



APOLOGIES Committee Services
Email: Committee.clerk@maldon.gov.uk

DIRECTOR OF STRATEGY AND
RESOURCES
Paul Dodson

04 September 2024

Dear Councillor

You are summoned to attend the meeting of the;

COUNCIL

on **THURSDAY 12 SEPTEMBER 2024 at 7.30 pm**

in the **Council Chamber, Maldon District Council Offices, Princes Road, Maldon.**

Please Note: All meetings will continue to be live streamed on the [Council's YouTube channel](#) for those wishing to observe remotely. Public participants wishing to speak remotely at a meeting can continue to do so via Microsoft Teams.

To submit a question in writing or attend in person please complete a [Public Access form](#) (to be received no later than 12noon two clear working days before the Council meeting). All requests will be considered on a first-come, first-served basis.

A copy of the agenda is attached.

Yours faithfully

Director of Strategy and Resources





AGENDA COUNCIL

THURSDAY 12 SEPTEMBER 2024

1. **Chairperson's notices**

2. **Apologies for Absence**

3. **Minutes - 11 July 2024** (Pages 5 - 16)

To confirm the Minutes of the Council meeting held on 11 July 2024 (copy enclosed).

4. **Minutes - 30 July 2024 (extraordinary)** (Pages 17 - 22)

To consider the Minutes of the extraordinary Council meeting held on 30 July 2024, (copy enclosed).

5. **Declaration of Interest**

To disclose the existence and nature of any Disclosable Pecuniary Interests, Other Registrable interests and Non-Registrable Interests relating to items of business on the agenda having regard to paragraph 9 and Appendix B of the Code of Conduct for Members.

(Members are reminded that they are also required to disclose any such interests as soon as they become aware should the need arise throughout the meeting).

6. **Public Questions**

To receive questions from members of the public, of which prior notification in writing has been received (no later than noon two clear working days before the day of the Council meeting).

Should you wish to submit a question please complete the online form at www.maldon.gov.uk/publicparticipation.

7. **Chairperson's Announcements**

8. **Minutes of Meetings of the Council**

To note that since the last Council, up until Wednesday 4 September 2024 (Council agenda dispatch) the following Committees have met, and to receive any questions in accordance with Council and Committee Procedure Rule 6 (2).

Appointments Board	23 July 2024
South Eastern Area Planning Committee	24 July
Strategy and Resources Committee	25 July
Central Area Planning Committee	31 July
North Western Area Planning Committee	14 August

9. **Notice of Motions**

To consider the following Motion that has been received:

a) **Motion from Councillor K M H Lagan (Motion 07/2024)**

In accordance with notice duly given under Procedure Rule 4, Councillor K M H Lagan to move the following Motion, duly seconded by Councillor J C Stilts,

Motion:

“That the council makes budget provision in the 2024/2025 budget setting process and undertakes dredging works / mud cutting / bucket dredging from the area from the visitors berth at Maldon Quay and along to the end of the area used by the Barge Trust. This is so as to secure safe access to the quay by Maldon’s historic Barge fleet, support visiting barges and other types of vessels to the town, and secure safe moorings of the barge fleet at Maldon. That the council further provides a sufficient sum each year that accrues that is ring fenced for mud removal every 5 years to ensure that the access to the Quay is safely maintained at all times and funding is provided. Work to be carried out in liaison with all quay users and stakeholders.”

10. **Questions in accordance with Procedure Rule 6(3) of which notice has been given**

11. **Adoption of the Essex Waste Strategy** (Pages 23 - 78)

To consider the report of the Director of Service Delivery (copy enclosed).

12. **Data Protection Policy Update** (Pages 79 - 156)

To consider the report of the Monitoring Officer (copy enclosed).

13. **Medium Term Financial Strategy Update and Savings Strategy** (Pages 157 - 160)

To receive the report of the Chief Finance Officer (copy enclosed).

14. **National Planning Policy Framework Consultation Response** (Pages 161 - 188)

To consider the report of the Director of Service Delivery (copy enclosed).

15. **Response to Essex Transport Strategy Public Consultation** (Pages 189 - 204)

To consider the report of the Director of Service Delivery (copy enclosed).

16. **Questions to the Leader of the Council in accordance with Procedure Rule 1 (3)(m)**

17. **Business by reason of special circumstances considered by the Chairperson to be urgent**

NOTICES

Recording of Meeting

Please note that the Council will be recording and publishing on the Council's website any part of this meeting held in open session.

Fire

We do not have any fire alarm testing scheduled for this meeting. In the event of a fire, a siren will sound. Please use either of the two marked fire escape routes. Once out of the building please proceed to the designated muster point located on the grass verge by the police station entrance. Please gather there and await further instruction. If you feel you may need assistance to evacuate the building, please make a member of Maldon District Council staff aware.

Health and Safety

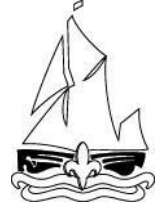
Please be advised of the different levels of flooring within the Council Chamber.

Closed-Circuit Televisions (CCTV)

Meetings held in the Council Chamber are being monitored and recorded by CCTV.

Lift

Please be aware, there is not currently lift access to the Council Chamber.



**MINUTES of
COUNCIL
11 JULY 2024**

PRESENT

Chairperson Councillor K M H Lagan

Vice-Chairperson Councillor R G Pratt

Councillors M G Bassenger, V J Bell, D O Bown, S J Burwood, J Driver,
M F L Durham, CC, A Fittock, A S Fluker, L J Haywood,
J C Hughes, A M Lay, W J Laybourn, N R Miller,
S J N Morgan, C P Morley, M G Neall, R H Siddall,
U C G Siddall-Norman, N D Spenceley, P L Spenceley,
W Stamp, CC, E L Stephens, J C Stilts, N J Swindle,
M E Thompson and L L Wiffen

149. CHAIRPERSON'S NOTICES

The Chairman welcomed everyone to the meeting and went through some general housekeeping arrangements for the meeting.

150. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor N G F Shaugnessy.

151. MINUTES OF THE STATUTORY ANNUAL COUNCIL - 16 MAY 2024

RESOLVED that the Minutes of the Statutory Annual Council meeting held on 16 May 2024 be approved and confirmed.

152. MINUTES - 28 MAY 2024

RESOLVED that the Minutes of the extraordinary Council meeting held on 28 May 2024 be approved and confirmed.

153. DECLARATION OF INTEREST

There were none.

154. PUBLIC QUESTIONS

In accordance with the Council's public speaking protocol, it was noted that the following question had been received from Mr Tom Kelly.

Question:

'Were the members of the strategy and resources committee and those of the car park task and finish working group fully aware of the fact that where there were once 10 free parking slots in the white horse lane, that five were removed which led to the chaos of people waiting for slots and that in turn was the excuse put forward by officers and members to remove the final five altogether, which is of no benefit members of the public attending the library, the only remaining bank or quick shopping or donating items to charity shops, as the new ones in the gasworks car park or butt lane are at a distance making it likely they will overstay their welcome.'

The Leader of the Council had provided the following response which had been published on the Council's agenda.

Response:

The Council recognises the value of the 30 minute free parking bays to our residents and visitors, and is committed to ensuring that a number of these remain available to use whilst visiting the Town Centre area.

The White Horse Lane Car Park is our busiest car park, with a significant level of constant vehicle movements during the day. The relocation of free parking bays from this car park should ease the congestion caused by drivers waiting for the bays to become free, whilst retaining a number of free spaces at alternative car parks in the High Street, including Butt Lane and High Street East. We have also increased the number of free spaces in the town. Butt Lane car park is still very convenient for the High Street and the layout of this car park enables movement of cars more efficiently, reduces congestion and exhaust emissions that were being created previously.

155. CHAIRPERSON'S ANNOUNCEMENTS

The Chairperson referred to an email sent to Members earlier in the day advising that Agenda Items 17 - Leisure Contract Procurement Update and 18 - Updated Capital & Investment MRP and Treasury Management Strategies 2024 / 25 had been withdrawn from this meeting.

Members were advised this was the penultimate Council meeting for Simon Quelch, Lead Legal Specialist and Monitoring Officer before he retired. At this point the Chairperson paid tribute to Mr Quelch, thanking him for his service to the Council and the personal support and guidance he had given to him as Chairperson.

Finally, the Chairperson wished England well in the Euro 2024 championship.

156. STRATEGY AND RESOURCES COMMITTEE - 13 JUNE 2024

The Council considered the following recommendations coming forward from the Strategy and Resources Committee held on 13 June 2024.

Council Tax Empty Homes Premium Policy Revision**RESOLVED**

- (i) That provision is made for an extension to the time before which a Council Tax premium becomes due in some limited circumstances, effective from 1 April 2024 until further guidance is issued or enabling legislation is made;

- (ii) that the revised Empty Homes and Second Homes Premium Policy 2024 - 25 (attached as Appendix 1 to the Minutes of the Strategy and Resources Committee), be approved;
- (iii) that the Head of Revenues and Benefits be granted delegated authority, in consultation with the Chairperson of the Strategy and Resources Committee, to make further technical amendments, to reflect updated guidance, as necessary.

Technology Strategy 2024 - 2027

RESOLVED that the Technology Strategy 2024 – 2027 (attached as Appendix 1 to the Minutes of the Strategy and Resources Committee) be approved to replace the ICT Strategy 2021 – 2026 and run along the Corporate Plan 2024 – 2027.

157. PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE - 18 JUNE 2024

The Council considered the following recommendations coming forward from the Performance, Governance and Audit Committee held on 18 June 2024.

Council Constitution – Scheme of Delegation – Service Delivery Directorate

RESOLVED That the revised Scheme of Delegation to the Assistant Director - Place and Community and to other Officers in relation to the Council's public and other licensing functions as proposed and shown at Appendix A to the Minutes of the Performance, Governance and Audit Committee, be agreed.

Reference from the Overview and Scrutiny Committee – Planning Decision Making

Councillor Stamp highlighted an amendment to recommendation (ii) removing the word 'below' and replacing it with 'paragraphs 3.2.7 – 3.2.9 and 3.3.4 of the report'. This amendment was noted.

A lengthy debate ensued, during which Members questioned the proposed constitutional intervention or break. Some examples of planning permissions decided by the Planning Inspectorate where the Council had costs awarded against it were also raised. It was noted that this matter had been brought forward by the Overview and Scrutiny Committee and sought to address some of the issues raised.

In response to a number of questions raised, Officers provided detailed information which included:

- confirmation that although provision of a deferment was within the current Constitution this only gave provision for its use at the discretion of the Planning Committee Chairperson, whereas the proposed change would make it more compulsory for the brake to be applied.
- It was envisaged that any brake would be for one meeting of that particular Planning Committee.
- Extensions of time on Planning Applications were made with the agreement of the Applicant / Agent. Due to statutory duties the Council had to determine matters within specific timeframes and such extensions provide the Council with more time to make a decision and were common practice across all local authorities.

- Once a planning application was being considered by the Planning Inspectorate for non-determination it could not revert back to the Local Planning Authority for determination.
- The reason behind the deferment suggested as part of the new procedure was not to change Members' minds but to allow a period of reflection and also ensure that a robust decision is made.
- It was explained because any intervention or brake would be dealt with as a deferment and was not reconsideration of an application there would be no public participation for either the applicant or any interested parties.

The Chairperson then moved the recommendations as set out on the agenda. Upon a vote being taken this was duly agreed.

RESOLVED

- (i) That the proposals for a 'constitutional intervention or brake' by way of a deferment, and also for technical briefings / presentations be endorsed;
- (ii) That subject to (i) above the consequential strengthening of the Planning Guidance in the Constitution and also the Operating Protocols of the Planning Committees as detailed below in paragraphs 3.2.7 – 3.2.9 and 3.3.4 of the report, be agreed.

158. MINUTES OF MEETINGS OF THE COUNCIL

The Council noted the list of Committees that had met before and since the last meeting of the Council, up until Wednesday 3 July 2024 for which Minutes had been published.

159. STATEMENT OF THE LEADER OF THE COUNCIL

Councillor R H Siddall, Leader of the council (the Leader) made a statement (attached at **APPENDIX 1** to these Minutes) setting out the Council's report and programme for the remainder of the municipal year. The statement referred to a number of areas, including:

- How the Council needed to continue to engage with and support its residents and businesses in a direct and visible way. Focusing on those partners that were the most in need.
- The need for the Council to raise with Central Government the additional powers required to enable District Council to fully realise their potential and deliver outstanding outcomes for residents.
- The changes that the Council had made over the last year including work with the Local Government Association and more recently the planned appointment of a new Chief Executive.
- The Council continued to distribute funding through its Rural England Prosperity Fund and deliver all UK Shared Prosperity funded projects to provide direct benefit to community groups and local businesses.
- The significant improvement in the Council's financial sustainability over the last year, including how the Council had set a balanced budget and was projecting healthy levels of reserves in future years.

