable experience</li> <li>Demonstrating that participation shapes policy and informs decisions</li> </ul>

**3.12** We also place great emphasis on front-loading (early involvement) and transparency in our planning processes, as exemplified below:

**Table 3 Principles of public involvement**

<b>1) Front-loading of planning processes</b>
<p>Involving the public early, for example:</p> <ul style="list-style-type: none"> <li>• In policy formulation, so that public opinion informs policy rather than amends it.</li> <li>• Pre-application involvement in planning applications, so that applicants consult the public before submitting an application.</li> </ul>
<b>2) Transparent planning processes</b>
<p>Providing information on our website so that members of the public can follow through the contributions they have made, for example:</p> <ul style="list-style-type: none"> <li>• In policy formulation, setting up online consultation on policy documents so that consultee representations can be viewed by all.</li> <li>• For planning applications, currently publishing summaries of applications, information on decisions, committee agendas and minutes, aftercare, enforcement and appeals information; shortly, full applications can be viewed and tracked from submission to decision.</li> <li>• Publishing the <a href="#">Annual Monitoring Report</a> on our website so that the public can monitor progress against the SCI and against the <a href="#">Minerals &amp; Waste Development Scheme</a> timetable.</li> </ul>
<b>3) Choosing appropriate ways to involve people including the seldom heard</b>
<p>In policy formulation, for example;</p> <ul style="list-style-type: none"> <li>• Selecting a variety of techniques to reach and encourage involvement from the maximum number of people including the seldom heard (see 4.11) : electronic/non-electronic, in various locations at various times according to the type and stage of document under consultation.</li> </ul> <p>In determining planning applications, for example:</p> <ul style="list-style-type: none"> <li>• Publishing summaries of planning applications now and ultimately full applications on our website so that those interested do not have to travel to view hard copies of documents</li> </ul> <p>For both:</p> <ul style="list-style-type: none"> <li>• Using <i>EngageEssex</i> (ECC's online consultation portal) <i>EssexWorks</i> (ECC's online magazine) and <i>Making the Links</i> (ECC's newsletter for all Essex parish and town councils)</li> </ul>

to disseminate information to ensure the widest possible circulation when appropriate (subject to any publication timing and space constraints)

- Using specifically-targeted Direct Neighbour Notification, public meetings, drop-in sessions and exhibitions, parish newsletters and noticeboards to focus on more local issues.

#### 4) Providing effective feedback

For example:

- Giving feedback via the published SCI Annual Monitoring Review and *Making the Links* newsletter to parishes on successful implementation of actions in response to public opinion, such as the review of public speaking protocols at [Development & Regulation Committee](#) suggested by a parish council
- Monitoring the range and types of respondees to ensure that the consultation is reaching a cross-section of the community
- Seeking continuous feedback on consultation methods at each stage of plan preparation and publishing results

## How you can get involved in planning decisions on policy-making and decision-taking

If it's important to you how Essex develops in the future, you can contribute to decisions shaping that development. Everyone in Essex uses minerals and discards waste. Everyone in Essex is therefore a stakeholder in these industries, and will be affected by the planning policy decisions taken in these areas, or by proposals for minerals and waste sites.

These are some ways in which you can get involved:

- Read this Statement of Community Involvement and other policy documents as they are published. Send us your comments:
  - On line during the consultation period via the appropriate link. For the SCI, this is <http://consult.essexcc.gov.uk>
  - By email to [mineralsandwastepolicy@essex.gov.uk](mailto:mineralsandwastepolicy@essex.gov.uk)
  - By post to Minerals & Waste Planning, ECC, E3, FREEPOST CL3636, County Hall, Chelmsford, CM1 1XZ
- Check our website at [www.essex.gov.uk/Planning](http://www.essex.gov.uk/Planning) for details of new proposals and let us have your views
- Read site notices and newspaper announcements to find out more about local proposals
- Visit your local library, Essex **DBCC** offices or County Hall to look at plans for local proposals; ask us any questions about these via the relevant planning case officer or our Helpline at 01245 435 555. Standard office hours are currently 9am to 5pm Monday-Thursday and 9am to 4.30pm on Friday
- Contact us via email at [mineralsandwastepolicy@essex.gov.uk](mailto:mineralsandwastepolicy@essex.gov.uk) (policy queries) or [mineralsandwasteDM@essex.gov.uk](mailto:mineralsandwasteDM@essex.gov.uk) (planning application queries) .
- If you get a Direct Neighbour Notification letter about proposals close to your property, let us know what you feel about them (see Table 6.2 and Table 9.7 below)
- Read your parish newsletter/noticeboard for information about proposals in your area
- Attend public meetings, drop-in sessions and exhibitions for your area, and ask questions about what is involved
- **If you're short of time:** Remember you can access our website or email us 24 hours a day, 7 days a week. See [www.essex.gov.uk/Planning](http://www.essex.gov.uk/Planning) and email [mineralsandwastepolicy@essex.gov.uk](mailto:mineralsandwastepolicy@essex.gov.uk) (queries on policy) or [mineralsandwasteDM@essex.gov.uk](mailto:mineralsandwasteDM@essex.gov.uk) (queries on planning applications).
- **If you don't have a computer:** Remember you can use IT facilities for free (including accessible formats) in all local libraries, including some evenings and weekends (see [here](#) for more information) If you need help to view or understand documents or plans, remember that assistance is available in local libraries and that we can make information available in alternative formats or languages (see back cover)

These are just a few ways to get involved. Please look at Table 6 for even more ideas. Ways to input to the planning application process are covered in more detail in Table 7. It's your county and your future – make a positive contribution today!



## 4 CONSULTATION ON MINERALS AND WASTE LOCAL PLANS

### Documents in the Minerals and Waste Development Framework

The 3 main steps in the local plan consultation procedure process are publication of the proposals for consultation; submission of the document to the Secretary of State and adoption following approval by the Planning Inspectorate.

Documents in the Minerals & Waste Development Framework (**MWDF**) include the replacement Minerals Local Plan (**MLP**) and the Joint Waste Local Plan (**WLP**) produced in conjunction with Southend on Sea unitary authority, setting out our strategies and policies for minerals and waste planning until at least 2028/2031 respectively. Also included are the Minerals and Waste Development Scheme (**MWDS**, the timetable for producing these) plus the Annual Monitoring Report and this Statement of Community Involvement. Any Supplementary Planning Documents (**SPDs**) would also form part of the **MWDF**, but none relating to minerals and waste are proposed for the plan area at this time.

**4.1** Under the terms of the [2012 Regulations](#), the main steps in the local plan procedure process are defined in 4.2 to 4.4 below:

**4.2 Publication** of the proposals for a local plan, consultation on it and consideration of representations (regulations 18 to 20). Before publication takes place, ECC has been through the preliminary stages of Evidence Gathering, the presentation of Issues & Options, setting out the Preferred Approach including preferred sites and then Publication, with public consultation at each stage informing the subsequent stage of preparation of the documents (see also Tables 4 and 5 below).

**4.3 Submission:** the plan is formally submitted for approval to the Secretary of State with a summary of the main issues arising from the consultation and how these have been taken into account in the Submission document; this stage includes, if required, an independent Examination of the local plan by the Planning Inspectorate and publication of the recommendations of the Planning Inspector (regulations 22 to 25) (see Table 5 below)

**4.4 Adoption** of the local plan by the local planning authority (regulation 26) is carried out in accordance with the recommendations of the independent Planning Inspector, although this report is no longer legally-binding (see [Localism Act 2011](#), paragraph 112).

**4.5** The table below sets out which documents form part of the Minerals & Waste Development Framework and what they cover, together with the various stages each passes through before final adoption. For full details of what each of these formal stages towards adoption involves, please see our [website](#).



Table 4 Documents in the Minerals and Waste Development Framework

Nº/ Acronym	Document	Description	Stages to Adoption
1 (MWDS)	<b>Minerals &amp; Waste Development Scheme</b>	<p>The timetable for producing all the parts of the MWDF</p> <p>Not required to be formally adopted</p>	Progress reported monthly and reviewed at the Minerals & Waste Project Board, also annually via the <b>AMR</b> (see 5 below). Updated regularly to reflect feasibility in relation to resources available, additional stages identified etc
2 (MDD) (MLP)	<p><b>Minerals Development Documents</b>, called the replacement <b>Minerals Local Plan</b> since April 2012, which will, when adopted, replace the current <b>Minerals Local Plan</b> (approved 1996).</p> <p>(see <i>What's in a name?</i> in Section 2 above)</p>	<p>Strategy/policies for minerals planning in Essex until at least 2028, plus allocations of sites for development and a proposals map. Comprises:</p> <ul style="list-style-type: none"> <li>• Minerals <b>Core Strategy</b>, setting out the long-term direction for minerals development and the plan to deliver the strategy</li> <li>• Development Management Policies for Minerals</li> <li>• Strategic Site allocations and safeguarding for mineral extraction, transshipment facilities and other related activities</li> <li>• Policies (previously Proposals) Maps</li> </ul>	<ul style="list-style-type: none"> <li>• Evidence gathering, followed by public consultation on various Issues &amp; Options including site options, then the Preferred Approach setting out ECC's preferences including sites; each stage document includes public consultation, and consultation responses inform the next stage of preparation</li> <li>• Publication and Pre-Submission public consultation on soundness of the document</li> <li>• Submission to Planning Inspectorate</li> <li>• Examination by Planning Inspector and publication of Inspector's Report</li> <li>• Review and Adoption of the document</li> <li>• Annual monitoring review thereafter</li> </ul>
3 (WDD) (WLP)	<b>Joint Waste Development Documents</b> (in conjunction with	Strategy/policies for waste planning in Essex and Southend until at least 2031, plus allocations of	<ul style="list-style-type: none"> <li>• Evidence gathering, followed by public consultation on various Issues &amp; Options including site options,</li> </ul>

Nº/ Acronym	Document	Description	Stages to Adoption
	Southend on Sea unitary authority), called the replacement <b>Joint Waste Local Plan</b> since April 2012, which will, when adopted, replace the current <b>Essex &amp; Southend Waste Local Plan</b> (approved 2001),  (see <i>What's in a name?</i> in Section 2 above)	sites for development and a proposals map. Comprises: <ul style="list-style-type: none"> <li>• Waste Core Strategy</li> <li>• Development Management Policies for Waste</li> <li>• Strategic Site allocations for waste-related development</li> <li>• Non-Strategic Site Allocations for other preferred sites for waste processing plus any associated safeguarding</li> <li>• Policies (previously Proposals) Maps</li> </ul>	then the Preferred Approach setting out ECC's preferences including sites; each stage document includes public consultation, and consultation responses inform the next stage of preparation <ul style="list-style-type: none"> <li>• Publication and Pre-Submission public consultation on soundness of the document</li> <li>• Submission to Planning Inspectorate</li> <li>• Examination by Planning Inspector and publication of Inspector's Report</li> <li>• Review and Adoption of the document</li> <li>• Annual monitoring review thereafter</li> </ul>
4 (SCI)	<b>Statement of Community Involvement</b> – this present document, setting out community engagement in the planning process	Document explaining how the people and businesses of Essex can be involved both in the preparation of the <b>MWDF</b> and in contributing to determining planning applications  (The amended <a href="#">Planning Act 2008</a> , removes the requirements for the SCI to be specified in the <b>MWDS</b> and for an independent examination of the <b>SCI</b> )	<ul style="list-style-type: none"> <li>• Preliminary scoping and initial public consultation</li> <li>• Production of Draft SCI and public consultation</li> <li>• Pre-submission public consultation and submission to Secretary of State</li> <li>• Adoption following incorporation of minor changes by Planning Inspector</li> <li>• Annual monitoring review</li> <li>• First Review of SCI including public consultation on changes</li> <li>• Adoption by ECC Full Council incorporating changes arising from public consultation</li> </ul>

Nº/ Acronym	Document	Description	Stages to Adoption
5 (AMR)	<b>Annual Monitoring Report</b> produced annually within 9 months of the end of the financial year	Self-assessment of progress against the <b>MWDS</b> timetable, the adequacy of <b>MWDF</b> policies and the effectiveness of public consultation as set out in the <b>SCI</b>	Produced annually; latest version can be viewed <a href="#">here</a> together with a detailed AMR on the SCI.
6 (SPDs)	<b>Supplementary Planning Documents</b> – supplementary guidance to support or expand new policies in the MWDF. None are proposed at this time.	These are not compulsory, but, if produced, would need to support and be consistent with new planning policy (both local and national) and with the SCI. Not subject to public examination.	If and when produced, would be in accordance with <a href="#">Town and Country Planning (Local Planning)(England) Regulation 2012</a> , and with the <a href="#">Planning &amp; Compulsory Purchase Act 2004</a> as amended by the <a href="#">Localism Act 2011</a> .

### Consultation at each stage of the process

The summary of engagement techniques for each key stage of the production process is set out as Table 5 below, and recognizes that different methods are suitable at different stages of the process. This table should be read in conjunction with Table 6 (updating Table 9 of the Adopted SCI) which takes on board all of the above considerations, together with modifications which have emerged through the [Annual Monitoring Reports](#) each year.

**4.6** The [2004 Regulations](#) (specifically Regulations 25 to 30) set out the statutory minimum requirements for consultation at each of the different stages of production for the Minerals & Waste Development Framework. The [2012 Regulations](#) (specifically Regulations 18-19 and 35-36) are less prescriptive.

**4.7** We continue to follow the techniques listed in the Adopted SCI (see Table 5), but are mindful of the [EssexWorks Corporate Strategy](#) and its emphasis on using resources even more effectively in an era of national budgetary constraint, and of the EssexWorks Communications & Marketing Strategy's declared objective of continuing "the shift to providing information on-line and reducing ECC print spend while increasing overall ...effectiveness".

**4.8** We shall therefore carry out meaningful engagement identified as effective through the [Annual Monitoring Review process](#), selecting from the range of engagement techniques listed in Table 5 below, and subject always to the availability of resources. Details of each technique are expanded in Table 6 below.

**Table 5 Revised summary of engagement techniques for each phase of production for the Minerals & Waste Development Documents - Statutory requirements are shown in regular font;**

Method N°	Technique – see details in Table 6
<b>Pre-Publication Stage (see 4.2 above)</b>	
<b>(Issues and Options and Preferred Approach steps)</b>	
1	Inspection copies at specified locations (see Table 6.1)
2	Direct communication with Specific and General Consultees including appropriate residents/businesses (see Table 6.2)
3	Publish documents/consultation response forms on website (see Table 6.3)
4	Response forms available in hard copy and electronically (see Table 6.4)
5	<i>Publication of newsletters, leaflets, flyers as appropriate</i> <i>Information pack (where required) (see Table 6.5)</i>
6	<i>Press release + public notice (see Table 6.6)</i>
7	<i>Area Forums/workshops (where required) (see Table 6.7)</i>
8	<i>Parish/ward meetings (where required) (see Table 6.8)</i>
9	<i>Feedback form to assess effectiveness of engagement activity (see Table 6.9)</i>
<b>Publication Stage (see 4.3 above) (Regs 19-20 of 2012 Regulations)</b>	
1	Inspection copies at specified locations (see Table 6.1)
2	Direct communication with Specific and General Consultees including appropriate residents/businesses and including appropriate residents/businesses, and including copies of/links to each of the published proposed submission documents and a statement of the representation procedure on the tests of soundness of the documents (see Table 6.2)
3	Publish on the <b>ECC</b> website (see Table 6.3)
4	<i>Response forms (see Table 6.4)</i>
5	<i>Publication of Newsletters and/or Flyers when required (see Table 6.5)</i>
6	<i>Public notices on at least one occasion, stating representation procedures and locations and times where and when submission documents are available for inspection (no longer a statutory requirement in the <a href="#">2012 Regulations</a>)</i>  <i>Press Release (see Table 6.6)</i>

Method N°	Technique – see details in Table 6
7-8	<i>Not required</i>
9	<i>Feedback form to assess effectiveness of engagement activity</i>
<b>Formal Submission Stage (see 4.3 above) (Reg 22)</b>	
1	Inspection copies of submission documents described in 22.1 of the 2012 Regulations plus the public notice at specified locations (see Table 6.1 and 6.6)
2	Direct Communication with those Specific and General consultees (see Appendix) and appropriate residents/businesses invited to make representations at previous stages, advising where and when the inspection Submission documents might be viewed. Also confirmation that the documents have been submitted to those who have requested notification of submission. (see Table 6.2)
3	Publish on ECC website (see Table 6.3)
4	<i>Public notice in press (see Table 6.4)</i>
5,6,7,8,9	<i>Not required</i>
<b>EiP (Hearing) &amp; Post-Submission Stage (see 4.3 above) (Regs 24-26)</b>	
Examination in Public ( <b>EiP</b> ) / Hearing: (Reg 24)	
At least <b>six</b> weeks before the hearing:	
1	Copy of the public notice in compliance with Reg 24) at specified locations (see Table 6.2)
2	Notify any person who has made a representation (Reg 20) and has not withdrawn that representation of the date, time and place of the hearing plus the name of the Planning Inspector appointed (see Table 6.2)
3	Publish the public notice on ECC website (see Table 6.3)
6	<i>Public notice in press (see Table 6.6)</i>
Publication of Inspector's recommendations: (Reg 25)	
As soon as reasonably practicable after receipt of the Inspector's report:	
1	Inspection copy of report and recommendations or a direction from the Secretary of State (Reg 29) available to view at specified locations (see Table 6.1)
2	Give notice to those registered to receive notification (see Table 6.2)
3	Publish recommendations/reasons on <b>ECC</b> website (see Table 6.3)
6	<i>Press release (see Table 6.6)</i>
Adoption of the Local Plan Document (see 4.4 above): (Reg 26)	

Method N°	Technique – see details in Table 6
As soon as reasonably practicable after adoption:	
1	Inspection copies of Adopted Plan, accompanying documents and adoption statement available to view at County and District offices and in Essex Public Libraries (see Table 6.1)
2	Send adoption statement to those registered to receive notification (see Table 6.2) Send Local Plan Document + adoption statement to Secretary of State
3	Publish Adopted Plan, accompanying documents and adoption statement on <b>ECC</b> website (see Table 6.3)
6	<i>Public notice</i> <i>Press release</i>
In any other circumstances, Regs 27 to 31 of the 2012 Regulations shall apply	

### How will we consult?

The table below sets out in detail the techniques for consultation we propose to use, taking on board changes arising through new legislation and those identified via the Annual Monitoring Review process. Main changes include the shift towards online documents with a limited number of hard copies available in specified locations.

**Table 6 How will we consult? The table below is a simplified version of Table 9 in the Adopted SCI, taking on board changes arising through new legislation and those identified via the Annual Monitoring Review process.**

Method N°	Technique
1	<b>Inspection copies at specified locations</b> <ul style="list-style-type: none"> <li>The <a href="#">2012 Regulations</a> require us to make documents available for inspection at our principal office and at such other places within the county as we consider appropriate, during normal office hours (for hours, see box on p11)</li> <li>There is no requirement for the inspection copies be in hard copy format.</li> <li>We are aware of the need to balance the policies in the <a href="#">EssexWorks Corporate Plan</a> and Communications Strategy (see 4.7 above) with <a href="#">Equalities Legislation</a> (see 3.11 above) and our desire to reach the seldom heard categories of consultee (see 4.11 below) within the county.</li> <li>We therefore propose that the norm for future consultations will be:</li> </ul>



Method Nº	Technique
	<ul style="list-style-type: none"> <li>• To place hard copies of the main (but not accompanying) documents for inspection during the set consultation periods at the following locations – County Hall, Chelmsford; Civic Centre, Southend-on-Sea (WDDs only); Essex <b>DBCC</b> planning offices; respective local public libraries (but not mobile libraries due to lack of space).</li> <li>• Because of their length and cost, accompanying documents (such as Sustainability Appraisals, Strategic Environmental Assessments, Strategic Flood Risk Assessments, Habitats Regulation Assessments, Equality Impact Assessments and other documents in the evidence base, the public notice and appendices and the Submission suite of accompanying documents as set out in the <a href="#">2012 Regulations</a>, section 22), would normally be in electronic format, most usually as <b>CDs</b>. However, these accompanying documents can be viewed most easily <a href="#">online</a>. For those without access to a computer this facility is also offered by all Essex libraries (excluding mobiles) which provide magnification and narrator options. In addition, library staff are able to support you in locating the documents on the website and libraries are also open outside normal office hours, including some evenings and weekends (see <a href="#">here</a> for details).</li> <li>• The period for which the documents will be available for inspection will be as advertised in the public notice, and will now normally be 6 weeks, in conformity with the <a href="#">2012 Regulations</a> (see also 4.14 to 4.15 below).</li> <li>• Once a policy document is adopted, it will remain available for inspection as above for 6 weeks after its adoption. However, we are required to display a revised <b>SCI</b> or supplementary planning document (if produced) for 3 months following the date of its adoption, after which inspection copies would be available at County Hall, Chelmsford only, and on the <b>ECC</b> website.</li> </ul>
2	<p><b>Direct consultation with Specific and General Consultees (inc Preferred Approach stage) including appropriate residents and businesses</b></p> <ul style="list-style-type: none"> <li>• The <a href="#">2012 Regulations</a> (18.2) require us to consult with those specific consultation bodies as we consider may have an interest in the documents (see Appendix); those general consultation bodies as we consider appropriate (see Appendix); also residents and other persons carrying on business in Essex from whom we consider it appropriate to invite representations.</li> <li>• We shall therefore continue to consult all appropriate specific and general consultees on our consultation database, plus those residents and businesses who have responded to previous consultations on the respective consultation documents, plus those who are situated within 250m of a proposed minerals or waste development, (Direct Neighbour Notification) or who have specifically asked to be involved.</li> <li>• Under the <a href="#">2012 Regulations</a>, there is no requirement to provide any of these categories of consultee with hard copies of the documents.</li> </ul>

Method N°	Technique
	<ul style="list-style-type: none"> <li>• However, under Regulation 36, we <b>must</b> provide a copy of any document as soon as reasonably practicable after it has been requested by anyone. The format in which the document should be provided is not specified, and Regulation 36(3) allows us to make a reasonable charge for a copy of any document provided.</li> <li>• We therefore propose that the norm for future consultations be:             <ul style="list-style-type: none"> <li>• To send the initial notification of a consultation by post/email to all types of consultee, as set out originally in the <a href="#">Adopted SCI</a>, Table 9, Method 2.</li> <li>• To include in this initial notification a statement of the representations procedure with details of where documents may be viewed and when; the dates and length of the consultation period; the subject of the consultation and details of how to respond to the consultation (ie the public notice).</li> <li>• To include with this initial notification <b>either</b> a link to the consultation documents on the <b>ECC</b> website <b>or</b> a <b>CD</b> containing <b>all</b> the consultation documents and relevant supporting information, <b>or both</b>, as appropriate.</li> </ul> </li> <li>• If anyone not on the database of consultees requested a copy of the documents, these would normally be provided free of charge in CD format. If hard copies were requested, these would be printed on demand, and upon receipt of the cost of printing, packaging and postage, which would be advised beforehand.</li> </ul>
3	<p><b>Publish documents/consultation response forms on website</b></p> <ul style="list-style-type: none"> <li>• As for the Adopted <b>SCI</b>, current regulations require us to publish the documents under consultation on the <b>ECC</b> website, and this will include all supporting documents.</li> <li>• Consultees are encouraged to respond to all consultations online via our consultation portal as the cheapest, quickest and most effective method of responding and ensuring that comments made can be viewed by respondees and others with the minimum of delay. Other methods of responding are also available (see 4 below).</li> <li>• Your responses will be taken into account in shaping the next stage of each document, and contribute to the evidence base for each document. See also <i>What happens to your comments?</i>, p25 below.</li> </ul>