- The Council needed to continue to look outwards and build on its strategic partnerships.
- The Leader thanked Councillor Stamp for asking a question to Essex County Council around the District's deficit on infrastructure which enabled the creation of a Maldon Board.
- The 'Beat the Street programme' had seen over 5,000 residents taking part, achieving a total of 38.650 miles.

The Leader thanked Members and Officers of the Council for the continued hard work and dedication they had put into the delivery of the Council's public services over the last year. He was keen that the Council continued to build on the positive steps taken to allow the Maldon District to grow and prosper and hoped Members would share his vision for this.

The Chairman advised that there were currently three Leaders of the Opposition and in accordance with Procedure Rule 1(12) he would allow them each five minutes to respond to the statement made by the Leader of the Council.

Councillor S J N Morgan, Leader of the Conservative Group, referred to the cross-party cooperation that had taken place during the last year and how the Conservative Group would continue to play its part, being team players. He referred to the new Central Government and some of the potential changes that might be seen as a result of the change. The Conservative Group was united and looking forward with confidence to greater prosperity.

Councillor J Driver, Leader of the Liberal Democrat Group, agreed with the Leader that there had been positive change to the way that the Council functioned which had been endorsed in a review by the Local Government Association. He referred to how the Council and Members had worked together to achieve a balanced budget and he looked forward to this continuing. He raised concern regarding the deliverability of the corporate plan and was pleased that the Council was starting a prioritisation process for the plan. Councillor Driver referred to the change in Government and the need to lobby for improvements such as local health provision. The Liberal Democrat Group had worked together with the other Groups, and he believed this had been positive for the continue and would continue.

Councillor J C Stilts, Leader of the Maldon District Support Group, acknowledged the Leaders' reference to the hard work of Members in working together for the good of the Maldon District. She advised her Group welcomed the changes being brought forward with the new structure and management of the Council. The Group was pleased that the Leader was making a case to the new Government for a fair funding settlement and flexibility for health services. She hoped the Leader would also address the increase to the housing waiting list and the number of people in emergency accommodation. Councillor Stilts also referred to the Council working closer with businesses in the District, increasing tourism and valuing assets across the whole of the District. Congratulating those officers involved in 'Beat the Street' and the District's walking festival, she advised that her Group was looking forward to the year ahead and making improvements.

In response, the Leader of the Council advised that he agreed with all the comments raised and highlighted the opportunity the Council now had in terms of having input into the Corporate Plan. It was important to ensure that for this and future years the corporate plan and finances worked together to ensure it was realistic and affordable. The Leader looked forward to working with Members and Officers over the coming year.

160. QUESTIONS IN ACCORDANCE WITH PROCEDURE RULE 6(3) OF WHICH NOTICE HAS BEEN GIVEN

There were none.

161. UPDATE ON THE COUNCIL'S NET ZERO CARBON EMISSIONS AND TRAJECTORY

The Council considered the report of the Director of Service Delivery updating Members on the work being done by Officers to reduce the Council's carbon emissions to net-zero by 2030 and outlining the potential challenges and barriers to the Council achieving this. The report also sought agreement of a methodology to review the Council's current commitment of achieving net-zero in order to ensure delivery of carbon emission reductions took place in a sustainable and practical way.

The Director of Service Delivery introduced the report before handing over to the Head of Environmental Health, Waste and Climate Action who provided detailed information in relation to the report and Appendix 1 (the Net-Zero Trajectory report).

The report reminded Members of the Climate Action Strategy 2021 – 2030 and 2023 / 24 Climate Action Plan (CAP) produced by the Council. One of the actions within the CAP was to produce a roadmap showing a trajectory to net zero carbon emissions. The Council had worked with the Association for Public Service Excellence (APSE) to develop a Net Zero Trajectory report which was attached as Appendix 1 to the report.

The trajectory report calculated the amount of carbon that the Council emitted each year and provided an indicative trajectory to be followed if the Council was to achieve net-zero by the target date. The report set out further information produced by the trajectory report including details of contributing factors, indicative capital costs and operating barriers identified.

It was noted that in order to understand the financial, technical and operational impact and compromises that may be necessary Officers were intending to undertake range of feasibility studies. The report suggested that a Member Working Group be created to focus on the challenges and barriers to achieving net-zero.

The Chairperson moved the recommendations set out in the report and this was duly seconded.

In response to comments from some Members, the Leader of the Council referred to the need to ensure that the Council was engaging with all ages across the District and playing its part to produce a green, sustainable and non-polluting environment.

The Chairperson put the earlier proposal, and this was duly agreed. He suggested that the Working Group be made up of five Members, one from each of the political parties and one non-aligned Member. The Chairperson then sought nominations and the following Members were proposed:

- D O Bown, Conservative Group
- U G C Siddall-Norman, Non-aligned
- R H Siddall, the Maldon District Independent Group
- P L Spenceley, Liberal Democrat Group
- J C Stilts, District Support Group

The above nominated Members to form the Working Group were duly agreed by the Council. The Chairperson thanked the Technical Lead: Climate Action for her hard work, reports and information provided to Members.

RESOLVED

- (i) That Members consider the information within this report and accept the conclusions of the trajectory report.
- (ii) That Members agree to the creation of a Member and Officer Net-Zero Working Group consisting of the following Members, that will consider the Council's route to net-zero including making future recommendations to Council on its strategy for achieving net-zero.

Councillors:	D O Bown
	U G C Siddall-Norman
	R H Siddall
	P L Spenceley
	J C Stilts

162. OUTSIDE BODY APPOINTMENT - ESSEX POLICE, FIRE AND CRIME PANEL

The Chairperson advised that the Council needed to change the substitute it appointed to the Essex Police, Fire and Crime Panel at the Council meeting on 16 May 2024. The substitute needed to be from the same political group as the Council's representative, Councillor S J Burwood. He noted that the Liberal Democrat Group had been approached and wished to nominate Councillor J Driver as the substitute on this Panel. The Chairperson therefore proposed that Councillor Driver replace Councillor W Stamp as the substitute on this Panel. This proposal was duly seconded and agreed.

In response to a question the Director of Strategy and Resources explained that this was an Essex County Council outside body, and a stipulation of the members was that the member representative and substitute had to be from the same political group.

RESOLVED that Councillor J Driver replace Councillor W Stamp as the Council's substitute on the Essex Police, Fire and Crime Panel for the remaining municipal year.

163. BUSINESS BY REASON OF SPECIAL CIRCUMSTANCES CONSIDERED BY THE CHAIRPERSON TO BE URGENT

There was none.

164. EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 3 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.

165. APPOINTMENT OF INDEPENDENT PERSON OF PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE

The Council considered the report of the Assistant Director – Programmes, Performance and Governance seeking appointment of an Independent Person to the Performance, Governance and Audit Committee (PGA).

Members were reminded that in March 2024, following a recommendation from the Finance Peer Review, the Council had approved the addition of an independent person to the membership of the PGA. A person specification was attached as Appendix 1 to the report. Following a recruitment process applications had been received and attached at Appendix 2.

Interviews had taken place with a Panel which included the Chairperson and Vice-Chairperson of the PGA. The report advised the candidate the Panel had scored as the preferable candidate.

In response to some declarations by Members, the Lead Legal Specialist and Monitoring Officer provided guidance in respect of declarations of interest. He advised those Members who had made declarations that as the person was not a close associate, they did not need to make a declaration.

Councillor W Stamp, Chairperson of the PGA presented the report and moved the recommendations. These were duly seconded and agreed.

RESOLVED

- (i) that the Council confirms appointment of Derek Smith to the role of Independent Person to the Performance, Governance and Audit Committee;
- (ii) that the Performance, Governance and Audit Committee completes an annual review of the postholder, with either reconfirmation of the postholder or recruitment to the role delegated to the Committee.

166. LEISURE CENTRE PROCUREMENT UPDATE

The Chairperson advised that this report had been withdrawn.

167. UPDATED CAPITAL & INVESTMENT, MINIMUM REVENUE PROVISION AND TREASURY MANAGEMENT STRATEGIES 2024 / 25

The Chairperson advised that this report had been withdrawn.

There being no other items of business the Chairperson closed the meeting at 8.51 pm.

K M H LAGAN
CHAIRPERSON

Leader Speech (11 July 2024)

This is my opportunity to reflect on our progress as a Council over the last twelve months, and to look forward to the challenges and opportunities for the next year and our future.

The general election has created significant national political change and we all know that district councils remain a crucial part of our society. It will be interesting to see how this will be recognised by the new government and whether they will address the funding gap that councils have faced over the past decade.

I know that it is your hope as councillors that we use our strategic and preventative powers to improve prosperity and wellbeing in our communities. We need to continue to engage with, and support, our residents and businesses in a direct and visible way. With our partners we particularly need to focus on those that are most in need, improving the health and outcomes for those that are often forgotten and neglected.

As a district council we need to make the case to central government for the additional powers needed to enable district councils, such as Maldon, to fully realise their potential and deliver outstanding outcomes for our residents. This should include a fair and sustainable funding settlement, additional freedoms and flexibilities for councils, and the ability to invest more in our place for future generations.

As a newly elected member of the DCN Executive, and the Independent representative on the East of England LGA, I am well placed to help make this case to the newly elected government. I am proud to represent the views of this Council at these forums. Being one of the smaller district councils, we have a different perspective to some of the larger authorities, it is important that our voice is heard.

Over the past year we can all be really proud of the change we have created within the organisation. Using the principles of One Team, cross group and nonaligned working, and with officers, in order to realise a change in our organisational culture.

With the support of the LGA, we have made real progress on this front over the last twelve months. We now have representation and positions shared across all groups and the nonaligned, providing the opportunity for all voices to be heard, enabling constructive challenge and cooperation, which I believe is producing the best outcomes.

The effectiveness of cross -party working within the Culture Levelling Up Fund Board and the Finance Member group has shown that we can work together collaboratively to recommend important decisions for the benefit of the Council and the district. The recent staff survey also showed a marked improvement in the perception of officer-member relationships. I know we can build on this positive foundation, being recognised as a local authority across Essex, the east of England and nationally, that provides an example of how we can deliver excellent services, credibility and a constructive voice. Members and officers can be proud of the work that they do and how they deliver for residents in the Maldon district.

We are creating change, with the appointment of a new Chief Executive planned within the next few weeks. Which will then enable us to create an authority, that works even more effectively and with accountability. This gives us the opportunity to work closely with the management, to deliver the council's strategic priorities over the coming years.

We remain a local authority where Quality of Life Matters, along with residents we are lucky enough to call the district our home. Through working with partners and staff on our focussed action plans, our end of year corporate performance for 2023-24 demonstrates that we have delivered excellently against the outcomes and targets we set ourselves.

Members have seen the feedback display in the members room, giving you an opportunity to identify what should be our focus for years 3 and 4 of our corporate plan and where you can also suggest what new activities and strategies are needed.

On the 23rd of July, we will continue this feedback and come together to understand the challenges ahead and start to seriously think about where our effort and resource should be focussed over the remainder of the corporate plan cycle, and I look forward to hearing your views on this. We know that residents value our local services and amenities, and we are making considerable investment in our community assets such as the Promenade Park, through new play equipment and skate parks for the benefit of both local residents and visitors.

It's important we continue to distribute funding through our rural England prosperity fund and deliver all UK Shared Prosperity funded projects to provide direct benefit to community groups and local businesses. We are working hard to improve our planning services and continue to drive forward our local plan, enabling us to be place focused, and to begin thinking about updating our strategy for culture, arts, heritage and leisure, so we can set out the future vision for our fantastic district.

We have made significant improvements in our financial sustainability over the last year. We have set a balanced budget for this financial year and are currently projecting healthy levels of reserves in future years. Despite this we cannot afford to be complacent. We know that the national financial outlook remains challenging, and that the local government funding settlement for future years is unlikely to grow, while demand for services is ever-increasing.

We must use this window of relative financial stability to plan for the future, and to invest in initiatives that will deliver longer term efficiencies in the way we operate. This will ensure the long term financial health of the council. There is benefit in exploring the opportunities of working with the other North Essex Councils as we all face similar challenges ahead.

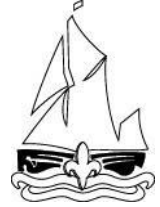
We must continue to look outwards and build on our strategic partnerships, as we cannot deliver excellent outcomes on our own. Our ongoing engagement with 'One Maldon District' and Mid and South Essex Integrated Care Board are good examples of this.

I am thankful to Councillor Stamp for asking the question to Essex County Council earlier this year around the districts deficit on infrastructure, which has enabled the creation of a Maldon Board, I am hoping that this collaboration with partners will produce results. We need to continue with our partners on the issues that really matter to our residents such as local healthcare provision, and deliver the best outcomes for the district.