Method Nº	Technique
4	<p><b>Response forms available in hard copy and electronically</b></p> <ul style="list-style-type: none"> <li>Under the 2012 Regulations (3.2), respondents are invited to respond to consultations either electronically (directly via the online portal mentioned in 3 above, by email or by fax) or in writing.</li> <li>Online response forms are automatically available via the online portal, but a Word version can be downloaded from our website, or a hard copy version requested via our Helpline (01245 435 555). Letters, emails and petitions not using the response form format are also accepted, but will take longer to upload onto the consultation portal.</li> <li>Those contemplating sending a petition or e-petition rather than an individual response should check the ECC website for the current corporate <a href="#">Petitions Policy</a>.</li> <li>In accordance with the <a href="#">Freedom of Information Act</a> and the <a href="#">Data Protection Act</a> and the <a href="#">Environmental Information Regulations</a>, original written or electronic representations could be made available to the public on request, but all responses published on our consultation portal will include only the respondent's name and reference number, with other personal information such as addresses, email addresses, phone numbers and signatures deleted.</li> <li>The <a href="#">2012 Regulations</a> (3.3) set out that when an electronic communication is received outside our normal office hours (ie until 1700 Monday to Thursday and until 1630 on Fridays) it is to be taken to have been received on the next working day, which excludes Saturdays, Sundays, bank holidays, other public holidays or ECC holidays.</li> </ul>
5	<p><b>Publication of newsletters, leaflets, flyers as appropriate/ Information pack (where required)</b></p> <ul style="list-style-type: none"> <li>Publication of newsletters, leaflets, flyers and information packs is not a statutory requirement under either previous or current Regulations. However, we are committed to front-loading our consultation processes (see Table 3 above) and so we shall use these methods whenever we believe that this will be an appropriate and cost-effective method of communication.</li> <li>We shall continue to use <i>Making the Links</i>, ECC's electronic newsletter to parish and town councils, on a regular basis, as this has proved an extremely effective method of keeping <b>PTCs</b> up to date on progress with the policy documents and with planning applications and enforcement activity. <b>PTCs</b> are also encouraged to use any locally-relevant information we provide in their own local community newsletters. It is also possible for individuals to receive the newsletter electronically by phoning the Parish Information &amp; Co-ordination Officer on 01245 437308.</li> <li>ECC's magazine to all households in Essex, <i>EssexWorks</i>, is no longer published in hard copy as a result of budgetary constraints, but can be viewed <a href="#">online</a> via the ECC website, and we shall publish details of consultations and planning applications in this whenever possible, when our news coincides with the quarterly publication dates.</li> <li>Leaflets, postcards and flyers will be used as appropriate, and when cost-effective. In particular, these will be used to direct local residents towards</li> </ul>

Method N°	Technique
	their nearest drop-in sessions where applicable, on noticeboards and in libraries to raise awareness of forthcoming consultations and to provide a web link for further information.
6	<p><b>Press release + public notice</b></p> <ul style="list-style-type: none"> <li>Under the <a href="#">2012 regulations</a>, it is no longer a requirement to publish a formal public notice of a forthcoming consultation in the press.</li> <li>The cost of publishing these public notices in the local press is one of the highest costs attached to public consultations and to the consideration of planning applications, and its effectiveness in awareness-raising has been questioned nationally. However, it is a sure method of ensuring that information is published consistently throughout the county in a familiar format and location.</li> <li>We therefore propose to continue to publish local newspaper notices advertising our public consultations, whilst avoiding duplicate coverage if at all possible. This method will be kept under review, and if a satisfactory alternative technique evolves during the plan period, this would be considered, but only implemented with previous wide publicity to this effect.</li> <li>Press releases will continue to be sent to local press as set out in the Adopted SCI to raise awareness of consultations, and the Corporate Communications team will work closely with the local media to monitor the accuracy of any related articles which might appear.</li> </ul>
7	<p><b>Area Forums/Stakeholder Groups &amp; Workshops (where required)</b></p> <ul style="list-style-type: none"> <li>Area forums no longer exist as a result of corporate restructuring following budget cutbacks.</li> <li>Workshops have been used very effectively during the Issues &amp; Options stages of consultation on the Minerals &amp; Waste Development Framework, but are not a requirement for the Submission stage of a document.</li> <li>We have always been careful to hold workshops at a variety of locations and times, and this will continue, usually at earlier stages in the consultation process where workshops are identified as most appropriate. Feedback from these confirms that they are a valuable opportunity for a wide range of people with different viewpoints to get actively engaged, to debate in a non-controversial environment and to consider issues in greater depths.</li> <li>Some workshops are awareness-raising sessions for groups with a particular interest in the development and outcomes of the Minerals &amp; Waste Development Framework. These are called stakeholder groups, and cover for example parish and town councillors, minerals and waste developers and officers from Essex local DBCCs, and these would continue as appropriate.</li> <li>Other workshops might include a cross-section of representatives from each of the above groups, plus local resident and business representatives, looking at specific issues in greater detail. Essex Citizens' Panellists (volunteers from the local community with an interest in environmental issues) may also be used from time to time at these workshops to add value from an independent perspective.</li> </ul>

Method N°	Technique
8	<p><b><i>Parish/ward meetings (where required)</i></b></p> <ul style="list-style-type: none"> <li>Parish and ward meetings are not a statutory part of the consultation, but have been used in 2 main ways as an effective engagement technique at the Issues &amp; Options stage of consultation on the Minerals &amp; Waste Development Framework.</li> <li>The first method has been the introduction of drop-in sessions when appropriate, often in areas close to proposed sites, where information displays have been set up to show local proposals in greater depths, and where <b>ECC</b> planning staff are available for several hours in each location to discuss both county-wide strategic issues and local residents' concerns on a one to one basis. These have proved to be particularly successful in getting local people (including the seldom heard, see 4.11 below) involved in the consultation.</li> <li>Parish/ward meetings are also held at the request of the local community, and it is up to the <b>PTC</b> to ensure that these are well-publicized and attended. This format is less preferred than that of the drop-in sessions described above, as numbers can become unwieldy and it is less easy to address individual concerns, particularly for those in the seldom heard category (see 4.11 below).</li> <li>Both forms of meeting will continue to be available at appropriate stages of the consultation process.</li> </ul>
9	<p><b><i>Feedback form to assess effectiveness of engagement activity</i></b></p> <ul style="list-style-type: none"> <li>Feedback forms are a non-statutory part of the consultation process, but are a useful tool for the <b>Annual Monitoring Report</b> to evaluate the success of techniques used in the consultation.</li> <li>Feedback is sought as a matter of course as part of the online consultation response form, and has also been used to monitor the success of workshops and improve their effectiveness.</li> <li>We propose to continue monitoring the success of our consultation activity via feedback forms, and to demonstrate how this is taken on board via the Annual Monitoring Report.</li> </ul>

### Whom will we consult?

The [2012 Regulations](#) (Reg 18) require us to consult appropriate specific and general consultation bodies, and an updated list of these is included as Appendix 1. Reg 18(2)(c) also sets out that we should involve “*such residents or other persons carrying on business in the local planning authority’s area from which (we) consider it appropriate to invite representations*”.

**4.9** Over time, the Minerals and Waste Planning team has built up an extensive database of organisations and individuals wishing to be involved in our consultations on minerals and waste policy documents. In addition to the specific and general consultees referred to above, consultees also include:

- Individuals with an interest in planning matters or who will be affected by the decision-making process for the Minerals & Waste Development Framework, some of whom may be:
- Residents who live within 250m of a proposed minerals or waste development, who will be contacted by Direct Neighbour Notification (see Table 6.2) or
- Those who have previously responded to respective minerals or waste policy consultations or who have asked to be involved as a result of drop-in sessions or workshops

**4.10** Individuals or organizations wishing to be consulted can request to be added to the database at any time, or can ask to be removed from the database of consultees.

### Reaching the seldom heard

The seldom heard are those people least likely to make their views known through public consultation and who often miss out on information because they do not belong to a recognised organisation or group. Direct Neighbour Notification and drop-in sessions are recognized as being our most successful method of reaching the seldom heard, together with the involvement of existing local parish networks.

**4.11** Those who fall into the seldom heard category are:

- People of working age who, due to work and family commitments, have very limited periods of free time in which to involve themselves in wider issues (the time-limited)
- People of school age who are too young to belong to recognised consultation organisations
- People of limited mobility, through either age or disability
- People whose first language is not English
- People with sight or hearing impairment
- People without a permanent address including gypsies and travellers, and those who through circumstance or life-style choice have no fixed contact address.

**4.12** Recognising that people are most likely to get involved in the consultation process when they feel a proposed site will affect their quality of life, our most successful method in reaching the seldom heard has been Direct Neighbour Notification, supported by local drop-in sessions (see Table 6.2 and 6.8) where individuals can call in to discuss any issues on a one to one basis with planning officers.

**4.13** We also recognise that parish and town councils (**PTCs**) are key contributors in increasing awareness at local level, particularly as they have existing communication networks within their areas. **PTCs** are specific (statutory) consultees, but we also use *Making the Links*, the County Council's newsletter for parish and town councils, to ensure all Essex parishes are up to date

with what progress is being made both on policy documents and with planning applications (see Table 6.5 above). Individuals can also register to receive the newsletter electronically by contacting the Parish Information & Co-ordination Officer on 01245 437308.

**What happens to your consultation comments on the Minerals & Waste Development Documents? (*Consultation comments in a planning applications context are covered in detail in Section 5*)**

Your comments are acknowledged on receipt. Those input directly on line by the consultee can be viewed immediately via the consultation portal at <http://consult.essexcc.gov.uk>. Those sent by letter or email are viewable once uploaded onto the consultation portal; this may take a little time, depending on the volume of responses. Comments are then carefully reviewed, and a summary is drawn up, grouping similar comments together. These comments form an essential part of the evidence base and are used to inform future stages of plan preparation.

Consultation comments on the Minerals & Waste Local Plans are identified by name and number only, online and in the summaries, where comments are grouped by issue. The original written or electronic representation could be made available to the public on request under the terms of the [Local Government \(Access to Information\) Act 1985](#) and of the [Planning & Compulsory Purchase Act 2004](#). All information would be handled in accordance with the requirements of the [Data Protection Act 1998](#).

Most comments received refer to the actual documents upon which we are consulting, or to the policies contained therein. Others contain references relating to particular local issues, and some are general comments on the way **ECC** conducts its business. Some comments (eg errors in typography etc) can be quickly taken on board and are not directly acknowledged; comments on issues, topics, policies and procedures are considered in context when the next stage of documentation is prepared, and many are instrumental in amending or revising the direction of the approach. We shall give reasons if we do not act on specific issues.

Other comments are incorporated into our subsequent plans for improving our services and the engagement experience. [The Annual Monitoring Report](#) reviews progress against the documents and timescales set out in the Minerals & Waste Development Scheme, and our Pre-Submission Statement of Compliance for each part of the Minerals & Waste Development Framework will set out exactly how we have acted on the results of community involvement.

## How long will consultations last?

**ECC** proposes to consult in future for the statutory 6 weeks in line with Essex district, borough and city councils and with neighbouring county councils.

**4.14** The [2012 Regulations](#) (Reg 17) confirm that the period for consultations must be not less than 6 weeks from the day on which a statement of the representations procedure is published. This is in agreement with the timeframe set out in the [2004 Regulations](#). In the [Adopted SCI](#), **ECC** extended that consultation period to 8 weeks and this has been applied to all consultations on the Minerals & Waste Development Framework, including consultation on this First Review of the SCI.

**4.15** However, an 8 week consultation period is out of conformity with the statutory consultation period (6 weeks) used by the majority of neighbouring county councils, unitary authorities and Essex District, Borough & City Councils (DBCCs), and with Regulation 35 of the [2012 Regulations](#). We therefore propose to reduce the standard consultation period to 6 weeks from the adoption date of this review document, as there is no inherent difference in our documents which would justify an additional 2 weeks.

**4.16** If the consultation period unavoidably runs over the Christmas Holiday Period or in conjunction with another major consultation, consideration would be given to extending this period.



## 5 CONSULTATION ON PLANNING APPLICATIONS

### Public involvement with planning applications- what you can do

The public already has the right to comment on planning applications, and the [Planning and Compulsory Purchase Act 2004](#) reinforced this right by requiring local authorities to set out in their Statements of Community Involvement how the public would be involved at each stage of the planning application process, and to monitor this by the Annual Monitoring Review process.

Recent legislation (specifically the [Localism Act 2011](#)) has further strengthened the opportunities for public involvement in the planning application process by requiring developers to carry out pre-application public consultation before submitting an application.

**5.1** The public has had the right to comment on planning applications for some considerable time, and the [Planning and Compulsory Purchase Act 2004](#) reinforced this right by requiring local authorities to set out in their Statements of Community Involvement how the public would be involved at each stage of the planning application process, and to monitor conformity with this by the [Annual Monitoring Review](#) process. Implementing measures set out in the Adopted SCI led to a major increase in the number of respondents to planning applications once Direct Neighbour Notification (see Table 9.7 below) was introduced; in addition, the number of pre-application discussions (see 5.5 below) has increased by an average of 34.4% since the start of monitoring, and developers voluntarily carrying out Public Involvement Programmes (see 5.10 below) has increased by an average of 4.6% (2010/2011 figures for **ECC**).

Recent legislation (specifically the [Localism Act 2011](#)) has further strengthened the opportunities for public involvement in the planning application process by requiring developers to carry out pre-application public consultation before submitting a major application (see 5.10 below).

In addition, **ECC** has implemented a new system for handling planning applications in a more speedy and cost-effective way. This will bring about some changes in the way in which consultation with the public is handled. All applications will be viewable in full on line on the **ECC** website, but also at local council offices and libraries throughout the County, where a range of accessibility options are available to improve the way in which applications can be examined. Following public consultation on this **SCI** First Review document, an [Equality Impact Assessment](#) is to be carried out to ensure that these amendments are in accordance with [Equality legislation](#).

**5.2** A brief outline of how the people and businesses of Essex can be involved in the various stages of the planning application process is set out in Table 7 below and in the following sections; further information can also be found by following the appropriate links in the text to the ECC website.

**Table 7 What you can do to influence the planning application process**

<b>Involvement Action</b>	<b>Stage of Development</b>
<b>Keeping Informed</b>	
Monitor information sources about planning applications such as site notices, press advertisements, the <a href="#">Planning website</a> and parish noticeboards and newsletters	Pre-application and application
Take opportunities to find out more – attend any exhibitions or meetings offered as part of the applicant's public involvement programme, or any other local meetings, read summaries of applications (and shortly full applications) and officers' reports on the <a href="#">ECC website</a> and at Essex district, city and borough council offices and local libraries	Pre-application and application
Support Site Liaison Groups, where site representatives, members of the local community and planning officers meet regularly to discuss issues	Ongoing
Track the application's progress on the ECC website to know when consultation closes and when the application will be heard at Committee	Application
Check the <a href="#">decision notice</a> issued after the Committee has met to know what the decision is, and what conditions may have been applied	Determination and post-decision
If you live near a site, be aware whether any conditions imposed (such as operating times) are being complied with (see Table 12.1 below)	Determination and post-decision
<b>Making Your Views Known</b>	
Respond directly to consultations such as questionnaires, consultation letters to parishes/districts, Direct Neighbour Notification letters (see Table 8 below)	Pre-application and application
Respond to publicity (site and press notices, the website, parish notice boards and newsletters etc) by sending your views in writing (letter, email or on line) to the contact address provided	Pre-application and application
Where these exist, pass your views to Site Liaison Groups (see above)	Ongoing
Feed your views in to Parish or District Councils to help them formulate their responses, or to your local County Councillor	Application
Make sure that if you raise objections, these are for valid planning reasons (see 5.19 below)	Application
If you think that conditions imposed with a decision are being ignored, let the planning authority know, so that we can check this out as part of our ongoing programme of site monitoring (see Table 12.5 and 12.6 below)	Post-decision
<b>Attending Development &amp; Regulation (D&amp;R) Committee</b>	
As an Observer or as a Speaker. See 5.26 to 5.28 below	Determination



## Planning Applications dealt with by Essex County Council

**5.3** Essex County Council is responsible for determining planning applications for:

- **The winning and working of minerals and related developments**

Minerals are the naturally occurring materials which make up the Earth. They are extracted by quarrying companies for use in a wide variety of industries, most notably in construction and road building. The geology of Essex dictates both the type of mineral which can be extracted and the location of quarry sites. The infrastructure of the County, the distribution of population and the sensitivity of the natural environment determine where minerals can be extracted and processed.

- **The management and treatment of waste**

Many kinds of waste are produced and disposed of in Essex, from household waste to hazardous waste. All of these types of waste require particular facilities to enable them to be re-used, recycled or disposed of in a safe and environmentally-acceptable manner.

- **The County Council's own developments such as schools, libraries and new roads (known as Reg 3 applications)**

**ECC** is responsible for providing a wide range of public services such as transportation and education, and these services generate new development such as roads or school extensions, which may require planning permission. Any necessary planning applications would usually be dealt with by the County planning authority and determined in accordance with current local planning policies (see Table 10 below).

- **Essex County Council does not handle planning applications for new houses and home extensions, or for new or extended business premises.**

These are dealt with by the appropriate borough, city, district or unitary authority.

## How we will consult at each stage of the planning application process

**5.4** ECC exceeds the statutory requirements for consultation set out in the [Town & Country Planning \(Development Management Procedures\) \(England\) Order 2010](#).

**Table 8 Planning Applications – a quick reference guide to the most appropriate engagement techniques for each stage of the application process**

Stage & Technique
<b>All Stages</b>
General information on the planning application process available at all stages on the <b>ECC</b> website, specific information from the application stage. A publicly-accessible online tracking system from submission to post-decision is to be implemented in late 2012.
The Planning Helpline service (01245 435 555) is available throughout the application process, together with an email enquiry system at <a href="mailto:mineralsandwasteDM@essex.gov.uk">mineralsandwasteDM@essex.gov.uk</a> .

Stage & Technique
<b>ECC</b> encourages site liaison groups to run irrespective of planning applications as a means to understand each others' viewpoints.
<b>Pre-Application Stage</b>
Applicants are keenly encouraged to consult appropriate statutory/non-statutory bodies for early advice.
Applicants are encouraged (or obliged in some circumstances) to carry out a Public Involvement Programme by using some or all of the techniques below (in agreement with the planning officer) depending on the size or impact of the application:
<ul style="list-style-type: none"> <li>publishing information on their own websites from the pre-application stage onwards, and providing other easily-accessible information eg <b>CDs</b></li> <li>using media to raise awareness from pre-application stage onwards.</li> <li>utilising leaflets, flyers etc as part of their public involvement programme, tapping into the parish newsletter network if appropriate.</li> <li>setting up public exhibitions/displays etc, particularly for major or potentially controversial sites.</li> <li>setting up local public meetings to address high levels of concern at an early stage.</li> </ul>
<b>Application Stage</b>
Planning applications available to view in full at County and respective Essex <b>DBCC</b> offices, also at respective local libraries. Legal requirement to hold details on respective DBCC Planning Register.
<b>ECC</b> consults appropriate statutory/non-statutory bodies at this stage.
Details of applications published on <a href="#">ECC Planning website</a> , together with consultation dates and summaries, and are published in <i>Making the Links</i> parish newsletter. Full applications available to view from late 2012, together with ability to track an application's progress from submission to determination.
Statutory requirement to advertise some categories of application in local press (see Table 10 below).
Statutory requirement to publicise all applications by site notice (see Table 10).
<b>ECC</b> contacts properties within a defined radius of a planning application by letter ( <b>DNN</b> ) as an additional method of involvement (statutory alternative to site notices: <b>ECC</b> does both).
<b>ECC</b> would suggest applicants consider public exhibitions and/or public meetings at application stage for proposals generating greater public interest than anticipated at the pre-application stage.

Stage & Technique
Public meetings can also be set up by parishes/districts/local groups at the application stage if high level of public interest is indicated.
<b>Determination Stage</b>
Before an application is determined, all consultation responses/representations received are taken into account by <b>D&amp;R</b> Committee or by case officers determining applications under delegated powers.
Committee agendas, reports and minutes are published on <b>ECC</b> website (see 5.23 to 5.25 below).
Public speaking at <b>D&amp;R</b> Committee (see 5.26 to 5.28).
Planning Aid representatives can speak/make representations on behalf of individuals/groups at <b>D&amp;R</b> Committee.
<b>Post-decision Stage</b>
Copies of decision notices available to view online and at respective Essex <b>DBCC</b> offices; included in Planning Register, also sent to appropriate <b>PTC</b> offices.
Environment Agency informed of decision post-determination (if consulted) by letter, other consultees only on request.
Decision notices and enforcement information is published on ECC Planning website, and via the <i>Making the Links</i> parish newsletter.
Members of public who made representations notified of decision.
Applicants are encouraged to consider open days at sites as an ongoing method of engaging public interest.
<b>ECC</b> holds occasional industry meetings/workshops to update on general issues.

### The Pre-application stage of a planning application

The objective of the pre-application stage is to establish the relevant planning policies that will be taken into account when the application is considered, and to highlight the main issues to be addressed, also to clarify the format, type and level of detail required by the planning authority to determine an application. The pre-application stage, while respecting commercial confidentiality, requires the planning authority, developer and interested parties to work together to achieve a considered application addressing relevant planning matters and taking into account public opinion.

**5.5** There are two elements of the pre-application stage:

#### **Discussion between planning authority and developer**

**5.6** To establish the relevant planning policies which will be taken into account when the application is considered; to highlight main issues to be addressed; to clarify the format, type and level of detail the planning authority will need to determine an application.

#### **5.7**

These discussions will also identify whether formal assessments such as [Environmental Impact Assessments](#), [Habitats Regulations Assessments](#) and [Flood Risk Assessments](#) are required, enabling the developer to submit these assessments with an application.

#### **Engagement with the local community**

**5.8** The [Localism Act 2011](#), paragraph 122, now requires developers to carry out pre-application consultation before submitting a major planning application, and to take account of the responses to that consultation in the submitted application.