The power of community engagement is inspiring. It was uplifting to see residents of all ages taking part in The Beat the Street programme. It was a huge success with over 5,000 residents across the district taking part, achieving a total of 38,650 miles walked, ran, and cycled. Next, we will deliver with our partners, for the 3rd year running, the UFest community event on the 16th of August. Over 60 local organisations will come together to support residents through a fun, informative and action-packed day down in promenade park. I look forward to seeing many of you there.

I would like end by thanking Members, and all the officers of the Council, for the continued hard work and dedication they have put into the delivery of our public services over the last year. I am eager for us to build on the positive steps we have taken since I became Leader of the Council, to allow Maldon District to grow and prosper further over the coming year and hope that you share my vision for this.

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**MINUTES of
COUNCIL (EXTRAORDINARY)
30 JULY 2024**

PRESENT

Chairperson Councillor K M H Lagan

Councillors M G Bassenger, V J Bell, D O Bown, S J Burwood, J Driver,
A Fittock, A S Fluker, L J Haywood, J C Hughes, K Jennings,
A M Lay, W J Laybourn, N R Miller, S J N Morgan,
C P Morley, M G Neall, N G F Shaughnessy, R H Siddall,
U C G Siddall-Norman, N D Spenceley, P L Spenceley,
W Stamp, CC, E L Stephens, J C Stilts, N J Swindle,
M E Thompson and L L Wiffen

1. CHAIRPERSON'S NOTICES

The Chairman welcomed everyone to the meeting and went through some general housekeeping arrangements for the meeting.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors D O Bown, M F L Durham CC, R Pratt and S White.

3. DECLARATION OF INTEREST

There were none.

4. PUBLIC QUESTIONS

In accordance with the Council's public speaking protocol, it was noted that the following question had been received from Mr David Sismey. Mr Sismey was in attendance and read his question out.

Question:

"Such was the huge impact of over 1100 new homes north of Heybridge, one of the key conditions imposed on the development when approved in 2019 was that the western end of the relief road would be complete and open to the public before 100 occupations on site. This was a planning condition imposed not by MDC but by the planning inspector on behalf of the Secretary of State and as the council knows, conditions can only be imposed if they are NECESSARY and ENFORCEABLE.

Most people are actually not against development. What people are against is councils failing to ensure that developments deliver the infrastructure and services necessary to support them - and in good time. The developer has had

5 years to build out this road and already failed to deliver it to haul road standard to support construction traffic towards the start of the project as originally committed.

As we rapidly approach the 100 occupations point, can the council please confirm that it will not let more than 100 occupations occur on this site until this part of the relief road has been completed and opened to the public? To fail to do so would not only illegitimately cast aside a decision made at a superior level in the planning system, it would also impose increasing traffic misery on local residents."

The Leader of the Council then read out the following response which had been circulated prior to the meeting.

Response:

"According to the Council's Building Control records there have been 90 completions on the site and the Council has been informed that 77 are currently occupied, of those as far as the Council is aware 66 are paying council tax. Therefore, as it stands at present, the developer has not reached 100 homes occupied which triggers the planning condition about the relief road. I have received confirmation from the Council's Planning Enforcement team that they are aware of the condition and have already opened a planning enforcement case to ensure they can monitor the situation. Should a breach occur in respects of this matter, the Council will prioritise and investigate as required by its Planning Enforcement Policy. Presently, however, the developer is not in breach of any planning condition on the relief road."

In addition, the Leader advised that if there was any breach, no matter the size of the development, the Council put priority into ensuring enforcement cases were investigated.

5. CHAIRPERSON'S ANNOUNCEMENTS

The Chairperson informed the Council that he would be suspending Procedure Rule 4(8)3 the requirement to stand when addressing the Chairperson.

He then referred to Mr Quelch, Lead Legal Specialist and Monitoring Officer who was shortly retiring and thanked Mr Quelch for the support and advice he had given to him, as Chairperson, and how he would be sadly missed.

6. STRATEGY AND RESOURCES COMMITTEE - 25 JULY 2024

The Council considered the recommendations coming forward from the Strategy and Resources Committee held on 25 July 2024.

Treasury Management Outturn 2023 – 24

RESOLVED That the 2023 / 24 Treasury Outturn report (attached at Appendix 1 to the report) be reviewed for compliance purposes.

HR Policy Update

RESOLVED

- (i) That delegated authority be granted to the Head of Paid Service, in consultation with the Chairperson of the Strategy and Resources Committee, to approve statutory and procedural updates to Human Resources Policies and Procedures and the Council's Scheme of Delegation be updated accordingly;
- (ii) That the Strategy and Resources Committee receive half yearly reports detailing any changes made and use of the delegation.

7. PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE - 18 JULY 2024

The Council considered the recommendations coming forward from the Performance, Governance and Audit Committee held on 18 July 2024.

Internal Audit – Strategic Fraud Risk Assessment

RESOLVED

- (i) That Members online training be recorded and reported upon in the same manner as it is for staff (reporting via the Performance, Governance and Audit Committee);
- (ii) That Members are offered the same level of support and assistance as staff enabling them access to online material in respect of online training.

8. MINUTES OF MEETINGS OF THE COUNCIL

The Council noted the list of Committees that had met before and since the last meeting of the Council, up until Monday 22 July 2024 for which Minutes had been published.

9. MOTION FROM COUNCILLOR N J SWINDLE (MOTION 05/2024)

In accordance with Procedure Rule 4, the Chairperson advised the Council that one Motion, duly proposed and seconded, had been received and was set out on the agenda. As this Motion related to a resolution made by the Council within the last six months Procedure Rule 12 was invoked and supported by the following Members of the Council:

- Councillors S J Burwood, J Driver, A Fittock, K Jennings, K M H Lagan, A M Lay, N D Spenceley, P L Spenceley, W Stamp and J C Stilts.

The Chairperson then asked Councillor Swindle to read out her Motion.

Councillor Swindle presented her Motion (as set out below) and duly seconded by Councillor P L Spenceley.

“That the council rescind the resolution to charge for energy use to tenants at Brickhouse Farm until 1st April 2025 due to the following reasons:

When council determined its strategy in March, no consultation with tenants had occurred as required by the strategy. Therefore, the council had not met its own requirement to work with partners who are using council-owned assets at discounted rates and who would be asked to evidence how they contribute to the council's corporate goals on an annual basis. In turn, this evidence was to be considered by the Strategic Assets Working Group which would then make recommendations to the Strategy and Resources Committee as appropriate.

No such consultation or recommendations have been undertaken and therefore none of the councils' partners have had the opportunity to provide such information to determine the benefits that they bring the council and the wider community so as to seek support from the council.

The current proposal of charging for energy by the square meter is also unfair as not all of the charities/users operate the same hours and therefore this is deemed as inequitable and has resulted in some of the partners being faced with large additional costs that cannot be budgeted for. In reality, this puts vital community services at risk. To make the use of energy exactly proportioned to each partner, individual circuit breaker meters should be installed (or similar technology) to meter the exact usage and therefore identify the exact use by each partner organisation."

The Chairperson advised that in accordance with Procedure Rule 4(3) he would referring the Motion to the Strategy and Resources Committee without debate.

10. QUESTIONS IN ACCORDANCE WITH PROCEDURE RULE 6(3) OF WHICH NOTICE HAS BEEN GIVEN

There were none.

11. BUSINESS BY REASON OF SPECIAL CIRCUMSTANCES CONSIDERED BY THE CHAIRPERSON TO BE URGENT

There was none.

12. EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.

13. APPOINTMENT OF CHIEF EXECUTIVE (HEAD OF PAID SERVICE)

The Council considered the report of the Monitoring Officer providing background information from the Appointments Board (the Board) on the appointment of a Chief Executive (Head of Paid Service (HoPS)). Following due process, the Board had made to two recommendations to the Council, set out in the report, for the appointment of a suitable candidate into the role.

It was noted that the role of Chief Executive held the statutory role of the HoPS and was recognised as the most senior person that had responsibility for the running of the

Council. Further detail regarding the role's responsibilities was set out in the report. A copy of the job description for this role was attached at Appendix 1 to the report.

The Leader of the Council presented the report and took Members through the process that had been followed, culminating in a meeting of the Board. It was noted that the Council had been supported by Solace, who had worked alongside the Leader and Lead HR Specialist, with an oversight from the Monitoring Officer to lead the recruitment campaign. The Leader outlined the work of the Board in this process and how the conclusions reached to make the recommendations now presented to the Council.

Following a brief debate, the Chairperson put the recommendations as set out in the report. This was duly seconded and unanimously agreed.

RESOLVED

- (i) That Mr Doug Wilkinson is appointed as Chief Executive and Head of Paid Service of the Maldon District Council;
- (ii) That on commencement date of the Chief Executive, the existing Head of Paid Service (HoPS) (Director of Service Delivery) ceases his duties in the statutory role of HoPS but retains the duties of Director of Service Delivery role in all other aspects.

There being no other items of business the Chairperson closed the meeting at 7.57 pm.

K M H LAGAN
CHAIRPERSON

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REPORT of DIRECTOR OF SERVICE DELIVERY

to
COUNCIL
12 SEPTEMBER 2024

ADOPTION OF THE ESSEX WASTE STRATEGY

1. PURPOSE OF THE REPORT

- 1.1 To update Members with the key results of the public consultation on the Essex Waste Strategy which was carried out by Essex County Council on behalf of all District / Borough and City Councils.
- 1.2 To clarify what amendments were made following that consultation.
- 1.3 To seek Members agreement to the adoption of the Waste Strategy for Essex 2024-2054 as attached at **APPENDIX 1** to this report.

2. RECOMMENDATIONS

- (i) That the Waste Strategy for Essex 2024-2054 (**APPENDIX 1**) be adopted;
- (ii) that the Post Adoption Statement on the Strategic Environmental Assessment **APPENDIX 2** to this report be noted.

3. SUMMARY OF KEY ISSUES

- 3.1 Essex County Council (ECC), together with the Borough, City and District Councils, has a legal duty to maintain a joint strategy for the management of waste. The thirteen Councils have worked together, as the Essex Waste Partnership (EWP), to jointly develop a new Waste Strategy for Essex (the Strategy) to comply with this duty.
- 3.2 The Strategy provides a 30-year framework for how Essex Councils are seeking to manage the waste collected by local authorities from homes, businesses and street cleansing. The focus of the Strategy is to protect the environment whilst delivering high quality, value for money services that align fully with national policy and meet local needs. The Strategy identifies the key areas of work to deliver the aims and ambitions of the partnership, shared targets and approaches for the management of waste. Following Strategy adoption decisions, work will be undertaken to develop the required countywide and local action plans to deliver the aims and aspirations of the Strategy.
- 3.3 A draft Waste Strategy for Essex was developed and endorsed by the EWP for public consultation in June 2023. The consultation methodology was designed in line with the HM Government code of practice and the Gunning principles and externally validated by The Consultation Institute (TCI).

- 3.4 The public consultation commenced on 13 September 2023 for 10 weeks. Respondents were also able to have their say on the priorities and approaches proposed in the draft Strategy and provide feedback on the Strategic Environmental Assessment published alongside the draft strategy. The findings of the consultation exercise have been independently analysed and used by the EWP to develop a final strategy. Over the consultation period 4,545 consultation questionnaire responses were received.
- 3.5 The 10-week public consultation provided an opportunity for respondents to indicate their level of agreement with the draft Strategy, its priorities, targets, and approach to the management of waste. Respondents to the consultation were also able to provide comments and suggestions on the Strategy and its approach. This has enabled quantitative and qualitative analysis of the consultation responses to be undertaken to inform the final strategy content. A summary of the consultation findings is detailed below.
- 3.6 **Consultation: Summary of Quantitative Findings**
- 3.6.1 At a county wide level there were very good levels of support for all the elements of the Strategy. The level of agreement for each distinct element of the Strategy ranged from between 61% and 86% with the levels of disagreement between 11% and 26%. Although views differed across the county, the level of agreement exceeded the levels of disagreement in all cases. A full breakdown of responses by a range of demographic factors such as location, age and gender are contained in the Final Consultation Report which can be viewed on the consultation portal – Appendix 8 <https://consultations.essex.gov.uk/rci/waste-strategy-for-essex-consultation/>.
- 3.6.2 The consultation also provided respondents with an opportunity to indicate their views on the proposed targets and level of ambition. 48%, nearly half of respondents thought the targets were about right. 28% of respondents indicated a preference for more ambitious targets.
- 3.7 **Consultation: Summary of Qualitative Findings**
- 3.7.1 Respondents to the questionnaire were able to provide additional contextual information in the form of comments on all aspects of the draft Strategy. Over 16,000 comments were made by those responding to the consultation. These comments were grouped into common themes by the independent evaluator to enable analysis and to inform the development of the final Strategy. The detailed analysis of comments is contained in the Final Consultation Report
- 3.7.2 The comments made by respondents included broad support for the Strategy, suggestions for action planning, and raised some areas that respondents felt needed to be addressed in the final strategy or action planning. Similar comments and themes were identified across the different sections of the strategy and are summarised below:
- General support for the Strategy proposals, aims and ambitions.
 - A suggestion to include clear actions and commitments from the partnership to deliver the necessary change and to enable progress to be monitored.
 - Respondents are supportive of Strategy proposals to provide further information and guidance on how to reduce waste.
 - Respondents are supportive of the Strategy proposals to provide accessible and expanded reuse and recycling services.