**5.9** Early engagement (front loading) at the pre-application stage has benefits for all parties involved: for the developer, there will be significant savings in time and money if an application can be processed swiftly; there will be improved outcomes for local communities if their concerns can be taken into account before an application is formally submitted; the planning authority will be able to issue timely decisions if all necessary information is provided at the time of application

**5.10** Depending on the level of the proposed application and in accordance with any advice received from the local planning authority, these must include publicity appropriate to the scale of the application and its likely local impact. This Public Involvement Programme may be in the media, by posters and flyers, by public exhibitions and meetings or by direct contact, or any other appropriate methods agreed with planning officers, which will achieve the requirement to bring the proposal to the attention of the majority of those homes and businesses in the vicinity of the proposal (see Table 8 above for examples). Any consultation material on the proposed application must include details of how individuals should respond and by when.

The [National Planning Policy Framework 2012](#), paragraph 189, stresses that although developers are not obliged to consult the planning authority before submitting an application, the planning authority should pro-actively encourage take-up of pre-application assistance.

The [Localism Act 2011](#), paragraph 122, places a requirement on developers to involve the local community in meaningful pre-application consultation (as agreed with the local planning authority), and to demonstrate how they have taken account of the responses to that consultation in the submitted application. See Table 8 above for examples of appropriate engagement.

**5.11** A more detailed summary setting out the steps and requirements for all parties involved in the pre-application stage (including the role of County Councillors and the implications of new legislation) is currently in preparation, and will be available shortly [here](#) on the ECC website.

### The Submission of a planning application

Valid planning applications are entered onto the Planning Register held by Essex **DBCCs** and publicised on site and in the local press if appropriate. Applications (currently in summary, shortly in full) are available to view in local council offices and libraries and on the Planning website, and a variety of relevant consultees are notified, including those living within an agreed radius of a proposed site (Direct Neighbour Notification).

### Validation and Registration

**5.12** ECC provides a validation checklist for the various types of application we deal with, together with details of any accompanying assessments which may be required to accompany the application, and these can be downloaded [here](#), together with further information which may be required.

**5.13** As a result of the [Localism Act 2011](#), developers are now required to submit a formal record of their Public Involvement Programme as part of their planning statement for each major application.

**5.14** Once **ECC's** new **APAS** case management system is fully operational, electronic copies of planning applications will be included on the Planning Register for each respective Essex district, borough and city council office.

**5.15** The date when an application is validated is also recorded, as the planning authority is required to make every effort to process applications within set timescales. It should be noted that if an application arrives within working hours, it would be counted as arriving on that day, but if it arrives outside working hours, it would be regarded as having been received on the next working day, which excludes weekends, bank holidays and other public holidays. **ECC** working hours are currently 9am to 5pm on Monday to Thursday, and 9am to 4.30pm on Friday.

## Awareness-raising and Consultation

Table 9 How planning applications are publicised

	<b>Details of a planning application can be publicised in a number of ways, as set out below:</b>
1	Details can be viewed on the Planning Register for the appropriate borough, city, district or unitary authority where the proposed application is located, or at County Hall, Chelmsford, by appointment.
2	A list of all current Minerals, Waste and County Council planning applications can be viewed <b>here</b> on the ECC website. The actual application and its progress towards determination will also be available to view shortly online.
3	At the moment, applications can be viewed in hard copy in the Essex library nearest to the proposed location during the 21-day consultation period. Some libraries are open outside office hours at evenings and weekends, but individual library opening hours should be checked <b>here</b> . Once the new case management system is fully functional, any application can be viewed online at any Essex library (excluding mobiles) for the whole of its progress towards determination.
4	The County Council's local Members are also notified of applications relevant to their district/ward or in the vicinity.
5	Appropriate parish and town councils are contacted automatically on planning applications (see Table 8 above), but are also supplied electronically each month with a list of all pending applications and decisions made via the <b>ECC</b> publication <i>Making the Links</i> . Also profiled each month in <i>Making the Links</i> are current and forthcoming applications of particular or general interest, or details of subsequent enforcement action which has become necessary (see Table 12.6 below).
	<b>Depending on the category of the application (see Table 10), the following awareness-raising is also carried out by ECC</b>
6	At least one site notice on or near the proposed site for at least 21 days (All categories of application).
7	<b>Direct Neighbour Notification:</b> all properties within 250 metres of the application site boundary will be sent a letter advising of the proposed application, giving details of where to view the application electronically and how to respond (All categories). For County Council applications, all properties adjacent to the application site boundary will be sent this information.
8	A public notice in the local press giving particulars of the application and how and when to respond. (Categories A and B – see Table 10)
9	If an application is of particular local interest, local parish and town councils ( <b>PTCs</b> ) may also wish to include further information in their parish newsletters, display details on community noticeboards or hold a public meeting, which <b>ECC</b> officers or the developers may be invited to attend.

**5.16** This is in addition to the developer-led consultation with the local community described in Table 8 above.

**Table 10 ECC Formal Consultation Procedures for different categories of planning application**

<b>Advertisement by</b>	
<p><b>Category A</b></p> <p>An application which is</p> <ul style="list-style-type: none"> <li>Accompanied by an Environmental Statement (known as an EIA application)</li> <li>A Departure, ie does not accord with the <b>Development Plan</b></li> <li>Likely to affect a Public Right of Way under the terms of the <a href="#">Wildlife and Countryside Act (1981), Part 3</a></li> </ul>	<p>At least 1 site notice on or near the site for at least 21 days (statutory); and</p> <ul style="list-style-type: none"> <li>By Direct Neighbour Notification (non-statutory); and</li> <li>Advertised as Notice of Particulars in local press (statutory)</li> </ul>
<p><b>Category B</b></p> <p>An application which does not come under (A) above, but is defined as a <b>major</b> development, ie for:</p> <ul style="list-style-type: none"> <li>Waste development</li> <li>The winning and working of minerals</li> <li>Provision of building(s) where floor space created is 1000sqm or more</li> <li>Development on a site of 1hectare or more</li> </ul>	<p>At least 1 site notice on or near the site for at least 21 days (statutory); and</p> <ul style="list-style-type: none"> <li>By Direct Neighbour Notification(non-statutory); and</li> <li>Advertised as Notice of Particulars in local press (statutory)</li> </ul>
<p><b>Category C</b></p> <p>An application covered under neither (A) nor (B) above</p> <p>NB: Additional provisions apply to applications involving listed buildings and conservation areas under Reg 5 of the <b>Planning (Listed Buildings and Conservation Areas) Regs 1990</b> (as amended)</p>	<ul style="list-style-type: none"> <li>At least 1 site notice on or near the site for at least 21 days (statutory); and</li> <li>By Direct Neighbour Notification(non-statutory)</li> </ul>

**5.17** Once the County Council has published details of a planning application, anyone wishing to comment on it must do so by the deadline set for each particular consultation, either online or by letter or email. Responding online is encouraged as the cheapest and fastest method of response.



**5.18** Telephone comments cannot be accepted, but the Planning Helpline is available during office hours on 01245 435 555 to answer any queries relating to the consultation or how to respond or to check on progress. Alternatively, queries can be made via the ContactEssex service (see back cover for details). Advice on the submission of petitions relating to planning applications can be found [here](#).

**5.19** All written representations will be taken into account, provided that:

- They include the sender's full name and address, even when sent by email.
- They arrive within the consultation period
- Representations are based on valid planning reasons such as traffic or landscape impact, but not, for example, perceived impact on local house prices. Further advice on this issue can be found [here](#) on the Planning Portal.

**5.20** Consultation results will be reported and taken into account in decisions made by and on behalf of the Council.

### Re-consultation

**5.21** On occasion, it may be necessary to request further information or amendments to applications, some of which may require re-consultation. A minor amendment to an application which would not materially change the character of a development would not normally result in re-consultation. However, the submission of additional supporting information on which the public and statutory consultees need the opportunity to comment, or the introduction of significant amendments to a consultation would generate a further consultation period.

### The Determination of a planning application

After the consultation process on the application stage is complete, the planning officer dealing with the application prepares a detailed report, taking into account all representations and consultation responses received. A decision is then taken on whether the application should go before the County's Development & Regulation (D&R) Committee, or be dealt with under Delegated Powers. (See Table 11 below).

**5.22** The publication of the [National Planning Policy Framework 2012 \(NPPF\)](#) signals a shift in national policy towards the presumption in favour of sustainable development, and this affects both plan-making and decision-taking.



For those determining planning applications, and unless material planning considerations indicate otherwise, this means:

- Approving development proposals which accord with the current development plan without delay;
- Where the development plan is absent or silent, or relevant policies are out of date, granting permission unless:
  - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or
  - Specific policies in the NPPF indicate that development should be restricted

## The ways in which a planning application can be determined

**Table 11 The ways in which a planning application can be determined**

<p><b>1) By Development and Regulation (D&amp;R) Committee</b></p> <p><i>D&amp;R Committee consists of a group of Members who meet once a month to consider and determine planning applications, assisted by detailed committee reports presented by planning officers. All Committee Members receive regular training on relevant planning issues and legislation.</i></p>	<p>An application would go before <b>D&amp;R</b> Committee when it is recommended for approval and:</p> <ul style="list-style-type: none"> <li>• It is subject to an <a href="#">Environmental Impact Assessment</a></li> <li>• 3 or more letters of objection relating to planning material considerations have been received and issues remain unresolved or</li> <li>• A Statutory consultee has a fundamental objection which cannot be overcome; or</li> <li>• The proposal is a major departure from the current Development Plan; or is an application which raises major issues</li> </ul>
<p><b>2) By Delegated Powers</b></p> <p><i>Council has delegated the power of determining certain applications to the Head of Environmental Planning, assisted by detailed reports presented by planning officers</i></p>	<p>An application is likely to be determined under Delegated Powers when:</p> <ul style="list-style-type: none"> <li>• 2 or fewer letters of representation have been received, and the Chairman of <b>D&amp;R</b> Committee has not requested that it goes to the Committee for determination</li> <li>• The proposal accords with the policies of the current Development Plan and is otherwise approvable or</li> <li>• The proposal does not accord with policies in the current Development Plan (or specific policies in the <a href="#">National Planning Policy Framework</a> if the Development Plan is out of date) and is to be refused</li> </ul>

**3)** Exceptionally, by the Secretary of State for the Department of Communities & Local Government (**CLOG**)

*The recommendation of D&R Committee or delegated report is sent to the Secretary of State who has the option of calling in the application for his or her own determination.*

An application is likely to be determined in this way when:

- It is an application for County Council Listed Building or Conservation Area consent (which may be in conjunction with a planning application) or
- The proposal is otherwise covered under [Town & Country Planning \(Consultation\)\(England\) Direction 2009](#) and the Secretary of State directs that he/she would want to determine the application

Possible outcomes when a planning application goes before **D&R** Committee are:

- Approval
- Approval with conditions or requirements imposed (see Table 16 below)
- Refusal
- Non-determination (for example, when an applicant decides to withdraw the application)
- Referral to Secretary of State with recommendation to approve (see (3) above)
- Deferral until a site visit has taken place or more information has been received

Other post-decision options such as appeal on refusal and enforcement are discussed in Table 12 below

## Officer Reports, Committee Agendas and Delegated Reports

**5.23** **D&R** Committee agendas contain Planning Officers' reports on planning applications. The Agenda is published [here](#) at least 5 working days before the Committee meeting. Full agendas are no longer sent out in hard copy, but hard copy versions of the relevant reports are available from the Committee Administrator on 01245 430 163, as are alternative formats.

**5.24** Delegated Reports (see Table 11 above) are also available to view [here](#) following determination. They can also be obtained from the Committee Administrator on 01245 430 163.

**5.25** Officers' reports will include details of any recommendations made at the pre-application stage for applicants to carry out public consultation, and will summarise what the applicant has done to meet these recommendations, and to take on board public opinion.

## Public Speaking on planning applications at Development & Regulation Committee

**5.26** **D&R** Committee meetings are open to the public: that is to say, members of the public may attend the meetings, but they do not have an automatic right to speak at these meetings. Meetings are held in committee rooms at County Hall which are accessible to the disabled.

**5.27** Those who have submitted an application and members of the public who have submitted a written representation on an application are entitled to register to speak at **D&R** Committee, in accordance with the committee's protocol. There is a requirement that the person or group

representative must have submitted a written representation upon the application being determined by Committee, and must have registered to speak with the Committee Administrator **at least two working days** before the date of the meeting.

**5.28** Full details of the public speaking procedures are set out in the booklet *Development & Regulation Committee: Public Speaking on Planning Applications* available on the website [here](#), or by contacting the Committee Administrator for a copy (01245 430 163). Details are also given in the consultation and Direct Neighbour Notification letters.

### The post-decision process

Following determination of the application, notification of the planning decision is sent to interested parties and placed on the Planning Register. This decision notice shows whether the application has been granted or refused, and (if granted) whether any conditions have been imposed. Mineral sites plus those waste sites still actively involved in landfill are monitored after this on a regular basis. Those with high standards of conformity are recognized at an awards ceremony, but any breaches of planning conditions are subject to an Enforcement Protocol.

**Table 12 The post-decision process**

<b>1) Notification of the planning decision</b>
<p>The applicant is sent a signed and dated planning decision notice showing whether the application has been granted or refused, and if granted, whether any conditions have been imposed. A copy of the decision notice is also sent to the Essex <b>DBCC</b> planning authority (where it is placed on the Planning Register for public inspection) and to the relevant parish council(s). Anyone who submitted a representation on the application will receive a letter detailing the decision made together with any conditions imposed.</p> <p>The decisions and minutes of the Development and Regulation Committee meeting are also posted on the County Council website <a href="#">here</a>. Delegated decisions and decision notices can also be accessed via the same link. We shall shortly to be able to provide the facility via our website to enable the tracking of an application from validation to decision.</p>
<b>2) Submission of Details</b>
<p>Conditions attached to planning permissions can impose restrictions on development before, during and after implementation: eg, applicants could be required to submit detailed information concerning access arrangements to a site before planning permission can be implemented, whereas submission of information regarding planting or screening of the site may be deferred until after the commencement of development.</p>
<b>3) Disposal of Applications</b>
<p>If the planning authority has formally notified an applicant that further information is required to support an application which has been validated but not determined, and no further information has been received from the applicant in the 6-month period specified in that formal</p>

notification, the planning authority could dispose of the application with no right of appeal (see 4 below), nor option for the applicant to withdraw or proceed with the application. The application would be deemed no longer to be on the Planning Register, and the applicant would be informed accordingly.

#### 4) Appeals on Decisions

Appeals can be made by applicants only to the Planning Inspectorate for determination for a number of reasons: non-determination, appeal on refusal, or against conditions imposed. There is no third party right of appeal on planning decisions (ie by members of the public).

Appeals can be held as Informal Hearings, Written Representations or Public Inquiries in accordance with the regulations ([Planning Appeals Procedures Circular 05/2000](#)). A good overview of the appeals process can be found [here](#), and [Planning Aid](#) may be appropriate in certain circumstances. Planning Appeals will be carried out in accordance with the regulations with consultees, and third party representations notified accordingly.

#### 5) Site Liaison Groups, Site Monitoring, Site Awards and Aftercare

The creation of formal liaison groups on active minerals and waste sites is actively encouraged. These are an invaluable opportunity for the developer and community to discuss not only the day to day operations on site, but also issues and stages of development or initial planning applications . (see Table 7 above).

Planning officers carry out regular site visits to check for compliance with conditions on active minerals sites and waste landfill sites and make occasional inspections of inactive sites, waste management sites and **Reg 3** sites. Any issues arising from these inspections would normally be dealt with by discussions between the planning officer and the operator concerned. However, if remedial actions were not taken within an agreed timescale, this could result in the implementation of enforcement action in accordance with the enforcement protocol (see 6 below).

This Authority undertakes formal Site Monitoring of mineral extraction and landfill sites. There are set monitoring fees for the visits and formal reports are produced for the operator. A separate [Mineral & Active Landfill Environmental Awards Scheme](#) has been in operation since 1997 and is carried out in conjunction with the [Mineral Products Association](#) to recognise those sites which operate in the most environmentally-sensitive manner.

Some minerals and waste developments are temporary operations and are reinstated back to a specific afteruse – eg agriculture. Restoration and aftercare conditions are applied to achieve the appropriate reinstatement of the land for afteruse. Planning conditions are normally imposed and annual aftercare meetings are held as phases of the development are restored to monitor how the land is re-instated. The aftercare period is normally for 5 years after re-instatement begins for each phase.

## 6) Enforcement

Where unauthorised development appears to have taken place, or it appears that planning conditions/limitations have not been followed, **ECC** may initiate formal enforcement action in accordance with our [Enforcement concordat](#), updated in line with paragraph 207 of the [National Planning Policy Framework 2012](#).

Initially informal discussions between the operator and the relevant officer would take place to try to resolve issues. If the matter could not be resolved amicably in this way, the procedures set out in the [Enforcement Concordat](#) would then be implemented. For the important role which the public can play in this process, see Table 7 above.

## 7) Complaints

If members of the public are unhappy with the way the decision or post-decision processes have been carried out (as opposed to being unhappy with the decision itself), they may wish to take formal issue via the County's [Complaints Policy](#). Our full procedures for making complaints, comments or compliments is set out [here](#).

## 6 HOW SHALL WE REVIEW THE SCI?

**6.1** The **SCI** will be monitored through the [Annual Monitoring Report](#) which reviews the implementation and effectiveness of the **SCI** and of the Minerals and Waste Local Plans against the Minerals & Waste Development Scheme and respective policies. Unless future changes to national legislation or **ECC** corporate policy necessitates a Second or subsequent Review of the **SCI**, the **SCI** will continue to be monitored and consulted upon according to the process set out below.

**Table 13 Monitoring and Subsequent Review of the SCI**

The **SCI** will be subject to regular review as part of the [Annual Monitoring Report](#) in accordance with the timetable set out in the [Minerals and Waste Development Scheme](#).

The **SCI** will be monitored against **ECC** corporate policies, including the Communications & Marketing Strategy 2012-2017 and accompanying Print Policy, and reported in the [Annual Monitoring Report](#).

Conformity with the procedures and statements set out in this **SCI** and responsiveness to feedback received from consultees and the general public will be monitored as part of the Annual Monitoring Process. This will be done normally by monitoring against the Minerals & Waste Development Scheme for quantitative data, and through feedback from consultees for qualitative data.

Feedback from each consultation exercise will be taken on board to assess the effectiveness of the various techniques used, and evaluated in terms of cost-effectiveness and availability of resources to implement. Any activities proposed above the minimum statutory requirements will be kept under regular review, and if identified as unsuccessful at the **Annual Monitoring Review** stage, will be refined or replaced at the next consultation stage.

The results will continuously inform the preparation of the Local Plans and the consideration of planning applications.

## 7 APPENDIX

### Consultees on the Minerals and Waste Local Plans

The [2012 Regulations](#) (Reg 18) require us to consult:

- a. such of the specific bodies as we consider may have an interest in the subject of the proposed document;
- b. such of the general consultation bodies as we consider appropriate and
- c. such residents or other persons carrying on business in the area from which we consider it appropriate to invite representations.

#### **a) Specific Consultation Bodies**

<ul style="list-style-type: none"> <li>• A relevant authority any part of whose area is in or adjoins Essex, namely:             <ul style="list-style-type: none"> <li>• <i>Essex District Borough or City Councils</i></li> <li>• <i>Essex Parish or Town Councils</i></li> <li>• <i>Essex County Council internal consultees</i></li> <li>• <i>Neighbouring County Councils</i></li> <li>• <i>Neighbouring Unitary Authorities</i></li> <li>• <i>Neighbouring London Boroughs</i></li> <li>• <i>Neighbouring Districts or Boroughs</i></li> <li>• <i>Neighbouring Parish/Town Councils</i></li> <li>• <i>Police Authorities.</i></li> </ul> </li> <li>• The Coal Authority</li> <li>• The Environment Agency</li> <li>• English Heritage</li> <li>• The Marine Management Organisation</li> <li>• Natural England</li> <li>• Network Rail Infrastructure Limited (company number 2904587)</li> <li>• The Highways Agency</li> <li>• Any person to whom the electronic communications code applies (under section 106(3)(a) of the Communications Act 2003)</li> </ul>	<ul style="list-style-type: none"> <li>• Any person who owns or controls electronic communications apparatus situated in any part of Essex</li> <li>• Any of the following exercising functions in Essex:             <ul style="list-style-type: none"> <li>• A Primary Care Trust established under section 18 of the NHS Act 2006 or continued in existence by virtue of that section;</li> <li>• A person to whom a license has been granted under section 6(1)(b) or (c) of the Electricity Act 1989;</li> <li>• A person to whom a license has been granted under section 7(2) of the Gas Act 1986;</li> </ul> </li> <li>• Sewerage undertakers</li> <li>• Water undertakers</li> <li>• The Homes and Communities Agency</li> </ul> <p><b>Also:</b></p> <ul style="list-style-type: none"> <li>• The Regional Planning body; East of England Local Government Association; Greater London Authority</li> <li>• Appropriate government departments, including Defra, MOD, Department for Transport etc</li> </ul>
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**b) General Consultees**

<ul style="list-style-type: none"> <li>• Voluntary bodies some or all of whose activities benefit any part of Essex</li> <li>• Bodies which represent the interests of different racial, ethnic or national groups in Essex</li> <li>• Bodies which represent the interests of different religious groups in Essex</li> <li>• Bodies which represent the interests of disabled persons in Essex</li> <li>• Bodies which represent the interests of persons carrying on business in Essex</li> <li>• Age UK</li> <li>• Airport operators</li> <li>• British Geological Survey</li> <li>• Canal and River Trust, canal owners and navigation authorities</li> <li>• Centre for Ecology &amp; Hydrology</li> <li>• Chamber of Commerce, local CBI and local branches of Institute of Directors</li> <li>• Church Commissioners</li> <li>• Civic societies</li> <li>• Civil Aviation Authority</li> <li>• Community groups</li> <li>• Crown Estate Office</li> <li>• Design Council</li> <li>• Dedham Vale AONB/Stour Valley Management Plan</li> <li>• Diocesan Board of Finance</li> </ul>	<ul style="list-style-type: none"> <li>• Disabled Persons Transport Advisory Committee</li> <li>• Environmental groups at national, regional and local level, including; <ul style="list-style-type: none"> <li>• <i>Council for the Protection of Rural England;</i></li> <li>• <i>Friends of the Earth;</i></li> <li>• <i>RSPB</i></li> <li>• <i>Wildlife Trusts</i></li> </ul> </li> <li>• Equality and Human Rights Commission</li> <li>• Fire and Rescue Services</li> <li>• Friends, Families &amp; Travellers</li> <li>• Fields in Trust</li> <li>• Forestry Commission</li> <li>• Freight Transport Association</li> <li>• Gypsy Council</li> <li>• Health and Safety Executive</li> <li>• Home Builders Federation</li> <li>• Learning and Skills Councils</li> <li>• Local transport authorities</li> <li>• Local transport operators</li> <li>• Passenger transport authorities</li> <li>• Passenger transport executive</li> <li>• Police architectural liaison officer/crime prevention design advisors</li> <li>• Port operators</li> <li>• Post Office Property Holdings</li> <li>• Rail Freight Group</li> <li>• Road Haulage Association</li> <li>• Skills Funding Agency</li> <li>• Sport England</li> <li>• Transport for London</li> </ul>
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**c) Other Consultees**

Such residents or other persons carrying on business in the area from which we consider it appropriate to invite representations, eg previous respondees and Direct Neighbour Notification consultees.