- Questioning whether the Strategy aims were achievable and affordable.
- Respondents wanted to understand more about the environmental and local impacts of waste infrastructure, particularly EfW facilities, and where such facilities may be located.
- Suggestion that the partnership should be more active in lobbying government and ensuring businesses reduce waste and packaging.
- Asking for the final version of the Strategy to be clear and easy to understand, avoiding the use of jargon.

3.8 Post Consultation Strategy Amendments

- 3.8.1 Each of the thirteen Councils in the administrative county of Essex must adopt the Waste Strategy and in doing so they must each consider the consultation responses. The authorities have met together, and they do not recommend any substantial changes to the consultation version. As the public have been broadly supportive of the Strategy. However, the insight obtained via the consultation has highlighted several areas requiring minor amendment, update or enhancement. The Strategy document appended to this report is the output of the post-consultation consideration process and is the version of the Waste Strategy for Essex 2024-2054 proposed for adoption (**APPENDIX 1**).
- 3.8.2 Details of how consultation response, insight and government policy updates have been considered and reflected in the Waste Strategy for Essex. Detailed below are the key changes that have been made in response to the feedback received.
- Language has been simplified and unnecessary technical terms or jargon have been removed to ensure the Strategy is easy to understand.
 - The vision statement has been updated to ensure it more strongly aligns with the strategy focus on waste reduction, reuse and recycling.
 - The commitments and high-level actions proposed by the partnership have been updated to make them easier to understand. These will be used by the partnership as the basis for the development of detailed action plans.
 - The targets and ambitions have been updated and consolidated to ensure only things which can be quantified and measured are included.
 - The Strategy position on landfill has been strengthened by committing to ceasing the use of landfill by 2030.
 - Interim steps to achieve a target have been removed from the strategy. These will be incorporated into future action plans to ensure progress can be consistently measured.
 - A commitment has been added to regularly review the Strategy to ensure it is fit for purpose and to publish progress reports to ensure continued transparency.
 - A commitment has been added to work together to increase recycling in public spaces, reduce litter and fly tipping.
 - The Strategy now includes an enhanced commitment by the partnership to lobby government for better regulation to tackle waste at source, ensuring manufacturers and retailers play their part to reduce waste.
 - The Strategy has been updated to better reflect the role of business and communities and the need for the partnership to support them to reduce the impact of waste.

3.9 Strategic Environmental Assessment

- 3.9.1 A Strategic Environmental Assessment (SEA) was carried out to consider the environmental impacts of the strategy and the approaches proposed to ensure a high level of protection for the environment and that sustainability is at the forefront of the draft Strategy.
- 3.9.2 Statutory consultees were invited to give responses to the SEA. Responses were received from Natural England and the Environment Agency. Natural England confirmed that, in their view, the proposals contained within the plan will not have significant effects on sensitive sites that it has a statutory duty to protect. The Environment Agency had no comment to make on the documents.
- 3.9.3 Feedback on the Strategic Environmental Assessment was also received from 288 respondents via the public consultation. Of those that responded to the SEA, 54% thought the Environmental Report correctly identified the likely significant effects of the draft Strategy. Full details of consultation response to the SEA is included the Final Consultation Report.

4. CONCLUSION

- 4.1 The Council along with its partners (including Essex County Council) has a legal duty to agree a countywide Waste Strategy. The Essex Waste Partnership (of which Maldon District Council is a member) has developed this Strategy which sets out a 30-year framework for how Essex Councils are seeking to manage the waste collected by local authorities from homes, businesses, and street cleansing.
- 4.2 The proposed Strategy has been subject to public consultation, with over 4,500 responses being received from stakeholders and members of the public. As outlined above, the draft policy has now been amended appropriately to address feedback received.
- 4.3 Members at all of the Council's within Essex are now being asked to consider the final version of the Essex Waste Strategy as attached in **APPENDIX 1** and to confirm the adoption of the Strategy through their individual governance procedures.
- 4.4 Officers are therefore recommending that the Council reviews the final version of the revised Essex Waste Strategy (**APPENDIX 1**) and with consideration to the processes that have been undertaken to develop the Strategy, that Members agree to its adoption by Maldon District Council.

5. IMPACT ON PRIORITIES AS SET OUT IN THE CORPORATE PLAN 2023 - 2027

5.1 Supporting our communities

- 5.1.1 This strategy outlines how the Essex Waste Partnership will develop and improve its waste collection and waste processing activities to protect the environment whilst delivering high quality, value for money services that align fully with national policy and meet local needs.

5.2 **Helping the economy to thrive**

- 5.2.1 The Strategy considers how waste collection and disposal can support the economy through initiatives that reduce waste and increase recycling of materials as appropriate.

5.3 **Provide good quality services.**

- 5.3.1 The Strategy outlines how services will be incrementally improved to ensure that high levels of customer service can be maintained.

6. IMPLICATIONS

- (i) **Impact on Customers** – None.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk (including Fraud implications)** – None.
- (iv) **Impact on Resources (financial)**- None, this Strategy outlines how we will deliver statutory duties.
- (v) **Impact on Resources (human)** – None.

Background papers: None.

Enquiries to: Carol Love, Waste Commissioning and Contracts Manager.

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Essex Waste Partnership



WASTE STRATEGY

FOR ESSEX

2024 - 2054

RETHINKING
OUR WASTE

Contents

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1. EXECUTIVE SUMMARY

The Waste Strategy for Essex sets out the vision and principles of the Essex Waste Partnership (the 'partnership'). It provides a framework detailing how we will manage the waste that is produced by homes and businesses in the county for the next 30 years.

WHAT IS A WASTE STRATEGY AND WHY DO WE NEED ONE?

This new joint waste strategy for Essex covers the period to 2054. It brings a new focus on how we will deliver an effective and efficient waste service. In line with national policy and legislation, this strategy sets out our approach to reducing the impact that waste has on climate change. Our strategy is research based and sets out the reasons for our approach, the principles of what we will do and the targets we will strive to meet.



The partnership is made up of the 12 district, borough and city councils in Essex and the county council. The partnership aims to ensure cost-efficient and sustainable waste management across the county.

OUR STRATEGY

This strategy commits the partnership to work together to minimise the impact that waste has on the environment. The best way of doing this is through embracing the circular economy. This means minimising our waste and recycling more. We will also rethink how we will manage the waste that can't be recycled. We propose to do this by recovering energy and materials to conserve resources. This will ensure we offer value for money to the taxpayer.

The partnership will coordinate the design and delivery of services to achieve the vision, targets and ambitions of this strategy. We will support residents and businesses to reduce their waste and recycle more, we will be an active voice in influencing government and will support and encourage businesses to adopt sustainable practices. Our ambitious targets will enable residents to hold the partnership to account for achieving our aims.

THE PARTNERSHIP'S VISION

RETHINKING OUR WASTE

By everyone working together, we will reduce, reuse and recycle more. This will protect the environment and save resources.

OUR APPROACH

To deliver our vision, the partnership has identified the following priorities for Essex:

Move to a circular economy – where natural resources are used efficiently and products are designed to be durable, easy to repair and recyclable.

Apply the waste hierarchy – by designing services that prioritise waste reduction, reuse and recycling, and recovering energy and materials from waste that can't be recycled.

Collaborate and innovate – with each other and with government, businesses and communities to create a more sustainable waste system.

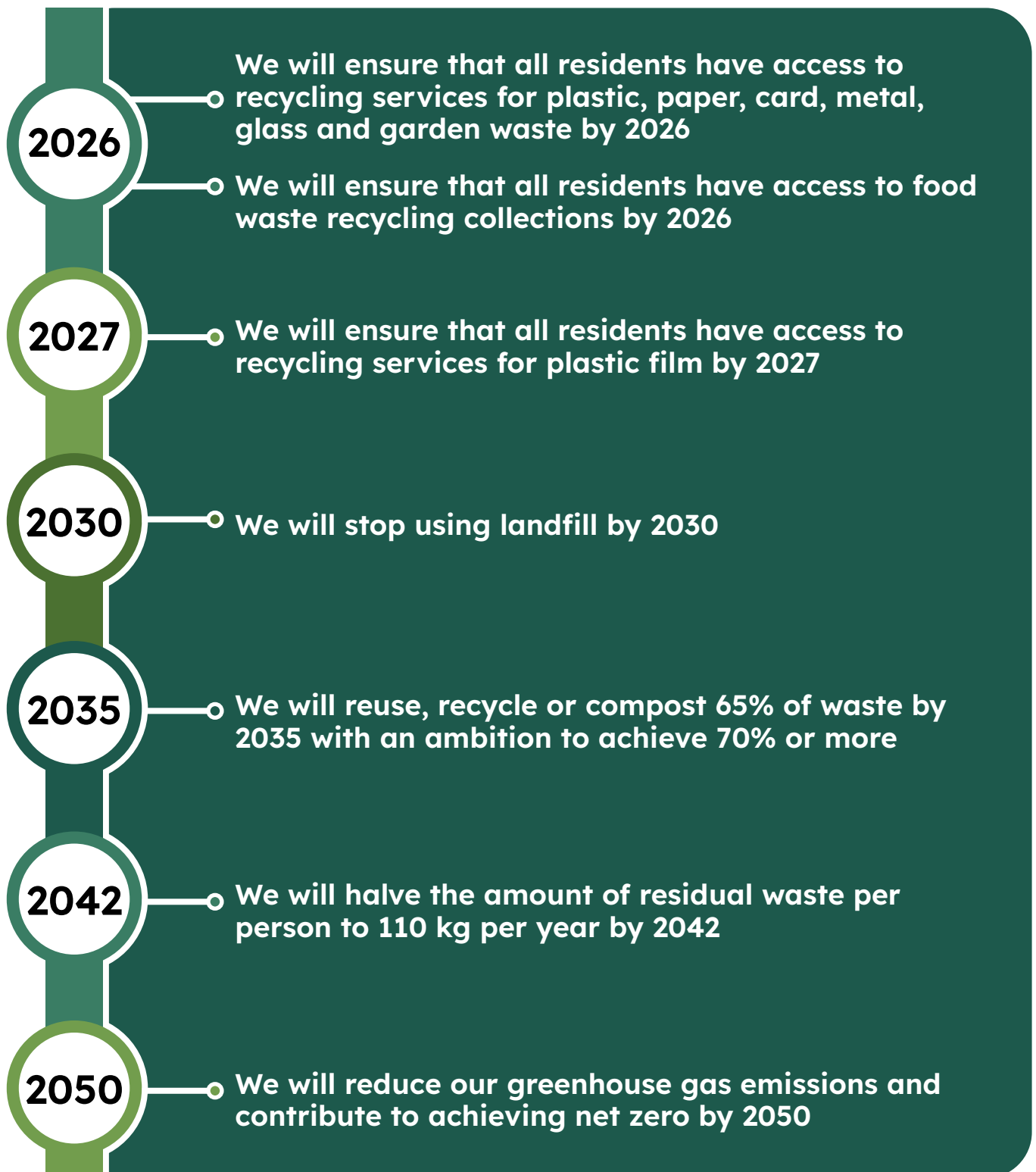
Educate and engage – by listening to feedback and delivering information and initiatives to support residents and businesses to reduce waste and recycle more.



The waste hierarchy is a legal framework that ranks waste management options according to what is better for the environment.

OUR TARGETS AND AMBITIONS

The partnership is committed to achieving the government's national targets as a minimum standard, but we would like to go beyond these targets and have a bigger impact more quickly.



The partnership will create action plans and continuously review our progress to ensure we are on track. The partnership will publish progress and performance updates enabling residents to hold us to account. This strategy will be reviewed regularly to ensure it remains fit for purpose.

2. WHY DO WE NEED TO ACT?

In Essex, we are rethinking waste to meet our ambitious targets designed to minimise the environmental impact of waste.

CLIMATE CHANGE

We are facing a significant climate challenge. We need to act now to reduce greenhouse gas emissions and achieve the goal of Essex becoming a net zero county by 2050.

Large quantities of greenhouse gases are generated during the manufacture and transport of goods, food production and waste disposal. Preventing waste, reusing products and recycling materials saves resources and reduces emissions.

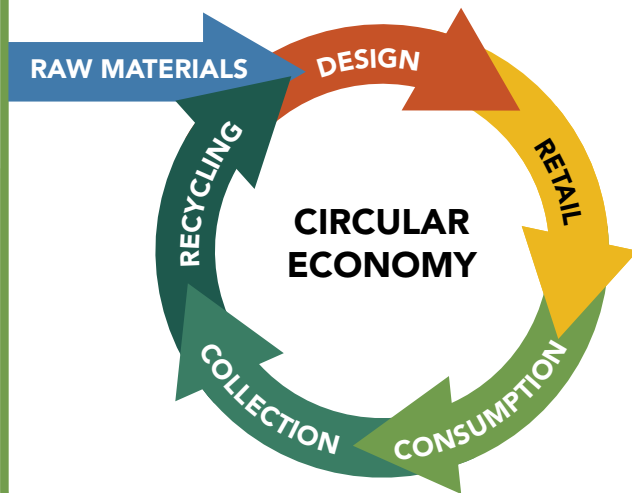
We need to make different choices about how we collect and treat waste to meet the climate challenge, for example: removing plastic from general rubbish.

Stricter limits on greenhouse gas emissions from waste treatment processes such as Energy from Waste (EfW) will also require us to take further action, for example capturing carbon dioxide so it is not released into the atmosphere.



THE CIRCULAR ECONOMY

The best way to reduce the impact of waste is to move towards a circular economy. This is where our finite resources are conserved and used efficiently. Most products are still designed and created using a linear economy model. This is where resources are taken, manufactured, used and disposed of. We have moved into a recycling economy where a proportion of materials are recycled but not retained at their highest quality.



The transition to a circular economy requires us all to rethink how resources are valued and managed. In a circular economy, products are designed to be durable and easy to repair. This encourages and enables individuals to use products for as long as possible. Finally, products should be designed to be recycled when they can no longer be reused or repaired.

LEGISLATION

In recent years, the government has introduced new policy and legislation, the most important being the Environment Act 2021. This guides the management of waste and will help us realise the benefits of a circular economy. These measures will change the type and amount of waste we manage and place new requirements on councils and businesses. The measures will take time to be fully embedded, and further changes are expected.

The government's legislative and policy changes will help the United Kingdom transition to a more circular economy by:

- incentivising businesses that are responsible for packaging to design out waste and take greater responsibility for the environmental impact of their packaging
- promoting closed-loop recycling. This is where waste is collected and recycled to make the same type of product
- driving councils to reduce the environmental impact of managing waste
- encouraging residents to reduce and recycle their waste



PEOPLE AND LIFESTYLES

Residents have told us they are becoming more concerned about climate change and the environment. They want to see real change from businesses to help them reduce their waste.

An increase in online shopping and greater home working has changed the type and amount of waste produced. An increasing number of smaller properties and flats – with limited space and facilities for recycling – will require us to consider the future design of waste collection services.

Multi-generational living and an ageing population may also impact both waste collection and the types of waste we need to manage. Overall, the population in Essex is forecast to grow by 125,000 to 1.6 million by 2030.

It is important that waste services respond to these trends and changing attitudes and behaviours. This will help us reduce the environmental impact and cost of managing waste.



WE HAVE TOO MUCH WASTE

Although we need to recycle more, we also need to address the problem that we create too much waste. We have increased the proportion of waste recycled from 21% in 2001 to around 50% in Essex. However, there are still recyclables being thrown away in general rubbish and we continue to produce more waste than other areas of the country. A significant change is needed to protect the environment and conserve resources.



COST AND AFFORDABILITY

If we avoid producing waste altogether, or recycle it, it is much cheaper than trying to treat or dispose of it. Waste generated by Essex residents costs the taxpayer more than £130 million a year. Managing one tonne of general rubbish costs more than recycling or composting the same amount of waste. Without changing how we operate and reducing the proportion of waste treated as general rubbish, waste management will cost more in future. All council budgets are facing significant pressures. This compels us to look at what we need to do differently.



MANAGING WHAT CAN'T BE RECYCLED

Essex still relies too heavily on landfill as the main method for disposing of waste. In 2023 we sent over 340,000 tonnes of waste to landfill.

Even if we achieve our reduction and recycling targets, we will still have large amounts of non-recyclable waste. It is important we have a suitable approach for this. Landfill is the least preferred option and we must act now to ensure that the impact of waste disposal is minimised for future generations.



340,000 tonnes of waste is almost as heavy as the Empire State Building in New York.

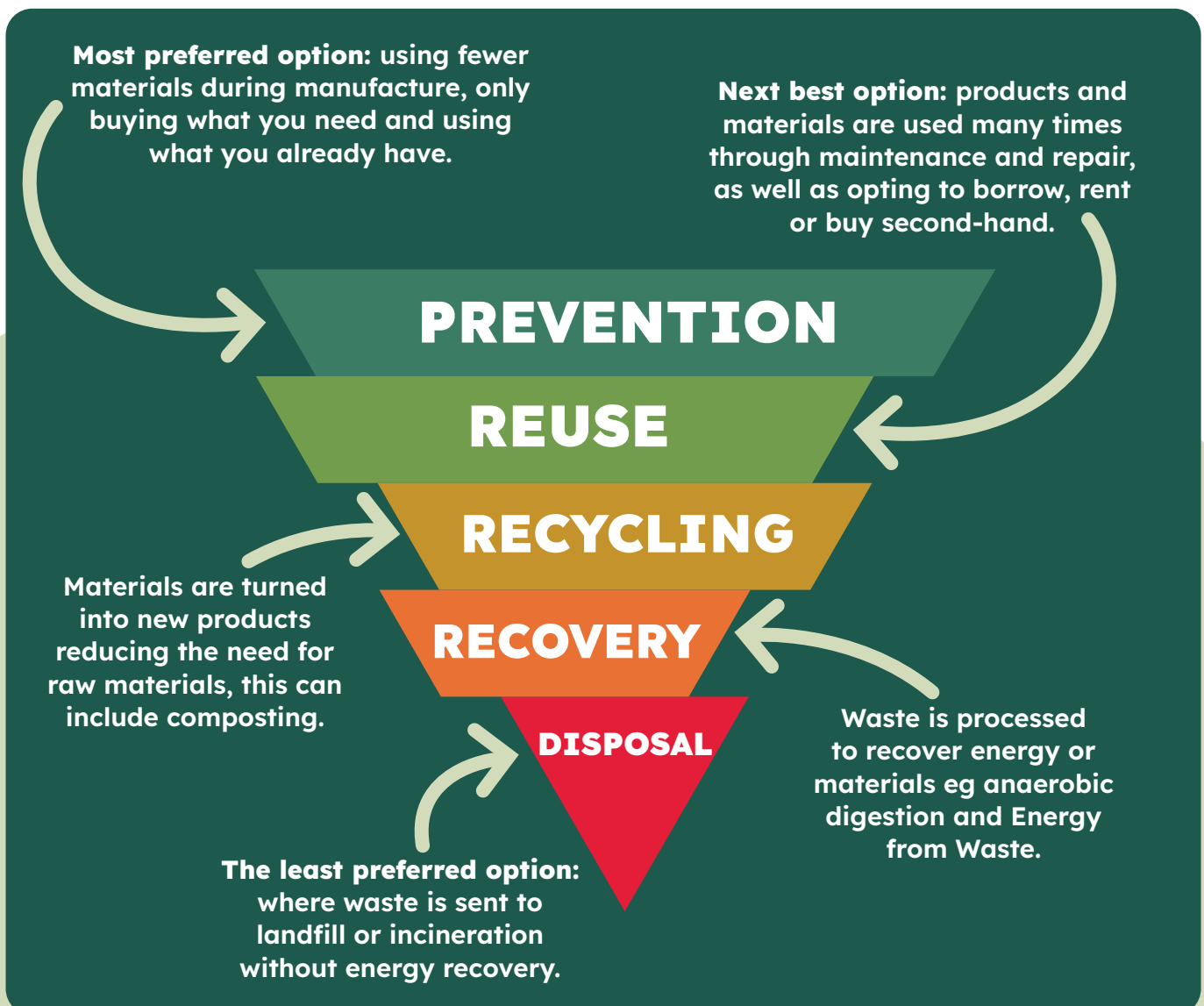
OUR RESEARCH

To develop this strategy, the partnership considered a range of research to help inform our priorities and to test the deliverability of our vision, targets and ambitions.

Our research included:

- how waste management can reduce greenhouse gas emissions to tackle climate change
- understanding attitudes and behaviours towards recycling and waste
- understanding future waste growth
- looking at the different types of waste
- investigating different ways of collecting and managing waste

THE WASTE HIERARCHY





SUMMARY

The key findings of our research and analysis are:

Principles

- our targets are challenging, but can be achieved if councils, residents, and businesses all play their part
- we need to support the move to a circular economy – where we use resources efficiently, minimise waste and maximise recycling
- following the waste hierarchy is the best approach to minimise the environmental impact of managing Essex's waste. Applying the waste hierarchy will help us make the right decisions about the services we provide and how we manage waste

Services and support

- many residents find reducing their waste difficult. They want to see real change from businesses to reduce packaging and improve repair services. We need to support residents and businesses to reduce waste and reuse more
- recycling is a day-to-day activity for most people, however, opportunities are missed to recycle common items
- the impact of waste on the environment is not fully understood by all communities
- comprehensive, easy to use and accessible collection services for all households are necessary to reach our recycling targets. The design of services should enable the collection of high-quality materials for recycling and reduce the amount of waste not recycled
- increasing the range of recycling services to businesses will be needed to reduce the environmental impact of business waste in Essex

Reducing the impact of waste

- recycling garden waste into compost, and recovering energy and fertiliser from food waste through the use of anaerobic digestion, are the best approaches for these materials
- although we can recycle more, we can't recycle everything. Some non-recyclable waste will remain. Non-recyclable waste has the biggest impact on the environment and costs the most to deal with
- landfill is not a long-term option for non-recyclable waste. Landfill is environmentally the worst approach and likely to continue to cost more than other options
- once we have reduced, reused, and recycled all we can, using Energy from Waste (EfW) with heat capture to recover energy is likely to be the best option for what is left. EfW facilities need to be correctly and flexibly sized. They also need to be efficient and designed with emerging technologies in mind such as carbon capture, utilisation and storage. This will ensure we further reduce greenhouse gas emissions and improve efficiency in future
- taking opportunities to decarbonise waste operations and offset emissions will reduce the climate impact of managing Essex's waste

New research and best practice will emerge over time. The partnership will carry out further research in future reviews of this strategy and when developing action plans.



Energy from Waste (EfW) is a recovery process that takes residual waste and turns it into electricity. Capturing and using the waste heat generated significantly increases the overall efficiency of the process.



3. WHAT IS OUR APPROACH?

Our approach to addressing the waste management challenge and to achieve the vision, targets and ambitions of the partnership is built upon delivery of the following priorities:

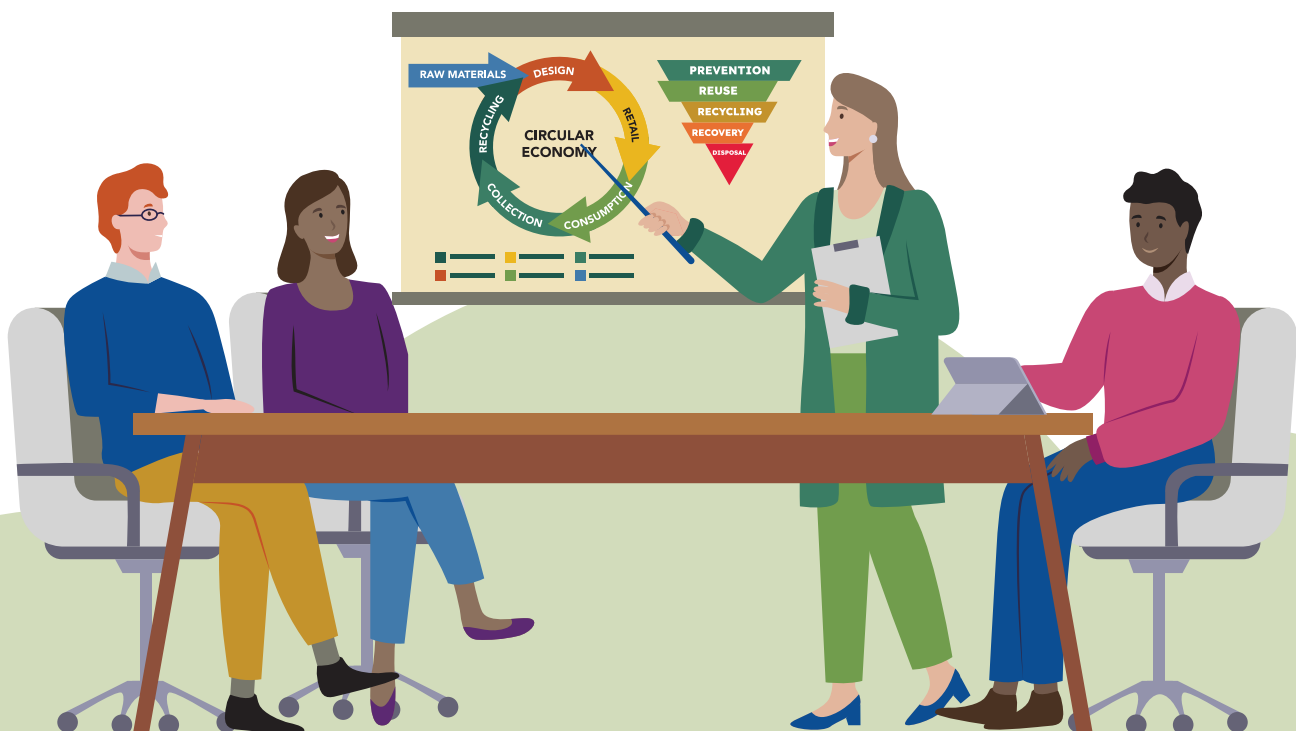
Move to a circular economy – where natural resources are used efficiently and products are designed to be durable, easy to repair and recyclable.