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

You can contact us in the following ways:

By email:

**mineralsandwastepolicy@essex.gov.uk**

By telephone:

**Helpline 01245 435 555 (during office hours, Monday to Friday)**

**ContactEssex 0845 603 7624 or Minicom 0845 758 5592**

**8am to 8pm Monday to Friday, Saturday 9am to 12 noon**

By post:

**Essex County Council, Minerals and Waste Planning**

**Environment, Sustainability and Highways**

**FREEPOST CL3636, E3, County Hall, Chelmsford, Essex CM1 1XZ**

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or made available in alternative formats, on request.

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DS12 3064



## Essex Minerals Local Plan

Report by Councillor John Jowers, Cabinet Member for Communities & Planning  
Enquiries to Roy Leavitt Head of Environmental Planning 01245 437522

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### **Purpose of report**

Cabinet will be considering this matter on Friday, 7 December when it has before it the following recommendations:

- 1 That Council approve the Essex Minerals Local Plan Proposed Submission Document attached to this report to enable:
  - a. representations to be sought during the consultation period January through to March 2013; and
  - b. subsequently, the formal submission of the Plan to the Secretary of State after consideration of the representations, in readiness for the formal Examination in Public in late summer 2013.
- 2 That the Cabinet Member for Communities and Planning be delegated authority to make any appropriate further minor amendments during the process of the Plan to deal with responses to the next consultation and any further legislative or procedural changes that do not materially affect the content of the Plan.
3. That the Head of Planning, Environment and Economic Growth be delegated authority to agree modifications to the Plan for consideration by the Independent Inspector at the Examination in Public which do not materially affect the content of the Plan.

The outcome of Cabinet's consideration of this matter will be reported in the Report of Cabinet Issues on 7 December 2012 (to follow).

## Background and Proposal

The County Council is preparing a new replacement Minerals Local Plan (MLP) under statutory processes to replace the existing and outdated Minerals Local Plan (1996, covering the period 1996-2011). The Plan will provide planning policies to guide and enable minerals and related developments until 2029.

The Plan has been developed following several rounds of consultation and engagement since December 2005 with the public and with other interested parties, including the minerals industry, Local Authorities and Parish and Town Councils in Essex and the former East of England Region, the Aggregates Working Party for the East of England and statutory undertakers. Representations received through the public engagement stages have been taken into account as the Plan has progressed.

The Plan has been developed in consultation with a cross-party Member Panel, chaired by the Cabinet Member for Communities and Planning, with specific terms of reference to ensure Member advice was readily available to assist officers. The Panels have been presented with a series of Topic Papers to enable discussion.

The Plan has also been project managed through a Minerals and Waste Project Board chaired by the Deputy to the Cabinet Member for Communities and Planning.

The site areas that are to be included in the Minerals Local Plan are as follows:

- Bradwell Quarry, Rivenhall
- Broadfield Farm, Rayne
- Colchester Quarry, Fiveways
- Sunnymead, Alresford
- Little Bullocks Farm, Little Canfield
- Maldon Road, Birch
- Blackleys Quarry, Gt Leighs
- Shellows Cross, Roxwell / Willingale
- Land at Colemans Farm
- Slough Farm, Martells

Council endorsement of the Plan (a statutory requirement), would enable a formal consultation in January through to March 2013. It is planned that the following timetable would then be followed:

Publish Minerals Local Plan Proposed Submission for Representations to be made on the Tests of Soundness	17 January 2013
Consider Representations and to formally Submit the Plan to the Secretary of State (Planning Inspectorate)	July / August 2013
Independent Examination in Public	October 2013

Inspector's Report	December 2013
Adoption of the Plan by Full Council	January 2014

Throughout the plan making process, there have been changes to planning legislation and in particular to Government planning advice, the latter culminating in the National Planning Policy Framework (NPPF) in March 2012. The Plan proposed takes all these changes into account.

A summary of the key issues covered by the emerging Plan are set out in the MLP Submission Document. The essence of the Plan is:

- to ensure that minerals waste is reduced and aggregates recycling opportunities are maximised;
- to ensure that there would be, taking into account existing minerals extraction sites, a landbank sufficient for at least an appropriate period of years for all minerals necessary to be extracted in Essex. For sand and gravel, that would amount to planning for the delivery of an additional 40.67million tonnes within the Plan period; and
- to provide policies and a supply of sites to meet NPPF and the economic requirements to ensure growth in Essex, but which have the least harming effects on the Essex environment and social infrastructure.

The Examination in Public (EiP) held by an independent inspector will assess the Plan against the following:

- the four tests of soundness as identified in the National Planning Policy Framework
- legal requirements for the production of a local plan. These include showing that the Plan has been prepared in accordance with the Local Development Scheme and in accordance with the Statement of Community Involvement. It must also have been subject to a Sustainability Appraisal, Strategic Flood Risk Assessment and Habitats Regulations Assessment
- the Duty to Co-operate, and
- the policies contained in the NPPF, including the new requirement for a Local Aggregates Assessment.

For clarity, the tests of soundness are that the Plan should be:

- 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;
- Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

- Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

It will be submitted at the EiP that the Minerals Local Plan meets these requirements.

Officers at the EiP would need to make day-to-day decisions on proposed non-consequential amendments to the Plan so as to enable the Plan to progress. Officers will need to have delegated authority to agree such changes. Any proposed amendments that would enable the Plan to progress but which may be of consequence, would need to be referred back to the Cabinet Member for decision.

## **Policy context**

The MLP supports Council priorities set out in the Corporate Plan by:

- giving people a greater say and a greater role in building safer and stronger communities, encouraging residents to get more involved in their communities and helping communities play a greater role in shaping, challenging and developing local services;
- securing the highways infrastructure and environment to enable businesses to grow, ensuring planning services are cost-effective, transparent and timely and delivering minerals and waste plans/determining applications in a timely and cost-effective manner whilst always seeking improvements to the service; and
- improving public health and wellbeing by protecting and managing the Essex environment.

## **Financial Implications**

The MLP is a statutory requirement. The Plan provides the framework for the Council to determine planning applications for mineral workings from private developers and, as such, there are no direct financial implications for the Council.

There is currently adequate budgetary provision for the whole project of producing and taking the new Plan through to adoption.

## **Legal Implications**

Having an out of date MLP is likely to increasingly impact on future proposals for relevant development in the County and will not reflect the extent that would be preferable in terms of government and local considerations. The decision and changes to the Statement of Community Involvement commence the final stages of the adoption of a new MLP. The MLP, and the changes proposed, provide a reasonable response to the issues raised by respondents to consultation. The delegations sought will enable timely consideration of any necessary further amendments to ensure that the document put forward for EiP is as fit for purpose as it can be.

## **Equality and Diversity implications**

An Equality Impact Assessment (EqIA) has been completed in respect of the effects of the proposed policies and sites on equality and diversity issues. A separate EqIA has been prepared in respect of the consultation processes to be followed for the continuation of the Plan-making process and this is regulated by the Statement of Community Involvement.

In respect of the proposed policies and sites, minerals can only be extracted where resources exist in commercially viable quantities and locations.

Policies and preferred sites within the Plan have been subjected to sustainability appraisal, which has been undertaken in parallel with plan preparation and forms part of the local plan evidence base.

A statutory Minerals and Waste Annual Monitoring Report (AMR) is produced by the Council every financial year. Its purpose, amongst other things, is to assess the effectiveness of the MLP policies and would flag up if there are any equality and diversity issues arising by the operation of the policies. This report also monitors the Statement of Community Involvement and other aspects of community involvement.

EqIA status is considered low and therefore Section Two of the EIA is not required.

### **Supporting papers**

All of the documents supporting the report to Cabinet are available on the website as part of the Cabinet Agenda papers.





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# 1 Summary

## 2 Introduction

Minerals planning ensures that the need for minerals is balanced against the impacts of minerals extraction on local communities and the environment.

The Minerals Local Plan sets out the vision and policy governing minerals development in Essex until 2029. It will address the need to contribute towards national and local requirements for minerals together with social, environmental and economic considerations. It will present a clear picture of what minerals activity is acceptable to enable decisions about investment to be made by industry and to provide certainty for local communities about minerals development in their area. It will replace the existing Minerals Local Plan. It will be the basis on which a decision is made to approve or refuse a mineral planning application.

## 3 National Policy

The government sets out policies and guidance that mineral planning authorities must have regard to in preparing their local planning policy. The Minerals Local Plan has been prepared in accordance with the new National Planning Policy Framework (March 2012). It also complies with the legal requirements of the Planning and Compulsory Purchase Act 2004, the Planning Act 2008, the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Localism Act 2011.

## 4 Essex Mineral Resource

Essex County Council is the Mineral Planning Authority for Essex (except for the unitary authorities of Southend-on-Sea and Thurrock).

Essex produces 5 main mineral types:

- **Aggregates** – this term includes sand, gravel, crushed rock and other bulk materials used in the construction industry, only sand and gravel is relevant to Essex. The County is one of the largest producers in the UK. It is especially extensive in the centre and north of Essex, the districts of Uttlesford, Braintree, Chelmsford, Colchester and Tendring. It is used to produce concrete
- **Silica sand** – This is higher value sand which contains a high proportion of silica in the form of quartz. It is used for a variety of industrial uses, there is one site producing silica sand in north-east Essex. Its uses include glassmaking, foundry casting, ceramics, horticulture and water filtration
- **Brick Clay** - This is sedimentary material used in the industrial manufacture of bricks, roof tiles and clay. There are two brick making sites in Essex, both of which extract brick clay.
- **Brick Earth** – Historically used in making bricks and tiles, it is not currently being worked. Most of this mineral is found in Rochford District.
- **Chalk** - A form of sedimentary limestone rock, produced mainly for agriculture but also used in the pharmaceutical industry. It is only extracted at one site in the form of white chalk in the north-west of the County.

The location of Essex's minerals activity is shown in Figure 1 .

Transport of minerals is probably one of the most noticeable of impacts on local communities. Over 78% of the sand and gravel extracted in Essex is used in Essex, therefore the majority of minerals are transported by lorries. The County also has to import minerals such as hard rock as there are no deposits in Essex. The plan addresses this transport issue as well as ensuring that the impact of minerals development on Essex's citizens and its environment are minimised and that sources of aggregate will be planned, co-ordinated and wherever possible located near to the County's main growth areas.

## 5 Vision

### **Vision for Essex for mineral development to 2029**

The Vision shows how we would like mineral development to go forward in Essex during the plan period. All the policies and preferred sites are informed by this vision and are intended to deliver it.

#### (A) Sustainable Development

Minerals development will make a positive contribution to Essex through a plan-led, collaborative approach which promotes the sustainable use, re-use, recycling and extraction of minerals. Sustainable mineral and mineral-related development will be approved without delay when in accordance with this Plan.

#### (B) Primary Mineral Provision

Essex will continue to be a major producer and user of sand and gravel, with the majority of that produced being used within the County itself. This will enable the planned growth within district/ borough/ city authority plans to occur and facilitate the maintenance of existing infrastructure. A steady and adequate supply of sand and gravel will be provided to meet national and local need, having regard to the Local Aggregate Assessment and the targets agreed with the East of England Aggregates Working Party, whilst not over-supplying in order to protect Essex's environment and our finite mineral resources. Plan provision will also be made for silica sand and brick clay.

#### (C) Co-ordinating Essex Supply of Minerals

Sources of aggregate, whether primary, secondary or recycled, will be planned to serve the whole of the county and wherever possible located in proximity to the County's main growth centres - Basildon, Chelmsford, Colchester, and Harlow, and the South Essex Thames Gateway, Haven Gateway and West Essex Alliance (formerly M11 corridor) growth areas, to maintain an appropriate match between mineral supply and demand. The lack of primary aggregate resources in the south and west of the County will be addressed to ensure that planned urban growth can take place without unnecessarily long transport distances. The existing infrastructure of rail depots and marine landing wharves in Essex and neighbouring Thurrock, in particular, will be important in this regard. The long distance importation of aggregates will be maintained to ensure provision of non-indigenous minerals.

#### (D) Protecting Amenities and Communities

All minerals development will be well-designed to afford protection to local communities and the built, natural and historic environment. Mineral developers will engage with communities to create the most appropriate local solutions.

#### (E) Climate Change

Ensuring all minerals development is located, operated and managed whilst having regard to climate change mitigation and adaptation, so the County plays its part in reducing greenhouse gas emissions and is resilient to potentially more extreme future weather conditions.

#### (F) Reduce, Re-use and Recycling of Minerals

Minerals previously extracted from the ground will be put to better use. The recycling and reuse of construction, demolition and excavation waste will be maximised, by safeguarding existing strategic aggregate recycling sites (SARS) and locating new facilities in proximity

to the key centres of Basildon, Chelmsford, Colchester and Harlow. The Council promotes sustainable procurement and construction techniques and the use of alternative building materials in accordance with national and local policies.

#### (G) Protecting Mineral Resources and Facilities

The needless sterilisation of mineral resources by development will be avoided by designating 'Minerals Safeguarding Areas' (MSA's) for sand and gravel, chalk, brick clay and brickearth. Existing, permitted and preferred mineral sites and mineral supply infrastructure will be safeguarded to ensure the effective operation of these sites is not compromised, and to prevent incompatible development taking place close by to the potential detriment of future occupants.

#### (H) Restoration and After-use

Mineral workings are temporary in nature. Restoration and after-use schemes will continue to be integral to site selection and the consideration of planning applications, with progressive working and restoration schemes expected. The focus of after-use will shift from purely agricultural use – important though that remains - towards enhancement of the local environment by means of increased provision for biodiversity, geodiversity, climate change adaptation and outdoor recreation, including public rights of way.

#### (I) Communities

Collaborative working arrangements will forge stronger links with communities, stakeholders and local planning authorities, as well as neighbouring and more distant planning authorities on whom we rely for non-indigenous minerals. Collectively we will address the sustainable long-term supply of primary aggregates and the protection of public amenity.

#### (J) Economy and Long Term High Quality Environment and Landscape

As well as bringing economic advantage, effective collaborative working will ensure minerals development makes a positive contribution to our environment and biodiversity, through the protection and creation of high quality habitats and landscapes that contribute to a high quality of life for present and future generations.

## 6 Aims and Objectives

The Vision outlined above will be expressed and delivered through the aims and objectives set out below. Individual objectives are cross-referenced to the three parts of sustainable development – economic, social, and environmental.

Aims:	Strategy Objectives:
1. To promote sustainable development.	1. To ensure sustainable minerals development can be approved without delay in accordance with the presumption in the National Planning Policy Framework.

	<p>2. To ensure minerals development supports the proposals for sustainable economic growth, regeneration, and development outlined in adopted Local Plans/ LDFs prepared by Essex district/ borough/city councils.</p> <p>3. To ensure that minerals development in the County fully promotes sustainable development.</p> <p>4. To ensure certainty for both developers and the public.</p> <p>(economic, social, and environmental)</p>
2. To promote a reduction in greenhouse gas emissions including carbon, and ensure that new development is adaptable to changes in climatic conditions.	<p>5. To ensure that minerals and associated development provides for,</p> <ul style="list-style-type: none"> <li>• The minimisation of greenhouse gas emissions during the winning, working and handling of minerals.</li> <li>• Sustainable patterns of minerals transportation.</li> <li>• The integration of features which promote climate change mitigation and adaptation into the design of minerals restoration and after-care proposals.</li> </ul> <p>(environmental)</p>
3. To promote social inclusion and human health and well being	<p>6. To ensure that the local communities are consulted and their views considered during the development of minerals proposals and in the determination of planning applications for minerals development.</p> <p>7. To ensure that the impacts on amenity of people living in proximity to minerals developments are rigorously controlled, minimised and mitigated.</p> <p>(social)</p>
4. To promote the efficient use of minerals by using them in a sustainable manner and reducing the need for primary mineral extraction	<p>8. To reduce reliance on primary mineral resources in Essex, firstly through reducing the demand for minerals and minimising waste and secondly, by the re-use and using recycled aggregates.</p> <p>(economic, social, and environmental)</p>
5. To protect and safeguard existing mineral reserves, existing permitted mineral sites, and Preferred Sites for mineral extraction, as well as existing and proposed sites for associated mineral development.	<p>9. To identify and safeguard the following mineral resources in Essex:</p> <ul style="list-style-type: none"> <li>• Sand and gravel, silica sand, brick earth, brick clay, and chalk reserves which have potential future economic and/or conservation value (i.e. unnecessary sterilisation should be avoided).</li> <li>• Existing and potential secondary processing and aggregate recycling facilities that are of strategic importance for future mineral supply, to ensure that these are not compromised by other non minerals development.</li> </ul> <p>(economic, social, and environmental)</p>
6. To provide for a steady and adequate supply of primary minerals to meet future requirements.	<p>10. To provide for a steady and adequate supply of primary aggregates and industrial minerals by:</p>

	<ul style="list-style-type: none"> <li>• Safeguarding transshipment sites for importing and exporting mineral products.</li> <li>• Meeting the mineral provision targets agreed by the East of England Aggregates Working Party, or as indicated by the Local Aggregate Assessment.</li> <li>• Identifying suitable mineral extraction sites through site allocations in the Plan</li> </ul> <p>(economic)</p>
7. To protect and enhance the natural, historic and built environment in relation to mineral extraction and associated development.	<p>11. To provide protection from minerals development to designated areas of landscape, biodiversity, geodiversity, cultural and heritage importance, in a manner which is commensurate with their importance.</p> <p>12. To secure high quality restoration of extraction sites with appropriate after-care to achieve new after-uses which are beneficial and enhance the local environment.</p> <p>13. To maintain and/or enhance landscape, biodiversity and residential amenity for people living in proximity to minerals development.</p> <p>(environmental, social)</p>
8. To reduce the impact of minerals extraction and associated development on the transport system.	<p>14. To achieve more sustainable patterns of minerals transportation by,</p> <ul style="list-style-type: none"> <li>• Giving preference to identifying local sources of aggregate in relative proximity to urban growth areas and growth centres.</li> <li>• Optimising how minerals sites obtain access to the strategic highway network.</li> <li>• Mitigating the adverse traffic impacts of mineral extraction and associated development by appropriate traffic management measures.</li> <li>• Increasing the use and availability of rail and water facilities for the long haul movement of mineral products.</li> </ul> <p>(economic, social, and environmental)</p>

## 7 Strategy

The Strategy of the plan to achieve the Vision and objectives is as follows:

To provide for the best possible geographic dispersal of sand and gravel across the County, accepting that due to geographic factors the majority of sites will be located in the central and north-eastern parts of the County (to support key areas of growth and development and minimise mineral miles) with a focus on extending existing extraction sites with primary processing plant, and reducing reliance on restoration by landfill.

## 8 Conserving Minerals

The minerals hierarchy sets out the different approaches to the supply of minerals, and orders them in terms of their sustainability. The most sustainable option is to reduce the amount of minerals used, followed by sourcing minerals from alternative sources including secondary and recycled materials, and finally through the primary extraction of minerals.

Alternative sources include:

- recycled aggregates - primary aggregates which have already been used that can be reclaimed and recycled from the material arising from demolition processes
- secondary sources - other materials which can be used in place of primary aggregates in construction processes. These currently include blast furnace slag, power station ash, glass chips and shredded tyres.

The role of the plan is to promote the development of a network of minerals recycling and processing facilities and to also control the amount of land allocated for primary extraction in order to promote the use of secondary materials.

### Want to know more?

For more information about this topic please look at Policies S2, S4 and S5

## 9 Sand and Gravel

Aggregates are the most commonly extracted and used construction materials in the UK. They are an essential part of the economy, used for the maintenance of infrastructure and new development including houses, schools, flood defences and roads.

Minerals can only be worked where they occur. There is usually a mismatch between where aggregates are worked and where they are needed, therefore large quantities of aggregates are moved by road, rail and water locally and around the country.

### Managed aggregate supply

The National Planning Policy Framework requires the Council to plan for a steady and adequate supply of aggregates. Supply had historically been managed by predicting national need for primary land-won aggregates after taking into account the supply of alternative aggregates, such as recycled demolition waste, and marine dredged supplies. The land-won need was split into sub-national supply quotas and further separated into individual mineral planning authority areas. The Greater Essex land-won sand and gravel plan provision figure is 4.45 million tonnes per annum (mtpa) and has been divided as follows:

4.31 mtpa to Essex

0.14 mtpa to Thurrock



The Council is now required to prepare an annual 'Local Aggregate Assessment' based on a rolling average of 10 years sales data and other relevant local information, and an assessment of all supply options. This will now form the basis on which the plan provision is calculated. The most recent Local Aggregate Assessment records the aggregate sales for the period 2002-2011 as 3.62 mtpa for Essex. This is below the Essex plan provision figure of 4.31 mtpa. Although recent sales figures in Essex/ Thurrock combined are below this sub-national figure, this reflects a recessionary period in the national economy and is untypical in the context of historic performance in recent decades. In addition, taking a longer term view to 2029, it is believed that the UK economy will recover with an expectation for higher sales being the outcome.

### Industrial Minerals

Silica sand is extracted at one site in Essex at Martells Quarry. After allowing for what has already been permitted, more resources will need to be identified and an extension to the site has been identified. The Plan needs to provide for an additional 0.39 million tonnes of Silica Sand.

#### Want to know more?

For more information about this topic please look at Policies S6, S7, P1 and P2

## 10 Landbank

Because aggregates are so fundamental to our economy and quality of life, national policy requires mineral planning authorities to ensure there are enough reserves to meet the needs of the construction industry. A minimum landbank of 7 years supply for sand and gravel, 10 years for silica sand and 25 years for brick clay is recommended in the National Planning Policy Framework which reflects the time it takes to develop new areas of working.

A 'landbank' is a stock of planning permissions for the winning and working of minerals into the future. The size of a landbank is measured in terms of number of 'years'. The landbank is the total reserves with planning permission that can be worked now.

There are concerns about over-supply leading to wasteful use of a finite resource, and potential environmental impacts of granting permission for reserves to be worked over many decades.

The landbank is a tool to help protect against insufficient supplies. Preventing additions to the landbank can have consequences for individual sites and supply to particular markets, even when there seems to be more than enough. Many factors need to be borne in mind when considering how large the landbank should be and under what circumstances additional reserves should be permitted or resisted.

The landbank is an indicator of when new permissions are likely to be needed and is a tool used to give confidence in future supply. However, unforeseen circumstances can affect the overall landbank provision or production capacity and ability of the industry to respond to market demands including major projects.

National policy requires consideration to be given to the need for minerals that can't be provided by existing permitted reserves. Even if the landbank is greater than the minimum requirement proposals must be considered if they can supply that need.

At a local level policy is written to enable by the County Council on whether a minerals extraction proposal is acceptable and planning permission should be granted.