Apply the waste hierarchy – by designing services that prioritise waste reduction, reuse and recycling, and recovering energy and materials from waste that can't be recycled.

Collaborate and innovate – with each other and with government, businesses and communities to create a more sustainable waste system.

Educate and engage – by listening to feedback and delivering information and initiatives to support residents and businesses to reduce waste and recycle more.

The partnership recognises that how we achieve our priorities may differ across the county. We are committed to continuously reviewing best practice to inform our approach and publishing our plans, progress and performance.



MOVE TO A CIRCULAR ECONOMY

The best way to deliver change is to rethink our approach to waste and embrace a circular economy. This is where our finite resources are conserved and used efficiently.

There are clear environmental benefits from reducing waste during manufacture. It is important to design products that are easy to repair and recycle. The move to a circular economy can also deliver opportunities for green growth and jobs.



Our target for moving to a circular economy is:

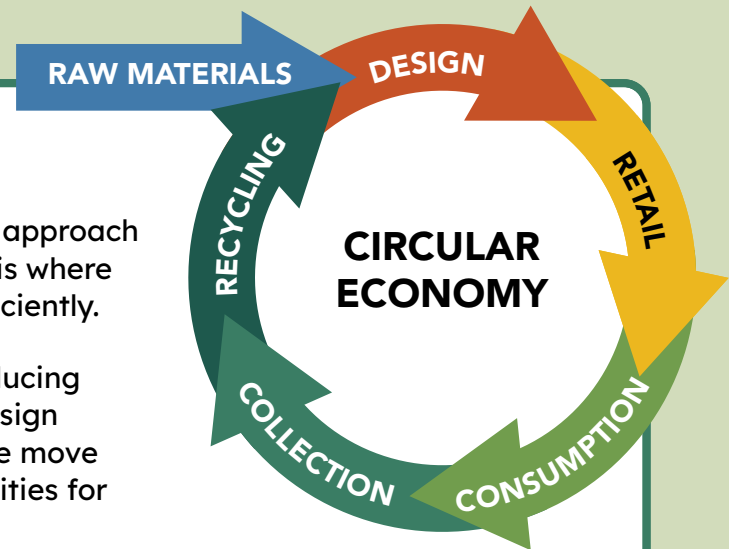
We will reduce our greenhouse gas emissions and contribute to achieving net zero by 2050

Lead by example to eliminate waste by keeping materials in circulation through reuse, remanufacture, recycling and composting. Drive manufacturers to design products that save resources.

To deliver this priority, the partnership will:

- lobby government and work with businesses to reduce packaging and improve repair services
- encourage the growth of green businesses to find innovative solutions to deal with waste
- include the circular economy in council strategies, policies and service design
- apply the principles of the circular economy in how we buy goods and services
- design waste services that increase closed-loop recycling
- support communities to reduce their waste and reuse and repair more through education and services

SMALL
CHANGES,
**BIG
DIFFERENCE**



PREVENTION**REUSE****RECYCLING****RECOVERY****DISPOSAL****APPLY THE WASTE HIERARCHY**

The best environmental approach to waste management is to apply the principles of the waste hierarchy. When designing services and making decisions, the partnership will follow the waste hierarchy, prioritising waste prevention and minimising disposal.

Our targets for applying the waste hierarchy are:



We will ensure that all residents have access to recycling services for plastic, paper, card, metal, glass and garden waste by 2026



We will ensure that all residents have access to food waste recycling collections by 2026



We will ensure that all residents have access to recycling services for plastic film by 2027



We will stop using landfill by 2030



We will reuse, recycle or compost 65% of waste by 2035 with an ambition to achieve 70% or more



We will halve the amount of residual waste per person to 110kg per year by 2042

Applying the waste hierarchy will help us achieve our vision and targets. The partnership has set out its approach for delivering each layer of the hierarchy.

RETHINKING OUR WASTE

PREVENTION

The preferred option on the waste hierarchy is to prevent waste being produced in the first place.

Deliver a system that puts waste reduction at its centre.

Businesses can help by reducing the amount of packaging used in products. Redesigning products to last longer, and be easy to repair and upgrade, will prevent waste and save resources.

Residents can help by only buying what they need and reusing what they already have.

To deliver this priority, the partnership will:

- lobby government to put in place stronger measures to prevent waste, reduce packaging and support use of materials with lower environmental impact
- support local businesses to work sustainably and reduce waste
- change the way we work, leading by example to design out waste
- design waste services to deliver waste reduction
- provide information to help and inspire residents to reduce waste



REUSE

The next best option is to reuse as much as possible.

Work together to encourage and support reuse and repair initiatives.

Businesses can help by providing services to upgrade and repair products.

Residents can help by using repair services, borrowing rather than buying and renting or buying second-hand products.

To deliver this priority, the partnership will:

- lobby government to enhance the right to repair and measures to increase repair and reuse
- support businesses and communities to deliver local reuse and repair services
- develop a directory of services, organisations and groups that promote reuse
- support activities that promote repair and sharing of pre-loved items
- develop reuse and repair services at recycling centres
- maximise reuse of bulky waste items such as furniture and household appliances
- provide information to help and inspire residents to reuse and repair more



RECYCLING

If waste can't be prevented or products and materials reused, then turning materials into new products by recycling is the next option on the waste hierarchy.

Increase recycling by delivering comprehensive services and supporting residents to recycle.

Manufacturers can help by designing products and packaging that use materials that can be easily recycled.

Businesses can help by recycling as much of their own waste as possible.

Residents can help by using all their recycling services. This can be at home, at community collection points, on-the-go and at recycling centres.

To deliver this priority, the partnership will:

- lobby government to take further measures to increase the proportion of material recycled and the amount of recycled material used in products and packaging
- support businesses to recycle as much of their own waste as possible
- work with businesses to provide community collection and return points
- provide services that collect high quality material for recycling
- make it easier for residents to recycle different materials
- continue to support home composting
- develop a directory of services and local collection points for recycling
- provide information to help and inspire residents to recycle as much as possible



RECOVERY

The waste hierarchy shows that once we have reused and recycled all we can, recovering energy and materials is the next best approach for what is left.

Use appropriate technologies for the treatment of food and non-recyclable waste that aim to minimise the environmental impact and maximise energy and material recovery.

To deliver this priority, the partnership will:

- stop using landfill
- use a technology called anaerobic digestion that recovers energy and fertiliser from the treatment of food waste
- use a technology called Energy from Waste (EfW) that recovers energy and materials from the treatment of residual waste
- aim to capture and use heat from EfW facilities to improve the efficiency of residual waste treatment



COLLABORATE AND INNOVATE

The partnership will look beyond the operation of collection and treatment activities to identify innovative opportunities to:

- reduce waste
- recycle more
- reduce the environmental impact of waste
- deliver value for money services

We can achieve more when we work together and in partnership with others, learning from each other and trying new things.

Innovate and work collaboratively with government, businesses and communities to create a more sustainable waste system.

To deliver this priority, the partnership will:

- be an active voice lobbying and engaging to shape government policy and legislation
- lobby government to secure investment in research and development of new approaches to managing waste
- work to reduce the carbon impact of waste operations by increasing use of alternative fuels for our vehicles and equipment
- work together to develop employment and skills opportunities
- investigate how best to reduce greenhouse gas emissions from EfW processes by reducing plastic waste in general rubbish and using carbon capture, utilisation and storage
- explore ways to offset the impact of unavoidable greenhouse gas emissions
- research and investigate new ways of working and adopt examples of best practice
- work together to increase recycling in public spaces and reduce litter and incidents of fly-tipping



EDUCATE AND ENGAGE

Supporting residents, businesses and communities to inspire changes in attitudes. This will help to empower people to adopt new behaviours that are essential to achieving our vision.

Listen to feedback and deliver information and initiatives to support residents and businesses to reduce waste and recycle more.

To deliver this priority, the partnership will:

- understand what businesses are doing to reduce waste and how the partnership can support
- engage regularly with residents and communities to understand the barriers to waste prevention and recycling
- use feedback and best practice when designing services
- examine the composition of waste and participation in services. This will help to design services, and target initiatives
- deliver county-wide campaigns that inspire and enable behaviour change
- focus education and engagement activities on the waste materials that have the biggest impact on the environment
- work with schools and young people to inspire life-long waste reduction behaviours
- support and enable community action to care for the local environment



RESEARCH, PLAN AND MONITOR PERFORMANCE

We know our targets are ambitious and we expect our progress towards achieving them to fluctuate and take time. However, we want residents to be able to hold the partnership to account for achieving our aims. Therefore, the partnership will:

- continue to engage with residents and communities throughout the life of this strategy
- create and regularly review action plans that set out how we will achieve milestones and targets
- adopt best practice indicators to monitor performance and track progress
- publish annually our progress in delivering this strategy
- publish performance information about how waste is managed and how much is recycled

We recognise things will change during the life of this strategy. New national policies and legislation will arise. Waste composition and the volume of our waste will be different. New technologies will emerge and our attitudes to waste will change. As a result, this strategy and the services and initiatives delivered by the partnership should be updated to reflect this. Therefore, the partnership will review this strategy at least every five years. However, if significant change occurs, this strategy will be reviewed earlier.

Our stretching targets and ambitious approach will enable the partnership to contribute to reducing the county's greenhouse gas emissions to net zero by 2050.



4. GLOSSARY

Anaerobic digestion

A process where biodegradable material (typically food) is placed in a container and broken down by microorganisms without oxygen. The process produces biogas, a renewable energy which can be used to generate heat and electricity and by-products known as digestate which can be used as fertiliser and compost.

Carbon capture, utilisation and storage

Carbon capture, utilisation and storage is the process of capturing carbon dioxide emissions and either using them to make things such as building materials or permanently storing them underground.

Circular economy

A circular economy is an economic system designed with the intention that maximum use is extracted from resources and minimum waste is generated for disposal.

Climate change

Climate change refers to a change in the state of the climate, causing changes in weather patterns on a global scale and for an extended time. Effects include changes in rainfall patterns, sea level rise, potential droughts, habitat loss and heat stress.

Closed-loop recycling

Closed-loop recycling is a process where waste is collected and recycled to make the same type of product. For example, glass bottles can be remade into more glass bottles.

Composting

Shredded garden waste is placed in elongated heaps, called windrows, normally outdoors. The windrows are turned mechanically every so often to push air into the composting waste. The process takes at least 16 weeks. At the end, the compost weighs around half the original waste and is distributed for agricultural and domestic use.

Decarbonisation

Decarbonisation is the term used for removal or reduction of carbon dioxide output into the atmosphere. We achieve decarbonisation by switching to low carbon energy sources.

Energy from Waste (EfW) with heat capture

Energy from waste is an incineration process that takes residual waste and turns it into electricity. Capturing and using the heat generated significantly increases the overall efficiency of the process and the environmental benefits.

Essex Waste Partnership

A partnership comprising all 12 district, borough and city councils and the county council in Essex (Basildon Borough Council, Braintree District Council, Brentwood Borough Council, Castle Point Borough Council, Chelmsford City Council, Colchester City Council, Epping Forest District Council, Essex County Council, Harlow Council, Maldon District Council, Rochford District Council, Tendring District Council, Uttlesford District Council). The partnership was set up to ensure cost-efficient and sustainable waste management across the county.

Greenhouse gas

Gases that trap heat in the atmosphere and contribute to climate change. This causes the greenhouse effect. Water vapour, carbon dioxide, nitrous oxide, methane and ozone are the primary greenhouse gases in the atmosphere.

Home composting

The manufacture of compost material at home (from the breakdown of food and garden waste) using a compost heap, a purpose-made container or a wormery.

Landfill or landfill sites

Land in which waste is deposited, often disused quarries.

Local Authority Collected Waste (LACW)

Local Authority Collected Waste is household waste and any other waste that is collected for treatment and disposal by a local authority. LACW comprises of waste from households, recycling centres for household waste, street sweepings and local authority-collected commercial waste.

Non-recyclable waste

Materials that are not collected for recycling at kerbside, recycling centres, through take-back schemes or at community collection points.