### Preferred Sites for Land Won Sand and Gravel Provision

Sites have been chosen with regard to their environmental and social acceptability by avoiding imposing any unacceptable adverse impacts on public health and safety, amenity, the environment, local community or highways. The following sites have been selected for future sand and gravel extraction:

**Table 1**

Site No.	Location:	Proposer:	Area: ha.	Approx. tonnage (mt)	MPA comments:
A3	Bradwell Quarry, Rivenhall	Blackwater Aggregates	9	1.0	Extension to existing quarry. Working and restoration to be integrated with A4-A7.
A4	Bradwell Quarry, Rivenhall	Blackwater Aggregates	25.5	3.0	Extension to existing quarry. Working and restoration to be integrated with A3 & A5-A7.
A5	Bradwell Quarry, Rivenhall	Blackwater Aggregates	35	3.0	Extension to existing quarry. Working and restoration to be integrated with A3-A4 / A6-A7.
A6	Bradwell Quarry, Rivenhall	Blackwater Aggregates	37.5	2.5	Extension to existing quarry. Working and restoration to be integrated with A3-A5 / A7.
A7	Bradwell Quarry, Rivenhall	Blackwater Aggregates	95	6.5	Extension to existing quarry. Working and restoration to be integrated with A3-A6.
A9	Broadfield Farm, Rayne	Lafarge Aggregates	90	4.28	New Site

Site No.	Location:	Proposer:	Area: ha.	Approx. tonnage (mt)	MPA comments:
A13	Colchester Quarry, Fiveways	Tarmac	15.5	2.95	Extension to existing quarry.
A20	Sunnymead, Alresford	Lafarge Aggregates	65	4.67	Extension to existing quarry.
A22	Little Bullocks Farm, Little Canfield	Environ	6.9	0.65	Extension to existing quarry.
A23	Little Bullocks Farm, Little Canfield	Environ	5.5	0.06	Extension to existing quarry.
A31	Maldon Road, Birch	Hanson	25	4	Extension to existing quarry.
A38	Blackleys Quarry, Gt Leighs	Frank Lyons Plant Services	22	1.07	Extension to existing quarry.
A39	Blackleys Quarry, Gt Leighs	Frank Lyons Plant Services	21	0.75	Extension to existing quarry.
A46	Colemans Farm	Simon Brice	46	2.5	New Site
A40	Shellows Cross, Roxwell / Willingale	Lafarge Aggregates	105	3.5	New Site
B1	Slough Farm, Ardleigh	Aggregate Industries	11.6	0.39	Extension to existing quarry.
		Total Provision		<b>40.824MT</b>	

1. Approximate tonnages are in millions of tonnes (mt).

The sites are listed above in are in no order of preference.

### Maintaining local supply

Reducing supply to only a very few sites can result in adverse environmental and social impacts including loss of jobs when smaller sites close, sterilising viable future reserves, and focusing impacts at a few sites. Additionally a lack of competition is likely to increase prices to consumers, in particular in the local market. However, it may also deliver benefits by concentrating supplies at sites with better access to the main roads and rail-links and completing and restoring sites more promptly.

**Want to know more?**

For more information about this topic please look at Policies S6, S7, P1 and P2

## 11 Mineral Safeguarding/Mineral Consultation Areas

Mineral resources are finite and can only be worked where they naturally occur. Sustainable minerals policy requires that we manage these natural resources carefully to ensure there are sufficient supplies for future generations.

One of the purposes of the planning system is to balance the various competing demands on land use. Safeguarding mineral resources simply means that the presence of mineral resources is flagged up when an application for development that could prevent minerals extraction is received. All the usual planning considerations are taken into account, plus the importance of the mineral resource, when deciding whether to grant permission and under what conditions. This does not mean that non-mineral development will not be permitted.

Mineral planning authorities are required to define Mineral Safeguarding Areas in local development documents. The Mineral Safeguarding Areas should contain resources that are of sufficient economic or conservation value to warrant protection for future generations. It is very important to note there is no presumption that resources defined in Mineral Safeguarding Areas will be worked.

The NPPF also requires the safeguarding of existing and potential sites for mineral transport and storage such as wharves and railheads and for production facilities for concrete, asphalt and for alternative materials.

### **Which minerals are to be safeguarded?**

Mineral resources of national and local importance need to be protected and safeguarded. In addition it is proposed that certain minerals that have not been worked for a while, but that may become economic again will also be safeguarded, for example brickearth. Therefore in Essex the following minerals are safeguarded: sand and gravel, silica sand, chalk, brickclay and brickearth

### **Defining the boundary for each mineral to be safeguarded**

The starting point is the British Geological Survey resource map for Essex. The Mineral Safeguarding Areas are refined where better geological data is available. Additionally, the minerals industry is consulted on the final resource boundaries for safeguarding since they may have information about the mineral resources and their economic viability that can help to refine the boundaries.

Aspects that need to be considered include whether to exclude urban areas and areas with designations that are not generally compatible with mineral working, such as conservation or landscape designations.

## Mineral Consultation Areas

In addition, Mineral Consultation Areas (MCAs) have been defined around all the Mineral Safeguarding Areas as defined on the Policies Map. They exclude the land contained within the MSA itself, but include all adjoining land extending for a further distance of 250 metres outwards from the outer boundary of the MSA. MCAs protect both mineral resources from sterilisation and future residents from unwanted impacts. MCAs are included within the Minerals Local Plan and district councils' local development frameworks, together with at least one appropriate policy in the core strategy requiring the Minerals Planning Authority to be consulted granting permission for development that could sterilise mineral resource.

## Wharves, railheads, production facilities and alternative materials

In addition Mineral Consultation Areas are also to be used to protect non-mineral activities such as wharves, railheads and production facilities.

Within Essex there are currently three railheads, Chelmsford Rail Depot, Harlow Mill Rail Station and Marks Tey Rail Depot. Ballast Quay at Fingringhoe quarry will not be safeguarded once extraction is finished

Production facilities for concrete products and reprocessing alternative materials such as construction and demolition waste may take place alongside minerals extraction as part of a minerals permission. These sites will be safeguarded through the safeguarding minerals process. Where such sites are located independently of a minerals permission they will be safeguarded.

### Want to know more?

For more information about this topic please look at Policies S8 and S9

## 12 Restoration

Minerals development inevitably results in changes to the landscape. Careful site management, restoration and after-use has the potential to deliver social, environmental and economic benefits.

The delivery of habitat focused restoration schemes can play an important role in ecological network reconnection. Creating better and connected habitat is given support in the draft National Planning Policy Framework enabling planning to contribute to the delivery of these aims. To contribute to this, conservation work and biodiversity needs to be extended off site, beyond planning permission boundaries, as wildlife do not recognise these boundaries as well as development of habitat on formerly quarried land that compliments the environment beyond.

Clear prioritisation of ecologically focused mineral site restoration may be unreasonable as the framework of minerals planning policy allows Minerals Development Frameworks to support a broad range of potential after uses: amenity, geodiversity, industrial and other development. Guidance will be provided on preferred after-uses of individual sites isolated from other quarry operations. Depending on a site's scale and location a variety of after-uses may be suitable.

Within Essex the intensity of quarrying, rural nature of the area and presence of a European nature designated site suggests it could be ideal for a landscape scale restoration strategy. Local landowners, conservation organisations and the minerals industry could work towards a single vision to maximise benefits of land-use change in the area.

### **Want to know more?**

For more information about this topic please look at Policy S12

## **13 Development Management**

The Minerals Core Strategy should not repeat national policy and should be locally distinctive. The recent National Planning Policy Framework replaces a raft of national planning policy. It supports sustainable development and continues to highlight key aspects of minerals policy. However, more detailed policy will be required at a local level to assist planning officers in determining planning applications and what is sustainable following the removal of the existing detailed national policy.

The following list outlines the topics that Essex County Council feel requires local policy guidance for minerals in Essex in light of the National Planning Policy Framework:

Transport

Pollutions and Amenity Impacts

Health

Flooding, water resources and water quality

Visual and landscape impact

Biodiversity and geological conservation

Heritage assets

Recreation and rights of way

Land and soil resources

Potential hazard to bird strike

Planning obligations

Primary processing plant

Secondary processing plant

**Want to know more?**

For more information about this topic please look at Policies S10, S11, DM1, DM2, DM3 and DM4

## 14 Monitoring

The Plan must be deliverable and flexible to change. Once it is adopted it will be reviewed and monitored on a regular basis to ensure it is efficient and can be successfully delivered. The Plan sets out the targets that will be used to show whether or not policies are being successful. A full plan review will take place within five years of the date of adoption of the plan, and within five years of each previous review, as part of a monitor and manage approach to forward planning. A second trigger is also in place; should annual monitoring show a fall in either the sand and gravel, silica sand or brick clay landbanks to below the national minimum requirement of seven years, ten years and 25 years respectively, a review of the plan will also be initiated.

**Want to know more?**

For more information about this topic please look at Policy IMR1

## 15 What Happens Next

Only representations made between 17th January and 28th February 2013 on the Minerals Local Plan will be considered to be duly made. All duly made representations on the Minerals Local Plan will be considered by an independent Planning Inspector at an Examination in Public from October to November 2013.

The purpose of the Examination is to consider whether the Plan complies with legal requirements and is 'sound' against the government's tests of soundness.

### **Commenting on the Core Strategy- Matters of Soundness and Legal compliance**

During the statutory six week publication period all interested parties can raise any issues of 'soundness and legal compliance' that they think should be considered by an independent Planning Inspector. The Planning Inspector is only able by law to consider representations on matters of soundness and legal compliance. The table below sets out what these are

**Table 2**

The Minerals Plan should be Positively Prepared	The Minerals Plan should be Justified	The Minerals Plan should be Effective	The Minerals Plan should be Consistent with National Policy	Legal Compliance
<p>The Plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements</p> <p>Does the Plan seek to meet unmet requirements of neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development?</p>	<p>The Plan should be founded on a robust and credible evidence base</p> <p>The Plan should be the most appropriate strategy when considered against the reasonable alternatives</p>	<p>The Plan should be deliverable</p> <p>The Plan should be flexible</p> <p>The Plan should be able to be monitored</p> <p>The Plan should be based on effective joint working on cross cross-boundary strategic priorities</p>	<p>The Plan should be consistent with national planning policy</p>	<p>The Plan has to have been prepared in accordance with the Minerals and Waste Development Scheme and in compliance with the Statement of Community Involvement and the Regulations</p> <p>The Plan has to have been subject to sustainability appraisal;</p> <p>The Plan has regard to regard to the sustainable community strategy and any other local development documents adopted by the council?</p>

Representations on matters of soundness and legal compliance must be submitted by 5pm on 28th February 2013. Any representations received after this date will not be considered duly made. Representations made on any other paragraph not listed above will not be duly made. You are encouraged to use electronic means to send us your comments in order that we can process your views more efficiently and to minimise the use of paper. You may submit a representation via our consultation website, e-mail, fax or in writing to the addresses or number below:

Consultation website: <http://consult.essexcc.gov.uk/portal>

E-mail: [mineralsandwastepolicy@essex.gov.uk](mailto:mineralsandwastepolicy@essex.gov.uk)

Writing: Essex County Council, Minerals and Waste Planning, Environment, Sustainability and Highways, FREEPOST CL3636, E3, County Hall, Chelmsford, Essex CM1 1XZ



## 16 List of Policies

Policy S1- Presumption in favour of sustainable development

Policy S2- Strategic priorities for minerals development

Policy S3- Climate change

Policy S4- Reducing the use of mineral resources

Policy S5 Creating a network of aggregate recycling facilities

Policy S6 - Provision for sand and gravel extraction

Policy S7 - Provision for industrial minerals

Policy S8 - Safeguarding mineral resources and mineral reserves

Policy S9 - Safeguarding mineral transshipment sites and secondary processing

Facilities

Policy S10- Protecting and enhancing the environment and local amenity

Policy S11 Access and Transportation

Policy S12- Mineral Site Restoration and After-Use

Policy P1 - Preferred Sites for Sand and Gravel Extraction

Policy P2 - Preferred Sites for Industrial Minerals

Policy DM1 Development Management Criteria

Policy DM2 Planning Conditions and Legal Agreements

Policy DM3 Primary Processing Plant

Policy DM4 Secondary Processing Plant

Policy IMR1



# Health and Wellbeing Strategy

Report by Councillor Peter Martin, Leader and Chairman Essex Shadow Health and Wellbeing Board

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Enquiries to Loretta Sollars, Senior Policy & Strategy Manager tel: 01245 437927, [loretta.sollars@essex.gov.uk](mailto:loretta.sollars@essex.gov.uk)

## **Purpose of report**

Cabinet will be considering this matter on Friday, 7 December when it has before it a recommendation to approve the Joint Health and Wellbeing Strategy for adoption by Council.

The Health and Social Care Act requires the establishment of a Health and Wellbeing Board as a committee of the council in April 2013 (proposals concerning this will be submitted to the February 2013 Council). The Act requires each Health and Wellbeing Board to develop a Joint Health and Wellbeing Strategy.

The Essex Shadow Health and Wellbeing Board has developed and approved this strategy for Essex and is now seeking the formal support of partner organisations that are part of the shadow Board.

The outcome of Cabinet's consideration of this matter will be reported in the Report of Cabinet Issues on 7 December 2012 (to follow).

## **Background and proposal**

### **Government Requirements and Guidance**

The changes brought about by the Health and Social Care Act which come into force on 1 April 2013, and which directly affect the Council include:

- the establishment of a new council committee, the Health and Wellbeing Board (HWB); (Secondary legislation is still awaited concerning this and is expected to be laid before Parliament at the start of 2013, the formal decision to establish the Health and Wellbeing Board will follow this.)
- the HWB will produce and implement a Joint Health and Wellbeing Strategy (JHWBS).

Initial guidance from the Department of Health concerning the JHWBS is that it:

- is based on the assessment of need outlined in the Joint Strategic Needs Assessment (JSNA);
- provides an overarching framework within which more detailed and specific commissioning plans for the NHS, social care, public health and other services, are developed;
- is a concise and high level strategy setting out how the HWB will address the health and wellbeing needs of a community rather than a large technical document duplicating other plans;
- has an overall aim to improve the overall health and wellbeing of the community and to reduce the health inequalities within the population.
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### **Development of the Essex JHWBS**

An Essex Shadow Health and Wellbeing Board has been meeting since October 2011 with a remit to prepare for the establishment of the full Board in 2013. Cabinet member representation includes the Leader as Chairman of the Board.

With the support of a Task and Finish Group from the Board, a considerable amount of work has been undertaken by County Council officers and colleagues from partner organisations, in the production of the JHWBS. This has included:

- an update of the JSNA;
- an extensive consultation and engagement programme on priorities;
- consultation on draft versions of the Strategy;
- analysis of all feedback received; and
- production of a revised strategy document.

This work is described in detail in a separate Consultation and Engagement Report which is also publicly available.

### **Outline of the Consultation Activity**

The consultation that took place during the summer of 2012 included:

- Online survey generating over 700 responses from members and the public;
- 22 workshops and 17 additional presentations/discussions;
- 4 events with secondary schools involving over 260 pupils;
- 18 formal written responses to the draft strategy.

This activity yielded feedback from all 5 Clinical Commissioning Groups, district and borough councils and their local partners, the voluntary and community sector and provider organisations.

The Health Overview and Scrutiny Committee opened up its June meeting to all members and hosted a workshop considering the strategy and its priorities.

### **The Essex Joint Health and Wellbeing Strategy**

The Shadow Board approved the JHWBS in September. In summary the vision and priorities are as follows:

#### **Vision**

By 2018 residents and local communities in Essex will have greater choice, control, and responsibility for health and wellbeing services. Life expectancy overall will have increased and the inequalities within and between our communities will have reduced. Every child and adult will be given more opportunities to enjoy better health and wellbeing

#### **Priorities**

1. **Starting and developing well:** ensuring every child in Essex has the best start in life.
2. **Living and working well:** ensuring that residents make better lifestyle choices and have the opportunities needed to enjoy a healthy life.
3. **Ageing well:** ensuring that older people remain as independent for as long as possible.

#### **Cross Cutting Themes**

- a. Tackling health inequalities and the wider determinants of health.
- b. Transforming services: developing the health and social care system.
- c. Empowering local communities and community assets.
- d. Prevention and effective interventions.
- e. Safeguarding.

The full strategy explicitly recognises that improving levels of health and wellbeing has far reaching implications that go beyond a narrow definition of physical and mental health. It is a cross cutting issue that is also affected by and has an impact on economic development, educational attainment, social cohesion, community safety, enhancing the natural environment, equality and diversity considerations.

The proposals in the Health and Wellbeing theme of the Community Budget programme have been worked up in alignment with the strategy and represent the Board's approach to integrated commissioning.

### **Timescales and Next Steps**

The HWB is now embarking on the final stage of development of the strategy which is to produce an outcomes delivery framework by 31 March 2013. This will include:

- SMART targets;
- the identification of key interventions;
- a performance management system that:
  - is successful in helping the HWB to track progress on a "by exception" basis and to maintain its focus on the "whole system";
  - is complimentary to the performance management systems of partner organisations.

This outcomes delivery framework will enable the Council to identify what services and interventions that are already being planned for delivery in 2013/14 can also be recognised as supporting the implementation of the Strategy.

### **Policy Context**

The Strategy is fully aligned with the ECC Corporate Plan 2012/17. Direct parallels can be drawn between the priorities and cross cutting themes of the JHWBS and the priorities and outcomes of the ECC corporate plan.

Specifically, the JHWBS will give direct support to the attainment of two ECC Corporate Plan priorities:

- Improving health and wellbeing;
- Protecting and safeguarding vulnerable people.

The strategy seeks to address the social determinants of health and wellbeing and through this will also indirectly support the achievement of the following Corporate Plan priorities:

- Enabling every individual to achieve their ambitions by supporting a world class education and skills offer in the county;
- Giving people a greater say and a greater role in building safer and stronger communities.

The outcomes within each of these priorities that the strategy will contribute to are listed below:

Improving health and wellbeing	<ul style="list-style-type: none"><li>• Helping Essex residents to live full and independent lives</li><li>• Encouraging healthy and active lifestyles and</li></ul>
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	tackling the wider causes of ill health <ul style="list-style-type: none"> <li>• Protecting and enhancing the environment in Essex</li> </ul>
Protecting and safeguarding vulnerable people	<ul style="list-style-type: none"> <li>• Enabling vulnerable people to enjoy a better quality of life</li> <li>• Protecting Essex residents from harm and injury</li> <li>• Supporting parents, carers and families to create safe and stable homes</li> </ul>
Enabling every individual to achieve their ambitions by supporting a world class education and skills offer in the county	<ul style="list-style-type: none"> <li>• Helping Essex residents to achieve their full potential through learning</li> <li>• Promoting a culture of aspiration for all</li> </ul>
Giving people a greater say and a greater role in building safer and stronger communities	<ul style="list-style-type: none"> <li>• Making Essex a safer county in which to live and work</li> <li>• Encouraging Essex residents to influence decisions and shape their communities</li> <li>• Helping communities play a greater role in shaping, challenging and developing local services</li> </ul>

## Financial Implications

This strategy does not require the allocation of additional resources. The intention of the outcomes delivery framework is to identify all resources that are allocated and that assist in the implementation of the strategy in order to maximise their use.

## Legal Implications

The production of a Joint Health and Wellbeing Strategy will be a statutory requirement from 1 April 2013 and as such, the Council will be expected to endorse and support its delivery.

## Equality and Diversity implications

An EIA Part 1 form has been completed and revealed that there is a need to collect further data and to carry out additional consultation as shown in the tables below for areas where there is a medium/high impact:

Data Plan	
<b>What data do you want?</b>	Analysis of health and wellbeing data to determine correlations with: <ul style="list-style-type: none"> <li>○ lesbian, gay and bisexual people</li> <li>○ BME communities</li> </ul>

	<ul style="list-style-type: none"> <li>○ Marital status</li> <li>○ people undergoing gender reassignment</li> <li>○ Religious belief</li> </ul>
<b>Where are you going to look or who are you going to ask?</b>	ECC and NHS officers responsible for JSNA and community engagement
<b>What will you do with the data/answer?</b>	<ul style="list-style-type: none"> <li>○ Make reports publicly available</li> <li>○ Utilise to support production of strategy delivery plans</li> </ul>
<b>Name of planned source (if known)</b>	JSNA datasets and other resources
<b>Consultation Plan</b>	
<b>What do you want to know?</b>	<p>Consensus from people in the following groups re the health and wellbeing issues that affect their community and the best interventions to address them:</p> <ul style="list-style-type: none"> <li>○ lesbian, gay and bisexual people</li> <li>○ BME communities</li> <li>○ people undergoing gender reassignment</li> <li>○ faith and religious groups and communities</li> </ul>
<b>Who are you going to ask?</b>	Consultation with individuals and organisations representing these groups
<b>What question will you ask?</b>	Given the JHWBS priorities (which aim to reduce the health inequalities faced by these groups), what are the most important aspects of health and wellbeing and which interventions will address the health inequalities that are faced by these groups?
<b>What will you do with the answer?</b>	<ul style="list-style-type: none"> <li>○ Use it to identify the key health and wellbeing issues and the best interventions to address these issues in these communities</li> <li>○ Use it to support the production of strategy delivery plans</li> </ul>
<b>Name of planned source (if known)</b>	<ul style="list-style-type: none"> <li>○ ECC Engagement Team</li> <li>○ HealthWatch</li> </ul>



The strategy also recognises the need for positive action to decrease health inequalities and the exact nature of these interventions will be identified as partners develop their own commissioning plans, which is the focus of the final stage of strategy production.



2013 to 2018

**Essex Health & Wellbeing Board**

**Joint Health & Wellbeing Strategy for Essex**

V8

18/10/12

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# 1. The vision

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This is the first Health and Wellbeing Strategy for Essex. The Essex Health and Wellbeing Board brings together key partners to improve health and wellbeing through the development and implementation of a Health and Wellbeing Strategy for the communities of Essex.

The World Health Organisation (WHO) defines health as “a state of complete physical, mental, and social wellbeing and not merely the absence of disease or infirmity”. We have used this definition to develop our strategy.

This strategy sets out how the partners will work together to improve health and wellbeing over the next five years in Essex. The key priorities are based on evidence from the Joint Strategic Needs Assessment (JSNA), and an extensive consultation process throughout the county.

It is fully recognised that Essex has different communities with significant socio-economic/health diversity; wide variances in baselines for health and wellbeing; and that any strategy must be driven by, and be relevant to, the needs and priorities within those communities.

## **The vision for better health and wellbeing in Essex**

**By 2018 residents and local communities in Essex will have greater choice, control, and responsibility for health and wellbeing services. Life expectancy overall will have increased and the inequalities within and between our communities will have reduced. Every child and adult will be given more opportunities to enjoy better health and wellbeing.**

To pursue the vision, the Essex Health and Wellbeing Board will:

- promote a shift from acute services to the prevention of ill health, to primary health care, and to community-based provision;
- support investment in early intervention and the prevention of risks to health and wellbeing to deliver long-term improvements in overall health and wellbeing;
- support individuals in exercising personal choice and control, and influence over the commissioning of relevant services;
- enable local communities to influence and direct local priorities for better health and wellbeing strengthening their resilience and using community assets to reduce demand;
- promote integration across the health and social care systems to ensure that services are planned and commissioned in an integrated way where it is beneficial to do so;

- ensure resources are allocated consistent with the needs within and between the communities in Essex; and
- support individuals in making informed lifestyle choices and promoting the importance of individuals taking responsibility for their own health and wellbeing.

While this is a five-year strategy it will be refreshed annually by the Essex Health and Wellbeing Board in light of progress against the outcomes and changes in the evidence available from the JSNA.

## 2. Setting the priorities

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This strategy has been developed by looking at the data and information on health and wellbeing in Essex to pin-point what the key challenges and areas for focus should be, and also an extensive programme of consultation and engagement with stakeholders and residents seeking their views on the areas that need prioritising.

### **The Joint Strategic Needs Assessment (JSNA)**

This is the main source of evidence and related information on the health and wellbeing of the population of Essex; the wider determinants of health; and the quality of life in the county. It has been used to identify the key areas that need addressing in this strategy to make the greatest improvements in health and wellbeing. The JSNA is the fundamental basis for choosing our priorities.

### **Consultation on the key health and wellbeing challenges facing Essex**

In addition to the evidence in the JSNA this strategy has been influenced by a wide-ranging consultation programme undertaken between May and August 2012. There have been 4 elements to the consultation and engagement process supporting the strategy's development.

1. Circulation of a draft strategy with consultation questions to key stakeholders.
2. An on-line survey open to partners and the public that resulted in nearly 750 responses.
3. Consultation events across the county involving general briefings and discussion as well as detailed exercises looking at potential priorities.
4. A health and wellbeing conference and stakeholder forum on the 18 July.

## **JSNA: Summary of the headline health and wellbeing issues in Essex**

### **Essex Population and Health Determinants**

The **population** of Essex is close to 1.74million with Colchester and Chelmsford being the largest conurbations. The older population is expected to grow to 28% by 2033, with a 5% reduction in the working age group. Currently 12.4% of the population are from ethnic backgrounds and 30% of travelling families in the county live on unauthorised sites. Essex has some of the most affluent and some of the most **deprived areas** in the country, with further pockets of disadvantaged communities that are hard to identify.

**Employment** opportunity, mental health and **educational achievement** have a strong association. Although the Essex unemployment rate is lower than the national rate, there is a nearly threefold variation between districts. The working age population is ageing and the level of adult qualifications is low. The number of young people in Essex not in education, employment or training (**NEET**) is higher than national and regional averages. Young people from more disadvantaged communities are at a higher risk of becoming NEET.

**Crime and community safety** continue to be highlighted as a priority by the residents of Essex. The issues of domestic abuse, violence and burglary link closely with other issues related to criminality such as drug and alcohol misuse and anti-social behaviour.

Decent, affordable and appropriate **housing** is increasingly needed to meet the current and longer term needs of the people of Essex, especially with the rise in older residents, people with a disability and other vulnerable groups. Poor housing conditions, including heating deprivation, is a local concern in our disadvantaged communities.

The population in Essex aged over 75 years is expected to increase significantly over the next 20 years and if the need for **supported housing units** follows this trend it is estimated there will be a potential deficit of over 22000 units by 2030.

With regard to **environmental** issues, Essex is doing well in waste management and in implementing measures to keep air pollution low, but with increasing housing development, making these improvements sustainable will prove a challenge. Essex is also highly dependent on non-renewable energy.

Essex has a number of **poverty related** issues, especially in Basildon and Harlow where the level of house ownership is very low and the level of benefit claimants is high. Jaywick in Tendring is the most deprived area in England.

Although the trend in **life expectancy** is upward, there is a 3.5 year gap between males and females across Essex, with more inequalities in disadvantaged communities. There is a 17% difference in people's perception of their **quality of life** between the best and worst districts in Essex.

There is a decreasing trend in **cancers** across Essex but we have geographical and gender differences. There is a decreasing trend in **cardiovascular diseases (CVD)** across Essex but we have geographical and gender differences. With an ageing population, and early identification of CVD including current undiagnosed cases, the prevalence is likely to be much higher.

Although mortality for **respiratory diseases** such as Asthma and Chronic Obstructive Pulmonary Disease (COPD) is on the decline, the level of morbidity can be reduced further with prevention work especially around smoking.

The mortality and morbidity rates for conditions related to **liver disease** are increasing, especially among younger people, primarily due to the excessive consumption of alcohol.

The prevalence of **diabetes** is likely to rise over coming years, especially with poor lifestyle choices.

The level of **accidental mortality and intended deaths** is relatively high in Essex, with the home and roads being the most common sites.

Largely preventable **accidental falls** continue to have a significant impact on quality of life and independent living as well as a significant contribution financially.

With an ageing population, good falls prevention work can contribute to low levels of morbidity and mortality. A number of districts in Essex have levels of **excess seasonal**



**deaths**, which could be caused by fuel poverty, exceptional warm weather, poor safety at home and the severity of flu outbreaks.

After a gradual increase in mortality rates from **communicable diseases** there has been a reduction across Essex, possibly as a result of better surveillance and increase in immunisation rates.

Over 150000 Essex residents are expected to be living with a **mental health illness**, with almost 50% of them having developed this condition in their early teens. The prevalence of **dementia**, which increases rapidly with age, is projected to increase by 38% by 2021 which will have a significant impact on public services.

There is a rising rate in obesity with a corresponding high level of physical inactivity in Essex, with fewer women taking part in **physical activity**. Some districts in Essex have higher than national **obesity rates** and there is a 10% difference between the higher and lower prevalence districts rate. The projected annual increase in obesity rate is 2% in adults and 0.5% in children. This will result in increased cost for health and social care services.

Even though we predict a 1% annual reduction in **smoking prevalence**, this will leave an increasing concentration of smokers in our younger population and in lower income groups.

Although Essex has a lower proportion of people consuming higher levels of **alcohol**, many young people are engaging in harmful drinking and we continue to see a rise in alcohol related hospital admissions. Evidence also suggests an increase in people consuming high levels of alcohol at home. This is fuelled by the low cost and accessibility of alcohol, especially to young people.

**Drug misuse** contributes to the associated health and crime burden in Essex with nearly 5000 known opiate and crack users and an increase in young people (under 18 years) accessing treatment.

There is a wide variation between districts in the level of poor **sexual health** practices as well as high service usage (eg terminations) especially related to teenage pregnancy.

There are some early signs of success with **interventions to reduce health inequalities**, particularly in reducing the impact of child poverty and targeted lifestyle interventions around childhood obesity and teenage pregnancy rates.

## **Children, Young People and Families**

### **Maternal and Infant Health**

The health of children in Essex is generally better than or similar to the England average. Although the proportion of babies born with a low birth weight and infant mortality rates are relatively low, poor lifestyle choices, including smoking in pregnancy, alcohol misuse and poor diet are still a public health concern.

Rates of **breastfeeding**, which has numerous benefits, are comparatively low especially in more deprived areas and among younger mothers. Good support and advice can help improve parenting skills, ensure adequate level of income support, promote healthier choices and give children a better start in life.

Although the childhood **immunisation** rates are improving, the uptake for Mumps, Measles and Rubella (MMR) vaccination remains lower than the required level to achieve population protection.

#### Children and Young People

There is a significant disparity across Essex in **educational achievements** at GCSE level. Areas with low educational attainment tend to have more young people who are NEET and higher levels of teenage pregnancies.

#### Young People and Crime

The Youth Offending Service (YOS) caseload was 1220 young people in 2010/11, with the number of first time entrants continuing to fall in Essex, however the reoffending rate has risen over the last three years.

### Adults and Vulnerable Groups

#### Working Age Population

The current economic climate has created trends that will have a negative effect upon health. **Unemployment** rates, benefits claims and debt are increasing accompanied by concerns about the high level of fuel poverty.

Predicted demographic change, increased survival rates, reduced mortality rates, improved diagnostic techniques and improved health care will lead to an increase in the number of people with **learning disabilities**. At present the highest rates of people with a learning disability can be found in Tendring, Colchester and Braintree where the historical long stay hospitals were located.

There are currently 803 **specialist housing** units to support adults with learning disabilities in Essex, which is a shortfall of 186 compared with the estimated requirement of 989 units. Braintree, Chelmsford and Colchester show the greatest deficits.

During 2010/11 approximately 3000 people, a 22% increase compared with the previous year, received support from the **reablement service**, which aims to support people to regain skills with a view to reducing longer term care.

The rate of adults with **physical disabilities** who are supported in Essex in terms of receiving either community or residential/nursing home care has seen an increase year on year since 2006/07 and is now at a rate that is higher than that of the East of England.

Almost 10% of our residents provide informal care to relatives, friends or neighbours. Research suggests that the economic value of the contribution made by **carers** in Essex is £2.4 billion per year which is £45.4 million per week. Over half of the people providing unpaid care are people aged over 50, which is of particular concern as they are more likely to be suffering from ill health themselves.

It is estimated that 80600 **older people** with social care needs live in Essex that is 31% of the older population over 65 years. There is a projected 15% increase in older people with care

needs over the next five years which is higher than the anticipated 12% increase for England.

It is estimated that the number of people over 65 years **living on their own** will have increased by around 48% by 2025.

**Falls** are a major cause of illness and disability amongst those over 65 years and one in three experiences one or more falls in a year.

## **Summary of the headline health and wellbeing issues affecting local communities in Essex**

Basildon has particular challenges related to high levels of deprivation. It has the highest level of teenage pregnancy in the county, equal lowest level of breastfeeding, and the lowest adult physical activity rates. It has the second highest rate of deaths due to smoking. It also has the lowest life expectancy rate for women in Essex.

Braintree has the second lowest life expectancy rate for women in Essex, and a high level of hip fractures in those aged 65 or older. GCSE attainment in Braintree is poor compared to most parts of Essex. The number of obese adults is also relatively high.

Brentwood has the equal lowest level of breast feeding in Essex; it also has a very low level of physical activity among adults. Brentwood has the highest level of excess winter deaths in Essex, and one of the highest levels of road injuries and deaths.

Castle Point has high levels of children with tooth decay and one of the lowest levels of adults who eat healthily, and the highest number of obese adults in Essex. It also has one of the highest levels of hospital stays for alcohol-related harm.

Chelmsford has a low level of physically active children and high levels of adults with increasing and higher risk drinking. It has the highest level of hospital stays for self-harm in Essex, and a high level of excess winter deaths.

Colchester has a high level of statutory homelessness; it also has the equal highest level of smoking while pregnant.

Epping Forest has the highest level of obese children in Essex (age 10-11) and the highest level of road injuries and deaths in Essex.

Harlow has the highest level of homelessness in Essex, and the lowest level of educational attainment. Harlow also has the highest level of violent crime and long-term unemployment in Essex. It has the highest number of adults who smoke, the highest number of hip fractures in those aged 65 or older, and the lowest level of physically active adults. It also has the highest rate of hospital stays for alcohol-related harm, drug misuse, new cases of TB, smoking-related deaths, and early deaths: heart disease, stroke, and cancer.

Maldon has relatively high levels of tooth decay among children, the second highest incidence of hospital stays for self-harm, low life expectancy for men, and relatively high incidence of road injuries and deaths.

Rochford has the second highest level of increasing and higher risk drinking, and a relatively high level of hospital stays due to alcohol-related harm.

Tendring has the second highest overall level of deprivation and the highest proportion of children in poverty. It has the equal highest incidence of smoking in pregnancy, and the lowest level of physical activity among children. It has one of the lowest rates of physical activity among adults, the highest level of people diagnosed with diabetes, and the equal lowest life expectancy for men. It has the second highest rate of smoking-related deaths, and one of the highest early death rates for heart disease and strokes.

Uttlesford has the second highest rate of physically inactive children and the highest rate of increasing and higher risk drinking. It has the second highest number of road injuries and deaths.

### 3. The priorities

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There are a wide range of issues that we want to tackle to improve health and wellbeing in Essex. In order to be clear about our priorities we have combined the findings of the JSNA with feedback from stakeholders and the public. Our approach to health and wellbeing takes the perspective of the “whole life course”: improving the outcomes for Essex’s residents by focusing on prevention and better outcomes for every individual and family throughout their lives, and at the end of life – encompassing investment in palliative care. This strategy reflects the Marmot Review findings that action is needed across the social determinants of health. This means we have an over-riding strategic framework; specific priorities and areas for action; and wider themes where action will occur to underpin the strategy.

#### **The over-arching framework for better health and wellbeing in Essex**

**Starting well**  
**Developing well**  
**Living well**  
**Working well**  
**Ageing well**

#### **Starting and developing well: ensuring every child in Essex has the best start in life.**

What does the evidence say?

- Rates of breastfeeding are comparatively low.
- Uptake for Mumps, Measles and Rubella (MMR) vaccination is lower than that required.
- There is a significant disparity across Essex in educational achievements at GCSE level.
- We need to improve health education to ensure that the poor lifestyle choices can be improved and risk taking behaviours reduced.
- There is a need to identify earlier and support young carers.

Areas for focus

- Reduce teenage pregnancies and increase breast feeding rates.
- Increase immunisation take-up, particularly MMR.
- Improve pre-school and educational achievement.

- Improve outcomes for children with special educational needs.
- Reduce risk-taking behaviours.
- Design new interventions to focus on families with complex needs.
- Integrate services so the transition from children's to adult services is more effective.
- Reduce childhood obesity levels by increasing physical activity, improving diet, and delivering more effective education in health and health-related matters

## **Living and working well: ensuring that residents make better lifestyle choices and residents have the opportunities needed to enjoy a healthy life.**

What does the evidence say?

- Liver disease is increasing, especially among younger adults, related to excessive consumption of alcohol.
- If high levels of physical inactivity continue, obesity rates will increase as well as the accompanying long-term health conditions such as diabetes and cardio-vascular disease.
- There is a rising rate of obesity with a corresponding high level of physical inactivity.
- Smoking prevalence in the younger population and lower income groups is not decreasing.
- Unemployment and poor housing are related to lower levels of health and wellbeing including poor mental health.
- The proportion of the working age population with learning and physical disabilities is increasing.
- There are nearly 5000 known opiate and crack users in Essex with an increase in the number of young people (under 18 years) accessing treatment.
- There are more than 150,000 residents living with a mental health illness, with almost 50% of them having developed this condition in their early teens.

Areas for focus

- Increase physical activity and improve diet across all age groups.
- Reduce alcohol misuse and reduce smoking.

- Increase opportunities for training, apprenticeships, employment and skills.
- Ensure sufficient affordable housing is available to meet the needs identified.
- Ensure sufficient supported and adapted housing is available.
- Reduce the harm caused by substance misuse.
- Increase employment and other opportunities for people suffering from mental illness.

## **Ageing well: ensuring that older people remain as independent for as long as possible.**

What does the evidence say?

- The older population is expected to grow to 28% by 2033, with a 5% reduction in the working age group.
- The population in Essex aged over 75 years is expected to increase significantly over the next 20 years with major implications across housing, care and nursing provision.
- Accidental falls continue to have a significant impact on quality of life and independent living.
- The prevalence of dementia, which increases rapidly with age, is projected to increase by 38% by 2021
- Over half of the people providing unpaid care are people aged over 50, and more likely to be suffering from ill health themselves.
- Some parts of Essex have relatively high levels of excess seasonal deaths.
- There is a projected 15% increase in older people with care needs.
- It is estimated that the number of people over 65 years living on their own will have increased by around 48% by 2025.

Areas for focus

- Innovation and improvements to end of life care.
- Improve and develop services to respond to the rising prevalence of dementia.

- Developing integrated pathways for elderly care encompassing provision but also prevention, reducing falls, and ensuring independence is maintained for longer.
- Enabling residents to maintain or regain their independence for as long as possible via technology and equipment, supporting carers, and re-ablement services.
- Developing of community-based information and support services encompassing voluntary organisations, volunteering and more provision in primary care settings.
- Extending support for carers and responding to growing numbers of older people experiencing loneliness.

## Key themes that underpin the priorities

### **Tackling health inequalities and the wider determinants of health and wellbeing**

There are wide differences between the health and wellbeing of different groups of people and between different parts of Essex. Residents in the most deprived parts of Essex tend to experience poorer health and have a lower life expectancy. There are parts of Essex that have high levels of deprivation and Jaywick is the most deprived area. In addition, some groups experience a much poorer quality of life across all the wider determinants of ill-health. These groups include travellers, homeless people, and victims of domestic abuse. The overall focus of this strategy is to reduce health inequalities and tackle the wider determinants of health so life expectancy is increased and inequalities between areas and groups reduced.

### **Transforming services: developing the health and social care system**

The vision for better health and wellbeing in Essex will only be met through the development of new ways of doing things. Locally-based services will put local communities at the heart of the system, and the Community Budget pilot will be used to deliver a joined-up approach across health and social care in areas such as dementia care. To do all this, the community and voluntary sector will have a crucial role to play, and there will be more scope for private and social enterprise to provide services. Schools and academies will have a key role too, and commissioners will work to ensure an effective local health and social care market through the provision of market position and similar information, workforce development, and clear commissioning intentions.

Demographic changes and continuing improvements in healthcare will create significant future demand at a time when resources are falling. At the same time some communities are not benefiting from improvements to the same extent as more affluent areas. A new approach has to be taken to reconcile these challenges with the opportunity for better outcomes. The system has to focus on prevention and managing demand: integrating services and focusing on local community provision.





This strategy sets out the priorities for improving health and wellbeing in Essex. All of the agencies and organisations responsible for delivering this have agreed how services will be commissioned to achieve the priorities. The following over-arching factors underpin the transformation of health and social care services in Essex.

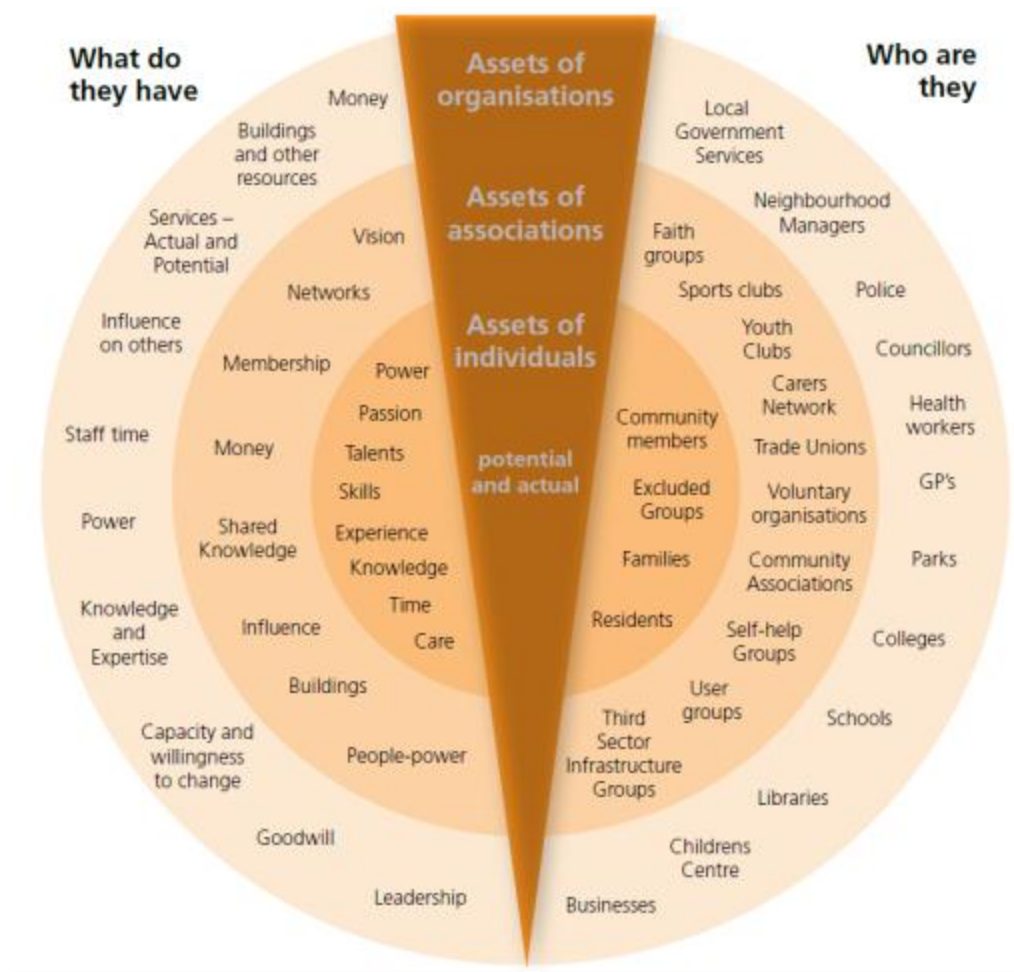
- The current way of organising services will be replaced with an integrated approach that will provide a seamless service across health, social care and mental health services.
- Clinical Commissioning Groups working with districts and boroughs, and local stakeholders and communities, will focus on commissioning services based on local needs.
- The Essex health and wellbeing board will be the driving force across Essex for improved health and wellbeing, scrutinising and challenging commissioning plans.
- HealthWatch will represent patients and service users, and hold commissioners and providers to account.
- Commissioning will be integrated to reflect a “whole life pathway” aligned with key life events bringing together children’s and adult’s social care commissioning.
- There will be a major shift in the way patients use and access urgent and emergency services with a shift to community and primary settings.
- Services will focus on managing demand and expanding preventative work so that residents and their families are more able to make informed choices, change their behaviour or lifestyles, take-up opportunities for self-help and support, or utilise the resources and skills within their local community.

- Improvements to the quality, and safety of services, will be made to enhance patient and service user experience and satisfaction.

### **Empowering local communities and community assets**

To meet our vision the approach to improving health and wellbeing in Essex is underpinned by engaging with local communities so that children, young people, and families have the opportunity to have their say. HealthWatch will be supported to take an active role in the Essex Health and Wellbeing Board, enabling it to effectively represent the views of patients and service users. The Essex Health and Wellbeing Board is working with local decision-makers and commissioners to ensure that it understands local communities' needs and aspirations, and that there is a clear understanding of how community assets can be used to improve health and wellbeing at a community or neighbourhood level.

To understand the most effective ways to improve the health and wellbeing of communities in Essex there is a need to develop an understanding of the strengths each community has that can be built on and focus support around this so that at the local level we can support and foster active citizens able to shape their own life and those of their friends, family and neighbours. The transformation of primary and community services in Essex will be supported by a fundamental change in the way services are commissioned and delivered. As well as integrated commissioning arrangements, a much greater emphasis will be placed on local communities – supporting investment in local activity and networks so that community assets are identified and developed.



(IDEA)

At a time of reducing resources the Whole Essex Community Budget provides an opportunity to go beyond traditional approaches to community development and develop approaches to services that will make much greater use of the practical skills, passions and knowledge of residents, voluntary organisations, and the local networks and connections in local communities, as well as the physical resources in a community. The following illustration shows the potential scope of this approach.