Procurement

The process of buying goods, works and services from third parties and in-house providers. This refers to all stages of the process from identifying what is needed, to the end of a service contract or the end of the useful life of an asset.

Recovery

In recovery, a waste treatment process is used to recover energy and new raw materials from the waste. Recovery waste treatment processes include anaerobic digestion and Energy from Waste (EfW).

Recycling

The reprocessing of waste materials into the same products or different ones.

Residual waste

Waste that is not reused, recycled, composted or anaerobically digested.

Resources

Materials that can be used to create products. Resources can be virgin materials or secondary raw materials.

Reuse

In the commercial sector – using products designed to be used many times, such as reusable packaging.

In homes, reuse includes buying products that use refillable containers or reuse plastic bags. It contributes to sustainable development and can save raw materials, energy and transport costs.

Right to repair

The ‘right to repair’ intends to extend the life of products by making manufacturers legally obliged to make available spare parts and information to help people repair their products.

Strategic Environmental Assessment (SEA)

SEA is the environmental assessment of plans, programmes or strategies. It seeks to provide high level protection for the environment; integrate the environment and sustainable development into planning processes; promote sustainable development; and promote a more open, transparent and evidence-based planning culture.

Waste hierarchy

The waste hierarchy sets out the order in which options for waste management should be considered based on environmental impact. It is a legal framework that has become a cornerstone of sustainable waste management.

Waste reduction (waste prevention)

Action to prevent waste being produced to reduce or minimise the amount of waste requiring final disposal. Minimising waste saves on collection and disposal costs and helps to reduce the demand for raw materials.

This information is issued by:
Essex County Council (on behalf of Essex Waste Partnership)
Recycling and Waste

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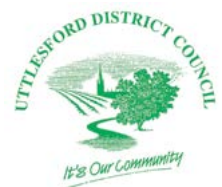
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WORKING TOGETHER FOR ESSEX





Strategic Environmental Assessment (SEA) Post Adoption Statement

Ref. ED15623100

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Essex County Council

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1. INTRODUCTION

1.1 BACKGROUND TO THE WASTE STRATEGY FOR ESSEX

Essex County Council (ECC) is the statutory Waste Disposal Authority (WDA) for Essex and is obligated under the Environmental Protection Act 1990 to provide a range of waste services for the treatment and disposal of Local Authority Collected Waste.

To optimise the delivery of its statutory waste functions ECC works in partnership with the twelve Essex Waste Collection Authorities (comprising the district, city, borough councils of Essex), collectively with Essex County Council known as the Essex Waste Partnership (EWP).

The constituent authority members of the EWP are obligated to maintain a Joint Strategy setting out how household and similar wastes are to be managed. In light of new legislative and policy drivers by government, ECC has taken the decision to review, update and develop the Strategy to ensure it better reflects current needs and legislative requirements. The Waste Strategy for Essex sets out the vision and objectives of the EWP. It provides a framework detailing how the EWP will manage the waste that is produced by homes and businesses in the county for the next 30 years.

This new Strategy, covering the period up to 2054, brings a new focus on how the EWP will deliver an effective, efficient, and sustainable service for the future. Following the Environment Act 2021, national policy and the findings of the Essex Climate Action Commission 2020, the new Strategy updates the EWP's approach to reducing the impact that waste has on climate change. The Strategy is research based and sets out the reasons for the approach; the principles of what will be done; and the targets that the EWP will strive to meet.

The EWP will review this Strategy every five years to ensure alignment with any changes in national policy and legislation, trends in waste generation, and the development of new approaches and technologies.

1.2 THE STRATEGIC ENVIRONMENTAL ASSESSMENT PROCESS

The partnership's Waste Strategy has been subject to Strategic Environmental Assessment (SEA) in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 (the 'SEA' Regulations'). The SEA Environmental Report was issued for public consultation alongside the draft Waste Strategy from the 13th September to 22nd November 2023. This SEA Post Adoption Statement is being issued to accompany the final Waste Strategy.

1.3 PURPOSE OF THE SEA POST ADOPTION STATEMENT

This SEA Post Adoption Statement is produced in accordance with the provisions of SEA [Regulation 16](#) (see Appendix A). In accordance with the SEA Regulations, this SEA Post Adoption Statement describes:

- How environmental considerations have been integrated into the final Waste Strategy (Section 2)
- How the Environmental Report has been taken into account (Section 3)
- How responses to the consultation have been taken into account (Section **Error! Reference source not found.**)
- The reasons for choosing the final Waste Strategy as adopted, in the light of the other reasonable alternatives dealt with (Section 5)
- The measures that are to be taken to monitor the significant environmental effects of implementation of the final Waste Strategy (Section 6).

2. HOW ENVIRONMENTAL CONSIDERATIONS HAVE BEEN INTEGRATED INTO THE FINAL WASTE STRATEGY

2.1 ENVIRONMENTAL CONSIDERATIONS IN THE WASTE STRATEGY

Environmental considerations were incorporated into the Waste Strategy from the outset. In line with national policy and legislation the strategy sets out the EWP's approach to reducing the impact that waste has on climate change and to reduce greenhouse gas emissions and achieve the goal of Essex becoming a net zero county by 2050.

This strategy commits the EWP to work together to minimise the impact that waste management has on the environment by transitioning to a circular economy. The waste hierarchy underpins the Strategy in focussing on waste prevention, minimisation and increasing the proportion of material recycled. For waste that cannot be recycled ECC propose to recover energy and materials to conserve resources via anaerobic digestion and Energy from Waste (EfW).

To develop the draft Strategy and inform the priorities, targets and ambitions, the EWP commissioned research into attitudes and behaviours towards waste and recycling. Systems modelling was also carried out to look at the type and volume of the waste currently in Essex, how this may change in future and different scenarios for managing the waste. Detailed systems modelling was carried out to explore the current activities across the EWP in terms of waste collection, treatment and disposal, and to investigate scenarios and opportunities for the future.

The systems modelling examined waste collection and disposal methods and the environmental and cost implications of alternative scenarios and sensitivities. Each scenario set out a different approach to the management of four key waste streams: dry recycling, food waste, garden waste, and residual waste with varying collection frequencies i.e. on a weekly, fortnightly or three weekly basis.

In the case of this SEA and the Waste Strategy, these scenarios and associated sensitivities that fed into the development of the Strategy were the subject of the assessment and were considered to be reasonable alternatives in the context of the SEA Regulations.

In terms of treatment alternatives, these were not looked at as part of the modelling. It is important to note that landfill was not considered a viable Business As Usual option primarily due to its negative environmental impacts, limited capacity and the overall government approach to disincentivising the use of landfill, and is therefore not a long term option. As a result, the focus shifted towards utilising energy from waste methods. This shift is driven by the need to reduce waste volumes, minimise greenhouse gas emissions, and harness energy potential from waste materials through more sustainable and efficient means.

A Best Practicable Environmental Scenario (Option) (BPES) lifecycle assessment was carried out for each of the scenarios to enable them to be considered in terms of emissions to air (including climate change impacts), water and land; deliverability; performance against national targets; performance against the EWP vision; and financial cost.

Environmental factors were considered and modelled in the determination of the short-list scenarios using a Waste and Resources Assessment Tool (WRATE). The WRATE model was chosen due to the ability to assess a variety of environmental criteria including, each with separate weightings:

- Quantitative assessment of Greenhouse Gas (GHG) emissions (CO_{2eq})
- Evaluation of local and wider transport impacts – distance travelled (collections & haulage)
- Acid rain potential
- Potential water pollution
- Human toxicity
- Resources depletion

In addition to the above factors modelled within WRATE, the following environmental factors were included in the scenarios modelling:

- Waste reduction (quantitative assessment)
- Quantitative assessment of recycling rate (Local Authority collected waste)

The results of the scenarios modelling were put into a scenarios appraisal model, together with agreed qualitative environmental and sustainability factors, to determine the BPES.

Sustainability issues and agreed qualitative environmental issues were also considered within the scenarios appraisal under separate criteria including: the quantitative assessment of jobs created or sustained; evaluation of local energy creation and potential for useable heat; potential for litter, noise and odour.

Whilst the SEA had not been commissioned at the time of deciding these criteria, the findings of the WRATE modelling informed the assessment under each SEA topic scoped in. In addition, following the SEA methodology developed during the Scoping stage, meant that topics that had not been covered via the WRATE process would also be considered more holistically, such as biodiversity, flora and fauna, landscape and visual amenity and archaeology and cultural heritage.

In addition to the six scenarios, four sensitivities were also included as part of the Scenarios Appraisal and modelling. Assessment of the highest scoring scenario (Scenario 2), as shown in Table 2.1: Scenario 2 Collection and Treatment, then incorporated the modelling of the additional scenarios known as chosen sensitivities / types of treatment.

Table 2.1: Scenario 2 Collection and Treatment

Collection		Treatment	
Dry Recycling	Comingled, fortnightly	Dry Recycling	MRF
Food Waste	Separate, weekly	Food Waste	Wet AD
Garden Waste	Separate, fortnightly (no subscription)	Garden Waste	Open Air Windrow (OAW) Composting
Residual Waste	Three-weekly	Residual Waste	EFW - Moving Grate

The 4 sensitivities were:

- Sensitivity 1: Addition of front-end recycling to the EfW facility for household residual waste
- Sensitivity 2: Addition of combined heat and power (CHP) at the EfW facility
- Sensitivity 3: Addition of carbon capture utilisation and storage technology (CCUS) at the EfW facility
- Sensitivity 4: Introduction of householder charges for garden waste collections

2.2 ENVIRONMENTAL CONSIDERATIONS VIA THE SEA PROCESS

2.2.1 Overview

Environmental considerations have been integrated into the Waste Strategy throughout the SEA process and particularly through:

- The review of the context and baseline for the SEA and Waste Strategy
- The development of the assessment framework used to assess the effects of the draft Waste Strategy; and
- The assessment of the Waste Strategy and reasonable alternatives to it.

2.2.2 Context and Baseline

The relevant aspects of the state of the environment and its evolution without the implementation of the Waste Strategy were considered from the outset of the SEA process along with the environmental aspects likely to be significantly affected. These were reported on in the SEA Scoping Report which was subject to consultation with the SEA Consultation Bodies; the Environment Agency, Historic England and Natural England, from 14th February 2023 – 22nd March 2023.

Baseline environmental conditions and relevant plans and programmes were considered across Essex. Schedule 2 of the SEA Regulations require that the assessment includes information on the *'likely significant effects' on the environment, including on issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage, including architectural and archaeological heritage, landscape and the inter-relationships between the issues referred to'*. These topics formed the basis for the collection and analysis of contextual and baseline information.

Consistent with the requirements of Schedule 2 of the SEA Regulations listed below, Appendix D of the Environmental Report set out the collated contextual and baseline information on a SEA topic-by-topic basis:

Schedule 2:

(2) The relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan or programme.,

(3) The environmental characteristics of areas likely to be significantly affected.,

(4) Any existing environmental problems which are relevant to the plan or programme including, in particular, those relating to any areas of a particular environmental importance, such as areas designated pursuant to Council Directive [79/409/EEC](#) on the conservation of wild birds([1](#)) and the Habitats Directive.

From the review of plans and programmes and analysis of current and projected baseline conditions (contained in Appendix C and D of the Environmental Report), a number of key environmental issues were identified. These issues were summarised in Table 3.1 of the Environmental Report.

2.2.3 Assessment Framework

The assessment framework developed during the Scoping stage and used to assess the Waste Strategy comprised of 11 SEA objectives and associated guide questions. The objectives and guide questions reflected the topics contained in Schedule 2(6) of the SEA Regulations and were informed by:

- The review of relevant plans and programmes and associated environmental protection objectives;
- The baseline information and key issues that have been identified;
- An understanding of the likely generic effects arising from the construction and operation of waste infrastructure; and
- Responses to the Scoping consultation.

2.2.4 Assessment of the Waste Strategy

Assessing the draft Waste Strategy against the SEA objectives helped to ensure that environmental factors have been fully considered in the development of the Strategy. Further detail is provided in Section 3 of this report.

3. HOW THE ENVIRONMENTAL REPORT HAS BEEN TAKEN INTO ACCOUNT DURING PREPARATION OF THE STRATEGY

3.1 SUMMARY OF THE FINDINGS OF THE ENVIRONMENTAL ASSESSMENT

The findings of the SEA Environmental Report have been used by ECC to help inform the development of its Waste Strategy by more holistically considering the likely significant effects of its implementation against each of the SEA topics scoped in and by promoting potential mitigation and monitoring opportunities. The development of the Waste Strategy was underpinned by various scenarios and sensitivities which were presented for BPES modelling. These alternatives were then assessed against the SEA framework.

The likely significant environmental effects of implementing the draft Strategy were identified, described and evaluated in accordance with the requirements of the SEA Regulations. A summary is presented in this section. The detailed assessment of the draft Strategy is contained in Section 5 of the Environmental Report.