### Prevention and effective interventions

The Essex Health and Wellbeing Board will drive the changes needed to improve health and social care services in the county. Much more will be done to enable local residents and communities to develop their own capacity for self-care. For example, by supporting social enterprises, and developing more community-based services.

The priorities for investment must be chosen on the basis that interventions that delay or avoid the use of services offer the best use of resources and the best outcomes for residents and their families. Services will be re-designed so they start with individual needs plotted

through the whole life course from childhood to old age. For example, we can improve the quality of services for disabled children as they move into adulthood by creating an “all-age” service.

## **Safeguarding**

The changing health and social care landscape brings new challenges for safeguarding. With greater choice and personal budgets, a much wider range of providers and increasing community-based provision there are a wide range of challenges to ensure the continuing safety of children and adults. The health and wellbeing board will ensure that prevention, and effective responses to neglect, harm and abuse are addressed in the delivery of this strategy.

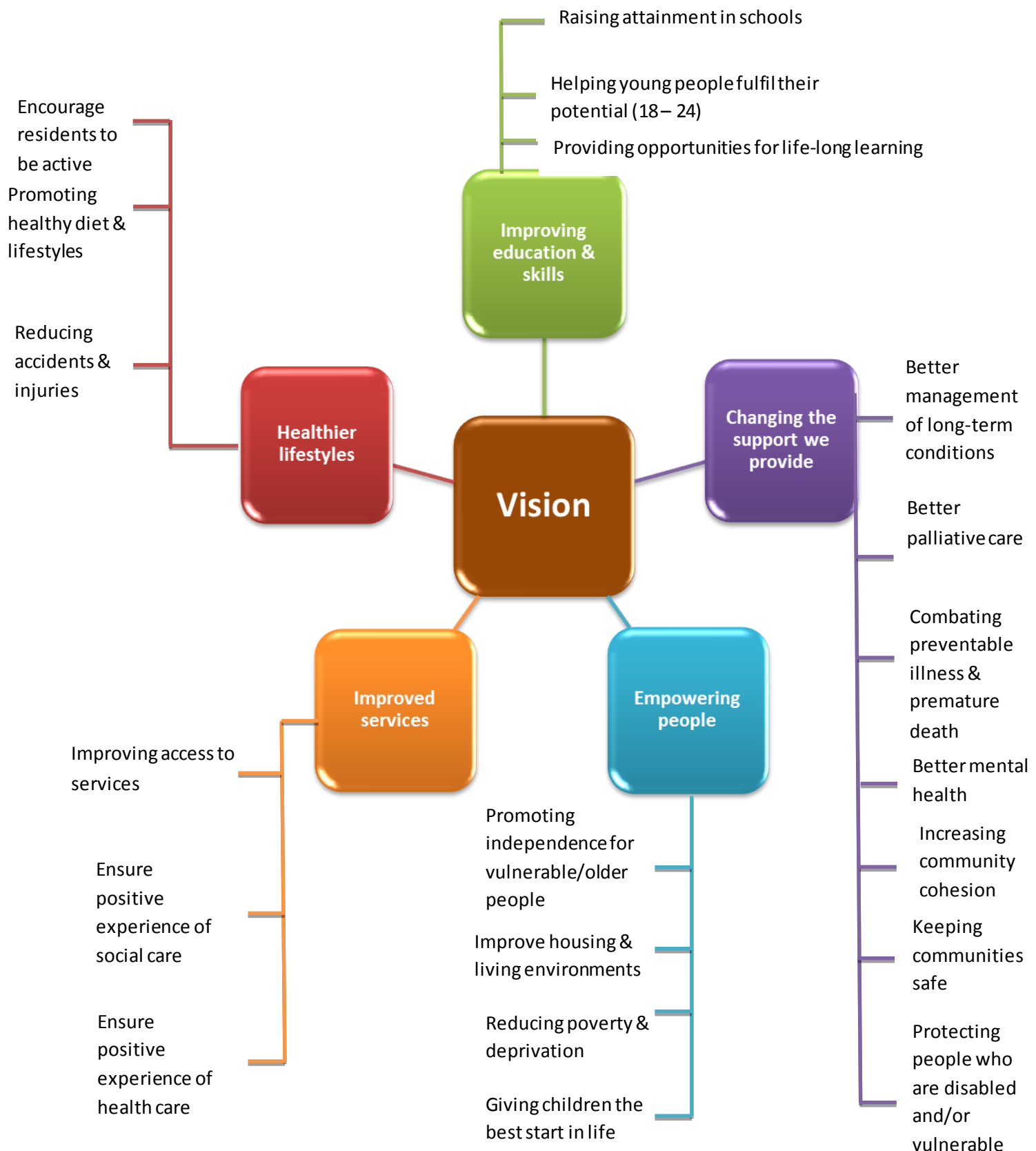
- \* Safeguarding is a strategic objective across health and social care
- \* Safeguarding will be integral to commissioning activity across health and social care

The health and wellbeing board will ensure commissioning plans address the need for robust assurance to understand and improve safeguarding arrangements, aligned with the regulatory framework for safeguarding.

## **An overall framework for improving health and wellbeing**

The following framework formed the basis of the consultation used to develop the priorities and themes set out above. It shows what the key areas for action are across the whole spectrum of health and wellbeing.

# AN OVERALL FRAMEWORK FOR IMPROVING HEALTH & WELLBEING



## 4. Measuring success

The Essex health and wellbeing board will measure the progress in meeting our vision. Performance monitoring information will be presented to the Essex Health and Wellbeing Board regularly and will include the indicators set out in the national outcome frameworks together with local information including qualitative feedback. The following principles will underpin the monitoring process.

- Where possible the existing national outcomes will be used to avoid duplication.
- Patient and service user feedback will be an important part of the monitoring process as well as empirical information.
- The Essex health and wellbeing board will assess commissioning plans against the health and wellbeing priorities set out in this strategy and hold commissioners accountable for performance. (This is a statutory requirement).

The tables that follow show the outcome areas and factors that will be used to measure the progress of the strategy for each priority, together with overarching areas of action. The key priorities for this health and wellbeing strategy have been cross-referenced to the national outcome frameworks for the NHS, adult social care, and public health, as well as local outcomes for children and young people.

Outcomes key:

	Public health outcomes framework
	NHS outcomes framework
	Adult social care outcomes framework

### Starting and developing well: ensuring every child in Essex has the best start in life.

Over-arching issues	
<ul style="list-style-type: none"> <li>• Increasing children's and young people's levels of physical activity and participation in sports.</li> <li>• Improving development and attainment levels of pre-school children.</li> <li>• Working with families with complex needs to ensure better outcomes for children.</li> </ul>	
Outcome area	Potential indicators
Improvements against wider factors that affect health and wellbeing and health inequalities	Children in poverty, school readiness, pupil absence, first-time entrants to youth justice system, 16-18s NEET.
The population's health is protected from	Chlamydia diagnosis (15-24s), population

major incidents and other threats, while reducing health inequalities	vaccination coverage.
People are helped to live healthy lifestyles, make healthy choices and reduce health inequalities	Low birth weight of term babies, breastfeeding, smoking status at time of delivery, under 18s conceptions, child development at 2-2.5 years; excess weight in 4-5 and 10-11 year olds, hospital admissions caused by unintentional and deliberate injuries under 18s, emotional wellbeing of looked after children, smoking prevalence under 15s.
Reduced numbers of people living with preventable ill health and people dying prematurely, while reducing the gap between communities	Infant mortality, tooth decay in children aged 5, Neo-natal mortality and stillbirths.
Preventing people from dying prematurely	
Enhancing quality of life for people with long-term conditions	Unplanned hospitalisation for asthma, diabetes and epilepsy in under 19s.
Ensuring that people have a positive experience of care	Improving children's and young people's experience of healthcare.
Helping people to recover from episodes of ill-health or following injury	Emergency admissions for children with lower respiratory tract infections.
Treating and caring for people in a safe environment and protecting them from avoidable harm	Admission of full-term babies to neo-natal care, incidence of harm to children due to "failure to monitor".

**Living and working well: ensuring that residents make better lifestyle choices and residents have the opportunities needed to enjoy a healthy life.**

<b>Over-arching issues</b> <ul style="list-style-type: none"> <li>• Improving diet and nutrition</li> <li>• Increasing physical activity levels.</li> <li>• Long term conditions.</li> <li>• Mental health.</li> <li>• Reducing smoking, and drug and alcohol misuse.</li> <li>• Supporting community provision and developing community assets.</li> </ul>	
<b>Outcome area</b>	<b>Potential Indicators</b>
Enhancing the quality of life for people with long-term conditions	Employment of people with long-term conditions, employment of people with mental illness/learning difficulty.
Enhancing the quality of life for people with	The proportion of people who use services

care and support needs	who have control over their daily life, proportion of people using social care who receive self-directed support, and those receiving direct payments.
Improvements against wider factors that affect health and wellbeing and health inequalities	Utilisation of green space and other facilities for exercise/health reasons, social connectedness.
People are helped to live healthy lifestyles, make healthy choices and reduce health inequalities	Diet, excess weight in adults, proportion of physically inactive and active adults, smoking prevalence (over 18s), successful completion of drug treatment, recorded diabetes, alcohol-related admissions to hospital, take-up of the NHS Health Check Programme by those eligible.

## Ageing well: ensuring that older people remain as independent for as long as possible.

<b>Over-arching issues</b> <ul style="list-style-type: none"> <li>• Prevention and maintaining independence in the home.</li> <li>• Dementia.</li> <li>• Frailty.</li> <li>• Responding to long-term conditions and chronic illness.</li> <li>• End of life care.</li> </ul>	
Outcome area	Potential Indicators
Reduced numbers of people living with preventable ill health and people dying prematurely, while reducing the gap between communities	Health-related quality of life for older people, hip fractures in over 65s, excess winter deaths, dementia and its impacts.
Improvements against wider factors that affect health and wellbeing and health inequalities	Older people's perception of community safety.
Ensuring that people have a positive experience of care	Improving the experience of care for people at the end of their lives.
Preventing people from dying prematurely	Reducing premature mortality from the major causes of death.
Enhancing the quality of life for people with long-term conditions	Proportion of people feeling supported to manage their condition, enhancing the quality of life for people with dementia.
Helping people to recover from episodes of ill health or following injury	Improving outcomes from planned procedures, improving recovery from fragility fractures, helping older people to



	recover their independence after illness or injury.
Delaying and reducing the need for care and support	Permanent admissions to residential and nursing care homes per 1,000 population, effectiveness of prevention/preventative services, proportion of older people (65 and over) who were still at home 91 days after discharge from hospital into reablement/rehabilitation services, effectiveness of early diagnosis, intervention and reablement: avoiding hospital admissions, delayed transfers of care from hospital, and those with are attributable to adult social care, effectiveness of reablement: regaining independence.

## The wider determinants of health and wellbeing – measuring our success overall.

<b>Over-arching issues</b> <ul style="list-style-type: none"> <li>Improving housing and living environments.</li> <li>Improving mental health.</li> <li>Reducing differences in life expectancy and healthy life expectancy between communities.</li> <li>Prevention and access to information and advice.</li> <li>Access to employment.</li> <li>Integration and extending the approach being used for families with complex needs.</li> </ul>	
Outcome area	Potential Indicators
Improvements against wider factors that affect health and wellbeing and health inequalities	Domestic abuse, violent crime, re-offending, the percentage of the population affected by noise, statutory homelessness, fuel poverty, employment, skills.
People are helped to live healthy lifestyles, make healthy choices and reduce health inequalities	Successful completion of drug treatment, people entering prison with substance dependence issues who are previously not known to community treatment, self-reported wellbeing.
The population's health is protected from major incidents and other threats, while reducing health inequalities	Air pollution, population vaccination coverage, people presenting with HIV at a late stage of infection, treatment completion for TB.
Reduced numbers of people living with preventable ill health and people dying	Suicide, preventable sight loss, mortality from communicable diseases.

prematurely, while reducing the gap between communities	
Preventing people from dying prematurely	Potential years life lost from causes considered amenable to healthcare, life expectancy for men and women at 75, excess under 75 mortality rates in adults with serious mental illness.
Enhancing the quality of life for people with long-term conditions	Proportion of people feeling supported to manage their condition, unplanned hospitalisation for chronic ambulatory care sensitive conditions (adults), employment of people with mental illness.
Helping people to recover from episodes of ill health or following injury	Improving recovery from injuries and trauma, improving recovery from stroke.
Ensuring that people have a positive experience of care	Improving access to primary care services.
Ensuring that people have a positive experience of care and support	The proportion of people who use services and carers who find it easy to find information about support.

In addition to the indicators here there are a range of other performance measures that the NHS, Clinical Commissioning Groups, and local authorities have to report against. These will also be monitored by the health and wellbeing board particularly those relating to safeguarding, and patients' and service users' experience of services.

# Corporate Parenting Panel

## Annual Report

### PREFACE

By Councillor Ray Gooding, Cabinet Member for Children's Services and Chairman of the Corporate Parenting Panel

The role of 'Corporate Parent' is a collective responsibility of the Council, therefore all Councillors have a basic level of responsibility for Children in Care.

The Panel:

- provides a forum for Elected Members to champion the needs of Essex's Children in Care and Young People Leaving Care;
- challenges and monitors the performance of the Council and its partner agencies in caring for and supporting Children in Care and Young People Leaving Care, in Essex;
- supports the Cabinet Member for Children's Services, to deliver the statutory responsibilities;
- receives quarterly performance management outcomes for services to Children in Care and Young People Leaving Care, including Management Information and Performance Indicators, as well as quarterly reports from the Independent Reviewing Service and Independent Advocacy Service; and
- meets with the Children in Care Council to improve Corporate Parenting in Essex and ensure that the Children and Young People's voices are heard.

I commend this first Report to the Council.

## **1. Panel Membership (7: 2: 1)**

- i) Ten Members of the County Council, appointed in proportion to the political representation of the Council; and
- ii) Two Essex Foster Carers Association (EFCA) Members representing Foster Carers.

Councillors: R Gooding, Cabinet Member for Children's Services (Chairman)  
C Riley (Vice-Chairman)

S Candy

T Chapman

J Deakin

M Fisher

D Madden

R Pearson

J Pike

J Young

Mr J Bond, Chair of Essex Foster Care Association

Mr A Keeble, Vice Chair of Essex Foster Care Association

## **2. The Work of the Panel**

The Panel meets four times a year to monitor and challenge services provided for Children in Care and Young People Leaving Care. Over the last year the number of Children in Care has reduced from 1,483 (April 2012) to 1,335 (October 2012). The downward trend evidences the continued impact of the County's work with partners to improve the range of services offered to support parents, families and vulnerable children. When children are considered to be at risk swift targeted assessments and interventions should be provided within the Community. The newly-formed Divisional-Based Intervention Teams (DBIT) are working with teenagers to manage their behaviour. The Children in Care numbers per 10,000 has reduced from 53 (2010/11) to 50 (2011/12) which is lower than the national figures at 59 but higher than the Statistical Neighbouring Authorities at 47.

### **Stay Safe Data**

The Panel reviews quarterly performance management outcomes for and services to Children in Care and Young People Leaving Care, including Management Information and Performance Indicators monitoring all aspects of Children in Care. The data details the following:

- the number and age range of Children in Care;
- Health and Dental Checks;
- the distance children are placed from their home address;
- Education Attainment and attendance;
- Personal Education Plan compliance;
- the number of Young People Not in Education, Employment or Training (NEET);
- the number of statutory visits completed within the timeframe;
- the number of caseloads on average a Social Worker holds.

### **Independent Reviewing Service**

The Service has provided Annual reports since the Children's Act 2002. The Independent Reviewing Officers (IROs) monitor the quality of the Child in Care reviews and become a critical friend for the child/young person. The (IROs) chair the regular review meetings monitoring the children's progress and commenting on any challenges throughout the year. Each IRO has a case load of less than 69 children (November 2012). The IROs build relationships with the children, which is different to the child/Social Worker relationship as they monitor the children's care and challenge and solve any problems. The service no longer reviews Children with Disabilities attending short respite breaks. The IRO service reviewed 97.7 percent within the statutory timeframe in 2011/12. Independent Reviewing Officers ensure that the Health Assessments and the child's Care Plan are in order. The Service is monitored through quarterly reports on the Council's performance as a corporate parent. The team is now permanently staffed. Specialist Independent Reviewing Officers review the care plans for Children with Disabilities. All children over four years old are given the opportunity to participate in their own reviews.

### **Foster Carers Recruitment and Retention**

The County has highlighted the need to recruit and retain Foster Carer placements for sibling groups, older children or children with complex needs. More Foster Carers have been trained to take Parent and Child placements. National Foster Care Fortnight takes place every May when Essex has an intensive period of recruitment activity. From April 2012 to the end of September 2012 a net increase of 24 Foster Care beds was achieved. The conversion rate of enquiries to approved fostering households dropped from 8% to 6.8% as improved management information meant that the Service took up applications only in the areas and for the groups of children which had been prioritised.

### **Views and Experiences of Children in Care**

Members met the young people at their Activity Day in August whilst taking part in the activities where Members discussed and acknowledged the young people's views and experiences of being taken into care. Young people are able to take training opportunities to take part in the Social Worker interview process.

### **Sufficiency and Commissioning for Children in Care**

A Member Task and Finish Group met three times in June and July to consider the proposed Sufficiency and Commissioning Strategy in detail. All Local Authorities are required to produce a Sufficiency and Commissioning Strategy for Children in Care by 1 April 2012. The suite of documents will be available on the website and will form part of the suite of documents inspected by Ofsted. The strategy provides information on the gaps in placement provision. The statistical analysis provides population trends, children's needs and gaps in services to provide the County and any prospective company with all the information for the County's Children in Care. Providers will expect to see the detailed analysis before investing in specialist provision in Essex. Children with Disabilities are more likely to continue to be placed across the UK as they have complex needs, sometimes with very rare conditions with limited specialist placements as there may only be one home providing this care.

Social Care now identifies younger children who are at significant risk of harm and brings them into care more quickly than in 2009. There are lesser numbers of older children coming into care as it is recognised that the impact of being in care gives them poorer life chances. The Service is committed to provide extra services to enable young people to stay with their families which will therefore reduce the number of young people coming into care. The children and young people who will be taken into care in the future, will in the main, have more complex needs. There is no expectation that children who have already been placed in care across the UK will be brought back to Essex if their placement is a good match for them. The Panel will receive regular updates on the strategy.

### **Local Delivery Quadrant Report**

The Panel receives a report from one of the quadrants at each meeting. The reports focus on the different achievements and needs at a local level.

### **Adoption Annual Report 2011/12**

National Adoption Week takes place in November and this year the Adoption Service featured the stories of children successfully placed for adoption in the last year. In the year 2011/12 70 children were placed for adoption and Adoption Orders were made in respect of 93 children. The Service provides careful preparation for children and for adoptive families to enable the new family to understand and meet the complex needs of these children. Investment in skilled support after adoption is necessary as the County places more children and young people with complex needs. The Service supervised 56 face-to-face meetings between adopted children, their adoptive families and birth relatives. They also managed 2,032 exchanges of letters which allow adopted children to have indirect contact with their birth families.

There is a current Government consultation on Adoption and Fostering Services.

Earlier in the year Essex Adoption Service received an overall “Good” rating from the Ofsted inspection with outstanding in the category of “helping children achieve well and enjoy what they do”. Ofsted also highlighted the excellent post adoption support to children and adults affected by adoption; the good assessments the service undertakes for prospective adopters to prepare them to look after children; and the passion that County employees have about their work on behalf of those children who need safe, caring adoptive homes.

### **Regulation 33 Update**

The Panel receives a Regulation 33 update at each meeting detailing the Member and officer visits and the Ofsted reports.

### **Achievement Service for Children in Care**

The Service has produced a Tracker System for Children in Care to track their educational attainment and progress. Schools enter their assessment data termly. Both Essex and non-Essex schools log onto this system and can access the Social Worker details and can view the child's Personal Education Plans. The service also monitors the compliance of Personal Education Plans (PEPs). PEPs are assessed on their detail and quality to ensure that every child in care has an aspirational and meaningful plan. All Children in Care between Key Stage 2 and Key Stage 4 have access to one-to-one tuition for English or Maths. There is a statutory requirement for all schools to prioritise children in care for one-to-one tuition.

The Service provided Designated Teacher Training: four sessions took place throughout the Spring Term 2012 including a Tracker System training session. A good mix of primary, secondary and special needs schools and Academies attended. Councillor Riley addressed the teachers and the Lively Trainers provided a session which the teachers found interesting. Anti-bullying was covered in the programme as significant numbers of Children in Care report bullying as an issue. Four School Governor sessions on school's responsibilities for Children in Care and the use of the Tracker System take place in the Autumn Term.

### **3. Conclusion**

Over the last year the work of the Corporate Parenting Panel has seen the implementation of significant innovative programmes and amongst these the Divisional Based Intervention Teams (Dbit) has proved to be extremely successful in providing solutions to families with children and young people on the edge of care. In addition to this we are now about to proceed with the Multi-Systemic Therapy programme that is being funded by the ground breaking Social Impact Bond that has received much credit recently.

The decrease in the numbers of looked after children that is detailed within this report has been achieved by the implementation of a number of these measures and it is to be hoped that, given the challenges that face looked after children both in their educational achievement and their life chances, this can continue into the future.

However, Corporate Parents should not lose sight of the difficulties that have seriously affected children in care in the recent past and to that end the Panel is currently considering measures by which Elected Members can, in conjunction with Officers, retain an oversight of the whole process that serves the children and young people. We must not forget that as Corporate Parents we all owe a duty of care to these young people and must continue to strive to ensure that they all get the best possible start in life.

Councillor Ray Gooding  
Chairman of the Corporate Parenting Panel





# Cabinet Issues

From the meeting of 30 October 2012

## 1. Whole Essex Community Budget

The Cabinet has approved a number of actions associated with the Whole Essex Community Budget Programme (WECB).

Partners across Greater Essex have worked together since January 2012 to prepare proposals for how to bring about sustained system-change in the County's public services and recast collective activity around the needs of local communities and citizens. Being selected as one of only four pilot areas nationally the eyes and ears of all public service providers have been firmly upon the 'Whole Essex Community Budget' (WECB) Programme.

The commitment associated with the pilot has been to prepare an operational plan, with composite business cases, by October 2012, to outline how the above aims would be achieved.

Initially, a range of key public service issues that would provide the focus for the WECB programme was identified and these were grouped under four principal work streams: Health and Wellbeing, Community Safety, Economic Opportunity, and Families with Complex Needs. A range of parallel 'enabling' projects were also established cutting across these work streams. These focused on issues such as financing, workforce, new investment models and data sharing.

Work was then undertaken within each work stream to pinpoint projects which would have the greatest impact in terms of savings and outcomes. The following six projects were identified:

- **Health and Wellbeing: Integrated Commissioning**  
To develop a Greater Essex Integrated Commissioning Framework –integrating health and wellbeing commissioning across public services based on Clinical Commissioning Group boundaries.
- **Community Safety: Reducing Reoffending**  
To develop integrated 'pathways' across public sector agencies to tackle the factors which address the likelihood of offending and change attitudes and behaviours. A commissioning group and overseeing governance body is proposed to facilitate and drive this.
- **Community Safety: Reducing Domestic Abuse**  
To create a multi-agency service hub where victims can be identified at an earlier

stage before the abusive behaviour escalates, and where those victims can receive the help and support they need.

- **Economic Opportunity: Skills for Growth**

The virtual pooling of 16-24 vocational skills funding and devolving responsibility for funding decisions so that it can have greater direction by employers. In the short term this will use existing funding administration mechanisms with local geographic direction, working towards a fully devolved model from 2016.

- **Families with Complex Needs: Multi-Disciplinary Teams**

To establish a new approach to working holistically across Essex with disadvantaged families with multiple difficulties to enable them to make significant changes and improvements to their lives and thus reduce their dependence on high cost public services.

- **Strengthening Communities**

This business case is at an earlier stage than the other cases, but is emerging as an important cross-cutting theme: improved community resilience can help to reduce dependency on public services and focus on prevention rather than expensive, reactive interventions.

The Cabinet received the Final Business Cases associated with each project together with the Operational Plan, which included details of the changes to structure and service provision being proposed and the direct requests being made of the County Council.

### **Deal for Growth**

As part of the Operational Plan for the WECB, and in support of its endeavour to promote sustainable economic growth, local authorities across Essex, Southend and Thurrock are submitting proposals which, together, form a 'Deal for Growth' for the area. The Government has made it clear that the WECB offers a unique opportunity to pursue this.

The initial Deal proposition is based on the key areas of infrastructure development and skills provision. Within that, the initial Deal proposition addresses housing, innovation and fit-for purpose governance arrangements that respect current levels of sovereignty. Detailed proposals will be developed in due course, at which point further Cabinet agreement will be sought as necessary.

The Cabinet has endorsed the direction of travel outlined in the Operational Plan and authorised the Leader of the Council to approve the final version, given that further changes are likely. It has also endorsed the 'Deal for Growth (essentially an expression of interest in order to open a negotiation with the Government) and approved its submission as part of the Operational Plan. The initial approaches set out in the Executive Summaries of the Business Cases have been endorsed, with a view to these being further developed and designed over the forthcoming months. Finally, the

Cabinet has also approved further funding of £0.215m to develop the Full Business Cases and prepare for implementation. In total, the Programme requires £1.949m of which it is estimated that £0.815m will be costs that will be funded by the County Council. Based on previous funding made available to the Whole Essex Communities Budgets programme there is a project underspend of £0.6m leaving the above requirement of £0.215m. It was agreed that this should be funded by way of a withdrawal from the Transformation Reserve.

## **2. 2012-13 Financial Review as at the Half Year Stage**

The Cabinet has received an updated assessment of the financial position of the Council in 2012/12, based upon the position at the half year stage. It was noted that the current revenue outturn forecast was a projected underspend for the year of £11.750m, with a projected underspend of £41.423m against the approved capital payments guideline. In addition, although projections assumed that the Emergency Contingency of £8m would be fully spent, no usage of that sum has as yet been proposed or agreed. Any revenue underspends remaining at the end of the Financial Year would be used to mitigate likely budget pressures in 2013/14.

Approval was given to the various actions proposed to deal with variances arising.

## **3. Corporate Plan Progress Report as at the Second Quarter Stage**

The Cabinet has considered an updated assessment of the progress made in delivering the Council's Corporate Plan priorities in 2012/13, based upon the position at the second quarter stage (up to July 2012). This included progress against specific performance measures within the 2012/13 Corporate Plan.

Members were pleased to learn of areas where success could be celebrated, and also noted the actions being taken to focus on areas where improvement was needed.

## **4. Information Systems Modernisation Programme Procurement – Next Generation Network**

Essex County Council is in the process of implementing an Information Services Modernisation Programme (ISMP), one component of which is the delivery of Next Generation Network (NGN) services. These will offer a number of financial and business benefits to the Council as well as enabling other public sector bodies to take advantage of the services available in order to realise cost savings and facilitate greater collaborative working.

Following a procurement exercise, the Cabinet has agreed to award a 10-year contract for the delivery of NGN services, with potential break points at years 4, 6 and 8, together with a potential extension of up to a further 2 years. There will be a period of due diligence between contract award in November 2012 and the start of the contract on 1 January 2013.

## **5. Award of Contract for Multi-Systemic Therapy via Social Investment**

Following a procurement exercise, the Cabinet has agreed to award a contract for the provision of Multi-Systemic Therapy via social investment to the preferred supplier, Children's Support Services Ltd and Social Finance Ltd, for a period of eight years.

The Council is committed to addressing the comparatively high numbers of children in care in Essex by means of a preventative strategy, implementing services to divert cases away from the care system. Central to this is the support and maintenance of children in their own or an alternative family setting.

As part of the overall Children in Care strategy, an Invest to Save programme was developed to provide targeted and intensive support to those families on the 'Edge of Care'. The feasibility work resulted in a proposal for a 'social investment model' to facilitate the provision of specialist intervention services to vulnerable children and their families via an intervention methodology known as 'multi-systemic therapy' (MST). MST delivers an intensive programme of intervention for a period ranging from 3-5 months with assigned therapists on call 24/7. Therapists work individually with parents, the young person and whole extended family systems. Goals are set and the programme combines parenting support with practical assistance and a therapeutic approach to rebuilding relationships between the young person, their family and other networks around them. The benefits of MST in terms of the lasting impact on families are well-evidenced.

The planned date for contract completion was 7 November 2012. The Essex social impact bond for children's services was formally launched by the Leader of the Council at the Cabinet Office alongside Ministers on 23 November.

## **6. Essex Safeguarding Children Board Annual Report**

The Cabinet has received the Annual Report of the Essex Safeguarding Children's Board which provided an update on the Board's work and developments during 2011/12.

The year had seen substantial change for the Board, with Simon Hart being appointed to the role of Chair for a three-year period. A review of governance had been completed, involving the introduction of a revised sub-committee structure, with sub-committees chaired by senior members of their organisations to ensure that each work stream is accorded a high priority. With regard to the forthcoming year, preparations were in hand for the anticipated multi-agency inspection of the Local Safeguarding Board, to be carried out under Ofsted's revised inspection framework.

## **7. Healthwatch Essex**

The Cabinet has approved the creation of an independent social enterprise that will become Healthwatch Essex and agreed to Council grant funding of that enterprise in the sum of £480,000.

In April 2013, local Healthwatch organisations will be set up across the country, being created by local authorities to ensure that the public and service users have a voice that influences health and social care services. Local authorities will be under a statutory duty to establish, by incorporation or through commissioning, an effective replacement for the existing Local Involvement Networks (LINks) from April 2013.

The Department of Health (DH) describes Healthwatch as being a 'consumer champion', reflecting the Department's vision for Healthwatch

- to provide information and advice to the public about accessing health and social care services and exercising choice in relation to aspects of those services;
- to make the views and experiences of people known to Healthwatch England, helping it to carry out its role as national champion;
- to make recommendations to Healthwatch England to advise the Care Quality Commission to carry out special reviews or investigations into areas of concern (or, if the circumstances justify it, go direct to the CQC with their recommendations, for example if urgent action were required by the CQC);
- to promote and support the involvement of people in the monitoring, commissioning and provision of local health and social care services;
- to obtain the views of people about their needs for and experience of local health and social care services and make those views known to those involved in the commissioning, provision and scrutiny of those services, and;
- to produce reports and make recommendations about how those services could or should be improved.

Healthwatch will play an important role in ensuring that the public has a strong voice in shaping the provision of health and social care services in Essex, especially as the health and social care system undergoes significant change, creating greater choice and control for individuals.

In considering the establishment of Healthwatch Essex, the Cabinet noted:

- the Healthwatch Essex Pathfinder should set up a company limited by guarantee, which will be dedicated to providing Local Healthwatch services;
- this company should have charitable status;
- Essex County Council will be neither the owner nor a member of that company, but will grant fund it under a service level agreement and will manage its performance through that agreement;
- the company will have a core group of 24 strategic members, appointed by an independent panel for three-year terms on a staggered basis on the strength of their skills, experience and community networks, who will be responsible for setting strategy and the budget;
- the Chair and Vice Chair will be elected by the strategic members;

- anyone who lives or works in Essex or who uses health or social care services in Essex will be able to join the company as a general member;
- the company will be directed by a board of directors comprising its Chair, Vice Chair, two other strategic members and two general members;
- the company will make arrangements for task and finish groups and locality working and for liaising with existing service user groups as part of its network of networks; and
- the Healthwatch Essex company should take over LINK functions on an appropriate date in the autumn so that it can operate in shadow form before going live in April 2013.

Peter Martin  
Leader of the Council

## Overview and Scrutiny Issues

### 1. A Snapshot of some of the Scrutiny Work currently being undertaken

#### Children and Young People Policy and Scrutiny Committee

The Committee has concentrated on looking at one or two major issues at each meeting.

There are several interesting developments in train in the SCF Directorate at present, particularly those concentrating on dealing with the requirements of the family as a whole. The Committee has therefore looked at the arrangements for both the Essex Families Pilot Scheme and Families with Complex Needs, and has commented on these to both the Cabinet Member and the Head of Service. Data on the projects will be submitted to the Committee regularly and it will be looking at particular aspects (such as the use of volunteer helpers for individual families) over the next few months. The Committee regards these projects to be of major significance and is encouraging the Cabinet Member to hold a briefing session for all Members.

The Committee has also reviewed progress on:

- Multi Agency Allocation Groups (MAAGs); and
- Projects on bullying and eating disorders being run by the Young Essex Assembly;

and will keep them both under review.

The Committee is aware of the high level of public interest in appropriate safeguarding for children and young people. This is reviewed monthly by the Families Safeguarding Sub-Committee but, in addition, the Committee has placed an emphasis on reviewing the arrangements for procuring places in residential establishments, particularly when these are outside the geographical area of Essex, to ensure that these are robust and monitored closely.

#### Community and Older People Policy and Scrutiny Committee

The two Mental Health Partnership Trusts, delivering commissioned Mental Health services in Essex, presented their Annual Reports to the Committee in November. The Committee utilised Caroline Robinson, Mental Health Commissioner, as an expert witness to frame potential questions to the two Trusts.

The two Trusts were challenged on the number of cases under the Care Programme Approach that have substantial and critical social care needs which make them eligible for personal budgets; how the Trusts have addressed the personalisation agenda with NHS medical staff; and what the challenges are in offering choice under Personal Budgets within an NHS context. They were also challenged on whether there has been

significant change in service delivery as a result of the implementation of personalisation. There has been an increase in Mental Health Act assessments and the Trusts were asked what is behind the increase; and what are the trends. The Trusts were also asked what service users and carers have identified as the key strengths and areas of improvement of the Trusts.

Last year the Young Essex Assembly highlighted the risk of mental health issues amongst disabled people and in particular those with hearing impediments. The importance of looking at cultural and linguistic perspectives was stressed within the context of equality of access to services. The Trusts revealed that they had a corporate objective to increase deaf awareness across the organisation and had run deaf awareness programmes for all employees.

### **Economic Development, Environment and Highways Policy and Scrutiny Committee**

Since the last report to Council the full Committee has received briefings on the progress of the Joint Municipal Waste Management Strategy for Essex; and various highways issues including the Pothole Programme, Local Highways Panels, and Winter Service. On both occasions Members had an opportunity to cross examine Cabinet Members, and exchange views.

The Committee has been conducting a large part of its activity through Task and Finish Groups, and over the next three months three final scrutiny reports will be released on Off Site Emergency Planning Requirements around the control of Major Accident Hazard (COMAH) sites in Essex; Financial Inclusion; and the future of Recycling Centres.

Following the referral of a motion from full Council on Passenger Transport Concessionary Fares, it has been agreed that a new Task and Finish Group will be set up to consider the matter.

Over the past year the Committee has conducted a number of projects using a variety of methods, and it is proposed that in the New Year to review the effectiveness or otherwise of our activities so that lessons may be learned in the way to take scrutiny activity forward.

### **Executive Scrutiny Committee**

**Budget Process:** The Committee continues to scrutinise the financial outturn quarterly.

**Corporate Plan:** The Committee continues to scrutinise progress against the Corporate Plan.

**Procurement Strategy:** The Committee commenced Scrutiny of the Council's Procurement Strategy. However, the Committee reached a consensus view that Procurement in itself is too large for one Scrutiny Committee to undertake in isolation. It was initially considered whether a Task and Finish Group could look at the Procurement Strategy, either by individual Procurement or thematically looking at the probity, value for money, management, benchmarking etc. of procurement. The consensus of the



Committee, however, was to request the Scrutiny Board to consider whether continued scrutiny of the Procurement Strategy is best served through the individual Scrutiny or Policy & Scrutiny Committees conducting scrutiny of the large procurements, the Council has engaged in over the last two years, which fall within their terms of reference. This approach would allow for both the individual procurements to be scrutinised as well as the probity, benchmarking, and value for money/savings delivered within these procurements to inform the future direction of procurement within the Council.

## **Health Overview and Scrutiny Committee**

The main event since the last report to the Council has been the holding of an away day, also involving the Southend and Thurrock HOSCs, the NHS Commissioning Board, Clinical Commissioning Groups and other health bodies.

This provided an opportunity for commissioners, providers and scrutineers to meet together, to look at the rapidly changing health system, and to consider what will be the big issues for the next 12 to 24 months. The chance to meet face-to-face and in an informal setting is a very valuable one and many positive links were forged.

The Committee has also held two standard meetings. It has continued its scrutiny of health and wellbeing issues, as the shadow Health and Well Being Board goes about finalising its strategies and operating practices. The Committee has also commented on some specific proposals put forward by health bodies.

Finally, the Committee has received an update on the work carried out by hospices in Essex. The County has a highly regarded system of hospices, which are well supported by the public, and this provided an excellent opportunity to hear about their work and some particular examples of good practice.

## **2. Procurement Strategy**

The Scrutiny Board has had an initial discussion of the proposal put forward by the Executive Scrutiny Committee in relation to the scrutiny of the Procurement Strategy and will give it further consideration at its next meeting.

## **3. Scrutiny Activity Events**

Reference is made in the report of the Economic Development, Environment and Highways Policy and Scrutiny Committee of the successful work it has been doing with Task and Finish Groups and the Health Overview and Scrutiny Committee refers to the success of its away day. The Scrutiny Board is pulling together the experience of each Committee in undertaking activity outside of normal Committee meetings with a view to sharing best practice.

**Sarah Candy**  
**Chairman of the Scrutiny Board**



Report



# Essex Police Authority

of meeting held on 5 November 2012  
(For information)

## 1. Chief Constable's Report

A full copy of the Chief Constable's Quarterly Report for the period 2<sup>1st</sup> July to 30<sup>th</sup> September 2012 is contained in our meeting's agenda and further copies are available on our website at [www.essex.police.uk/authority](http://www.essex.police.uk/authority).

## 2. Notable Activities

### Olympic Torch Relay

The Torch Relay entered Essex for two days early in July 2012. The Relay travelled through to Hylands Park in Chelmsford on the first day and from Chelmsford to Harlow on the second. No crimes directly linked to the Torch Relay were reported in Essex and there were no incidents of protest or disorder.

### 2012 Olympics/Paralympics

The Essex Police Olympic and Paralympic operations took place from 13<sup>th</sup> July to 14<sup>th</sup> September, 2012 inclusive. There were no Olympic specific crimes recorded or arrests made.

### Hadleigh Venue

Hadleigh hosted the Olympic Mountain Bike event. Whilst the venue experienced some theft of plant equipment in the construction phase of the Olympics (outside the designated Olympic period), there were no Olympic crimes recorded or arrests made during the policing operations.

### V-Festival

This year's V-Festival took place between the Olympics and Paralympics on 18<sup>th</sup> and 19<sup>th</sup> August. The event was attended by some 180,000 people over the two days.

The Essex Police media team worked with the festival promoters to promote crime reduction and personal safety, making use of social media to improve the spread of these messages. There were no serious incidents on site and recorded offences fell by 40% overall. Theft offences reduced by 40%, drugs possession by 45% and drugs supply by 46%.

### 3. Roads Policing

#### Operation Wagtail

During this quarter there has been a significant increase in the number of young drivers converging on locations across the county, most notably Lakeside and Basildon.

In response to reports from local residents officers from the Casualty Reduction Unit supported by the Neighbourhood Policing Team from LPA West launched Operation Wagtail. This was a structured plan of engagement and enforcement action to minimise the risk to life and property from the actions of the young drivers.

The operation is ongoing, but from its inception on 7<sup>th</sup> July to 30<sup>th</sup> September, 2012, the results were as follows:

- 507 vehicles stopped by police
- 4 arrests (Operation Millennium<sup>1</sup> theft of motor vehicle / drunk and disorderly / obstruction of the highway, public order and assault on police / drugs offence)
- 9 vehicles seized for no insurance
- 48 drivers reported for excess speed
- 25 Section 59 Police Reform Act (2002) warnings placed upon a driver/vehicle<sup>2</sup>
- 230 Registered keepers written to by Essex Police in relation to their manner of driving observed by police officers
- 4 Drivers reported for 'racing on the highway'

#### Operation Sheltered Path

This operation seeks to impact upon driver behaviour and to disrupt those persons and vehicles that use the road to commit crime.

The A13 and A12 remain two specific routes with comparatively high numbers of killed and seriously injured (KSI) casualties. Additionally, intelligence has identified a high incidence of theft of fuel from parked LGV on both routes on Tuesday nights.

On Tuesday 10<sup>th</sup> July directed patrols were deployed on the A12 and A13. With the support of a dedicated member of staff to monitor ANPR cameras the operation was able to monitor vehicles known to use these strategic routes to enter Essex to commit crime.

Officers engaged with large goods vehicle (LGV) drivers parked at the roadside offering crime advice and providing reassurance.

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<sup>1</sup> Operation Millennium deals with theft of motor vehicles where a burglary is committed to first steal car keys and subsequently the car itself.

<sup>2</sup> Section 59 of the Police Reform Act 2002 refers to vehicles being used in a manner which causes alarm, distress or annoyance. An example might be performing screeching 'handbrake turns' in a housing estate. A police officer will have powers to stop and/or seize a vehicle where he has reasonable grounds for believing the vehicle has been used on any occasion in such a manner. The powers cannot be exercised unless the driver is BOTH using the vehicle anti-socially and driving without due care and consideration for other road users or driving on land not forming part of a road.

These operations have continued during the last quarter in Basildon, Grays, Harlow and Junction 7 of the M11 and have consistently produced positive results. As an illustration, a single day in Harlow on 13<sup>th</sup> September resulted in 132 cars being stopped, two arrests, 25 mobile phone offences, 39 seat belt offences, 17 instances of no MOT, two drugs searches were carried out and eight vehicles were seized.

#### Serious Collision Investigation Update

The Serious Collision Investigation Unit has investigated 20 fatal or serious injury collisions since July 2012. During this time, the unit has attended the scene of 50 collisions. They have also deployed with their 3D laser scanners to four serious crime scenes.

In August 2012, Simon Aylott was sentenced at Chelmsford Crown Court for causing the death of his wife by careless driving. This followed a lengthy investigation into the collision which occurred in March 2011 on the A12 at Witham. The defendant was driving his family home when he collided with a lorry. He was sentenced to nine months in prison, suspended for two years, a two-year driving ban, a supervision order and costs.

The unit has recently commenced an investigation into the tragic deaths of Bradley Cooper and Ashley Parker. The couple were riding a motorcycle on the Lower Burnham Road, North Fambridge when it was in collision with a tractor and trailer. One person was arrested at the scene. This investigation is ongoing.

## **4. Notable Investigations**

### Murder - Harlow

On 15<sup>th</sup> July 2012 at 21.25 a disturbance was reported by a resident of Copshall Close, Harlow. A 45-year-old male neighbour was subsequently arrested and charged with murder. He is currently remanded in Custody pending a trial at Chelmsford Crown Court in February 2013.

### V-Festival – Chelmsford

At this year's Chelmsford V-Festival over the weekend of 18<sup>th</sup> – 19<sup>th</sup> August, 20 people were arrested for supplying Class A drugs. 10 people have now been charged and are awaiting sentencing.

### Murder – Chelmsford

At a party in Chelmsford following the V-Festival on 18<sup>th</sup> August a 39-year-old man sustained injuries from which he died at the scene. A 25-year-old man, Sam Martin from Westcliff has been charged with murder and remanded in custody. He will go on trial on 21/01/2013. A 34-year-old man, Clint Spearpoint from Rayleigh has been charged with murder and remains on court bail.

### Drug Supply – South Essex

Following an investigation into the large scale supply of Class A controlled drugs in the Brentwood and Romford areas, seven men aged between 30 and 55 were found guilty at Chelmsford Crown Court of a number of drugs and firearms offences.

Sentencing is due to take place on 30<sup>th</sup> November, 2012.

#### Money Laundering – Waltham Abbey

On 7<sup>th</sup> September, 2012 Toby Jones, from Epping was arrested in Waltham Abbey as a result of a large scale drugs operation and was found to be in possession of a quantity of bank notes hidden in his vehicle. A further search of his home address in Epping resulted in a total of £376,000 being seized. He was charged with money laundering and remanded in custody. Toby Jones is to be indicted at a Plea and Case Management Hearing on 17/12/2012, at Chelmsford Crown Court. He is to be added to a conspiracy to supply class A drugs along with 3 other defendants who will appear together in Court on 17/12/2012.

### **5. Notable Court Results**

#### Manslaughter and Robbery - Southend

During a robbery in Southend in November 2011 a 45-year-old man died. On 13<sup>th</sup> July, 2012 two men were found guilty – one, aged 40, was found guilty of robbery and manslaughter while the other, aged 24, was found guilty of robbery. At Southwark Crown Court on Monday 10<sup>th</sup> September, 2012, they were sentenced to seven years and five years respectively.

#### Forfeiture Order – Basildon

Following the conviction in July and imprisonment for six years of a 37-year-old man for drug trafficking, a forfeiture order for £184,952 was obtained on 30<sup>th</sup> August, 2012.

#### Confiscation Order

At Basildon Crown Court in February, 2012, three men, aged between 28 and 52, were convicted of theft of frozen produce from a warehouse. On 20<sup>th</sup> September, 2012 three confiscation orders were obtained for £53,710, £3,000 and £45,000.

#### Murder – Southend

On 14<sup>th</sup> August, 2012, at Chelmsford Crown Court a 44-year-old man was sentenced to 27 years' imprisonment for the murder of his ex partner who died on Sunday, 24<sup>th</sup> July 2011 at her home in Southend.

*Cllr Anthony Jackson  
Chairman of the Authority and the  
person appointed by the Police Authority to  
answer questions at meetings of the County Council  
relating to the discharge of the Authority's functions.*