3.1.1 Scenarios Assessment

Overall, the assessment of six short-listed waste management scenarios found that the draft Strategy would have a range of positive effects across the majority of the SEA objectives, relative to the current baseline. This broadly reflected the socio-economic and environmental benefits associated with sustainable waste management and moving waste up the waste management hierarchy. No significant (major) positive effects were identified which reflected the context of a non-spatial strategy which examined different collection and frequencies of waste streams and an assumed change in treatment.

Negative effects were identified across several SEA objectives. No significant negative effects were assessed but moderate negative effects were assessed on population and human health and landscape and visual amenity objectives which are related to three-weekly waste collections and the potential impact of waste accumulation if, for example, users were not fully using recycling and food waste services.

The BPES assessment determined that Scenario 2 was the highest scoring scenario and was therefore used to evaluate the likely impacts of the sensitivities. The sensitivities were also assessed using the SEA assessment framework.

When developing the final version of the Strategy, the partnership has considered the findings of the SEA Environmental Report by:

- retaining the focus on sustainable waste management and moving waste up the waste management hierarchy by committing to service design and supporting activities that will deliver waste prevention, reuse, recycling and recovery;
- introducing commitments that reduce the carbon impact of waste operations such as reducing plastic waste in residual waste and increasing the use of alternative fuels for waste vehicles;
- committing to a range of measures supporting businesses to work sustainably;
- committing to providing residents with information, education and inspiration to make full use of services and reduce waste, and reuse and recycle more;
- committing to the provision of accessible and extensive public reuse and recycling services;
- committing to clear and ambitious targets on service provision, waste reduction and the proportion of waste to be reused, recycled or composted.

3.1.2 Sensitivities Assessment

A range of positive and negative effects were assessed against each of the SEA objectives on all sensitivities. The following significant effects were identified.

Both positive and negative effects were found for Sensitivities 2 and 3. The positive contribution to resource recovery and emission reduction that Sensitivity 3 could provide, would enhance the circular economy, and was assessed as having a significant positive effect on material assets and waste management, yet the unproven scale of carbon capture left uncertainty. The GHG emissions savings made through CCUS technology were considered to be a significant positive effect.

In addition, significant negative effects were identified on material assets and waste management for Sensitivities 2 and 3 due to the significant infrastructure required by the addition of CHP and CCUS technology respectively.

The assessment found no positive or negative significant effects for Sensitivities 1 or 4.

When developing the final version of the Strategy, the partnership has considered the findings of the SEA Environmental Report concerning Sensitivities 2 and 3 by:

- carefully considering the need to take further action to reduce greenhouse gas emissions from waste treatment processes.
- stating an aim to capture and use heat from EfW facilities to improve the efficiency of residual waste treatment.
- committing to investigate how best to reduce greenhouse gas emissions from EfW processes by using carbon capture, utilisation and storage.
- committing to explore ways to offset the impact of unavoidable greenhouse gas emissions.
- including a target to “Reduce our greenhouse gas emissions and contribute to achieving net zero by 2050”.
- stating an aim to lobby government to secure investment in research, development and innovation.

3.1.3 Cumulative Assessment

The cumulative assessment of each sensitivity in combination with highest scoring Scenario 2 assessed mixed effects across several SEA objectives, particularly, material assets and waste management, population and human health, air and climate and water.

Significant positive effects were reported on material assets and resource use for Sensitivity 3 reflecting that in capturing carbon emissions, the technology contributes positively to resource recovery and emission reduction, enhancing the circular economy approach, however, again it is important to note that the technology is unproven at scale. Significant positive effects were also reported on one of the air and climate SEA objectives for Sensitivities 2 and 3 acknowledging the positive effect that CHP and CCUS have on reducing greenhouse gas emissions respectively.

Significant negative effects were reported on material assets for Sensitivities 2 and 3, primarily due to the introduction of significant additional infrastructure. Moderate negative effects were assessed on population and human health and landscape and visual amenity across all sensitivities due to the impact of three-weekly collections of residual waste on population and human health and landscape and visual amenity.

When viewed from a strategic standpoint in combination with other non-spatial plans and programmes, rather than in terms of scenarios and sensitivities, the draft Strategy was assessed as having potential positive cumulative effects across SEA objectives, particularly material assets and waste management. It is not expected that significant negative effects would arise from the draft Strategy's in-combination effects with other plans and programmes. While aligning with waste hierarchy goals will necessitate increased utilisation of existing and potentially new waste facilities, it was acknowledged that negative environmental impacts during construction and operation are anticipated. These must be identified, assessed, and mitigated through legislative frameworks, including the NPPF, local waste plans, and environmental permitting processes. In the event that the county council proposes development of new waste facilities, appropriate community engagement and public consultation will be undertaken.

3.1.4 Other Considerations

As well as identifying the likely significant effects of the Strategy, another important influence and consideration of the SEA was to highlight the future assessment and consenting of treatment facilities. Implementation of scenarios and sensitivities could ultimately involve site selection, including EfW facilities, and their environmental effects would need to be assessed through Environmental Impact Assessment (EIA) under the relevant regulations. Construction and operation of new waste management infrastructure could yield negative effects related to land use, vehicle movements, air emissions, and landscape impact relative to the baseline. New site locations would adhere to waste local plans consistent with the National Planning Policy Framework (NPPF) and National Planning Policy for Waste (NPPW), subject to SEA and HRA, and necessitate planning permissions and environmental consents. The operation of waste management facilities would also be subject to environmental permitting. In the event that the county council proposes development of new waste facilities, appropriate community engagement and public consultation will be undertaken.

The SEA also identified a range of mitigation and enhancement measures. These measures are principally project/service-level mitigation identified which could address the potential negative environmental effects associated with waste collection services.

4. HOW RESPONSES TO THE CONSULTATION HAVE BEEN TAKEN INTO ACCOUNT

4.1 INTRODUCTION

Consultation is a fundamental part of the SEA process and is based on the principle that plan and programme making is better where it is transparent, inclusive and uses information that has been subject to public scrutiny. In this context, the partnership sought to ensure that those with an interest in, or who would be affected by the Waste Strategy for Essex should have the opportunity to present their views on the draft Waste Strategy and the accompanying Environmental Report.

This section provides a summary of the consultation on the draft Waste Strategy and SEA Environmental Report, providing a signpost to how responses have been taken into account.

4.2 CONSULTATION DURING THE SEA

At each stage of the SEA process, there is a requirement to consult the statutory Consultation Bodies. In England these are the Environment Agency, Historic England, and Natural England. The present SEA process comprised the following consultation stages:

- An SEA Scoping Report issued to the Consultation Bodies for consultation for 5 weeks from 14th February 2023 to 22nd March 2023 where their opinions were sought on the proposed scope and level of detail proposed. Responses were received from Historic England and Natural England.
- The SEA Environmental Report was published with the draft Waste Strategy for Essex on ECC's website from 13th September 2023 to 22nd November 2023 for a ten-week period, for both statutory and public consultation.
- The SEA Environmental Report and SEA Post Adoption Statement will be published with the final Waste Strategy on ECC's website.

Changes to the Waste Strategy made as a result of consultation are described in Section 4.4 of this Post Adoption Statement.

4.3 CONSULTATION RESPONSES TO THE SEA

4.3.1 SEA Consultation Bodies

ECC published its draft Waste Strategy in September 2023 and received a number of responses during the consultation period which ran from 13th September 2023 to 22nd November 2023. Responses received from SEA Consultation Bodies, Partner Organisations and the wider public on the SEA Environmental Report have been considered by the partnership when developing the final version of the strategy document. Full details will be published with the final Waste Strategy in the [Essex Waste Partnership Response to Consultation](#).

ECC commissioned an independent third party, Enventure Research, to analyse and evaluate the responses to the consultation and to prepare a Summary Report¹, which has helped to inform this Post Adoption Statement.

As part of consultation the SEA Consultation Bodies were invited to provide statutory responses to the Environmental Report which are outlined here:

- Natural England confirmed that, in their view, the proposals contained within the Strategy will not have significant effects on sensitive sites that Natural England has a statutory duty to protect. There was some confusion in their response around the status of the SEA process with respect to the Waste Strategy but comments made with relevance to the SEA Environmental Report specifically stated:
'We welcome your approach to addressing NE's comments made in response to the SEA scoping consultation, through the SEA Environmental Report, and supporting the Plan's targets, aspirations and ambitions to minimise environmental impacts, including air and water quality impacts, and to contribute towards climate change targets including net zero greenhouse gas emissions. Given the

¹ Enventure Research (2024) Draft Waste Strategy for Essex, Draft Executive Summary Report.

overarching nature of the strategy and its aim to provide a framework for waste management in Essex, NE is unable to provide any more substantive comments. We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect’.

- The Environment Agency noted *‘that the Strategy is not intended to consider new, or increased use of existing waste management facilities. We also note that any additional waste management facilities that may be required will be identified, assessed, and mitigated (as necessary) through the Essex Waste Plan, planning applications and Environmental permitting requirements. Therefore, we currently have no comment to make on these documents’.*
- No response was received from Historic England.

4.3.2 Responses from Partner Organisations

Four EWP member organisations provided their response to the consultation. Three of these gave feedback on the SEA, saying they felt that the Environmental Report correctly identified the likely significant effects of the Strategy.

4.3.3 Wider Public Opinion on the SEA

As part of the wider public consultation respondents were invited to provide their feedback on the SEA Environmental Report. 288 respondents (equivalent to 7% of full survey respondents) chose to answer the questions specifically focussed on the SEA.

Of those who gave feedback on the SEA, 54% thought the Environmental Report correctly identified the likely significant effects of the draft waste strategy and 46% thought that it did not.

Respondents were asked for their views on the likely significant environmental effects of the draft strategy, with the most common theme from these being disagreement with incineration, particularly from residents in Basildon.

Other themes amongst the comments included that there was little or no perceived impact, uncertainty, not enough information, or information that was too complicated to understand.

Respondents were asked if there was anything else to say about the Environmental Report, the most common theme was disagreement with incineration, particularly from residents in Basildon with the second most popular theme being to communicate, engage and listen to residents.

As part of the consultations, many comments from respondents were made relating to incineration when asked if there was anything else to say about the SEA. However, it should be noted that within the other question responses there was widespread support given for Energy from Waste more generally across the region’s respondents.

The Waste Strategy for Essex is not a spatial plan and does not propose new infrastructure or facilities as part of its implementation. Therefore, as previously noted it was assumed for the purposes of the SEA that capacity at existing reprocessing facilities would be utilised.

It is important to note that potential land use changes arising from future actions, such as implementing the outcomes of procurement exercises and pinpointing site-specific EfW locations, will require project level assessment under the relevant statutory frameworks, including EIA. This will ensure the identification of any potential significant environmental effects and the consideration of opportunities to prevent, minimise, or offset these effects. Moreover, a comprehensive public consultation will be required to gather input and insights from stakeholders. As such, the potential impacts and necessary assessments for various evolving aspects related to the Waste Strategy will be required to be examined in detail at appropriate stages in accordance with UK legislation.

In light of the consultation responses no changes have been made to the SEA.

4.4 CONSULTATION RESPONSES TO THE STRATEGY

A total of 4545 responses to the consultation were received. This included 4,224 responses to the full survey and 321 responses to the Easy Read survey. Only 16 paper copies were received, with the rest captured online. Of the 4,545 responses, 24 were received from organisations.

There was a large response to the consultation across the county with all districts cities and boroughs represented in the response with some being slightly over-represented (Basildon and Chelmsford) and others being slightly under-represented (Epping Forest).

The main findings from respondents to the consultation questions were as follows:

Response to all aspects of the draft strategy saw larger proportions agreeing overall than disagreeing, whilst feelings that the targets and ambitions are about right were most common. However, there was some preference for the ambitions and targets to be achieved sooner.

Some also believe that elements of the strategy, particularly zero waste, are unachievable or too ambitious, which has led to some disagreement, although these are minority proportions.

There was widespread acknowledgement that waste collection and recycling services need to be convenient and easy to use if the targets and ambitions are to be met.

Many respondents believe that businesses and manufacturers need to do more particularly in relation to reducing packaging and ensuring that items can be repaired easily and cost effectively.

Although there is widespread support for Energy from Waste, there is some concern related to the environmental impact particularly in Basildon that is leading to higher levels of disagreement in that district compared with other areas.

There are some concepts regarding energy recovery that are hard for some people to understand, particularly the use of anaerobic digestion for the treatment of food waste.

Some respondents were concerned that there will be increased costs in the future that will be passed onto taxpayers. These concerns were particularly seen in relation to the priority approach proposed to move to a circular economy and to innovate and work collaboratively.

Some respondents were concerned that innovation carried risk and adopting a circular economy was unachievable and outside the control of the partnership. Respondents however supported the need to work together and maximise opportunities to increase recycling in public spaces, reduce litter and ensure convenient recycling services; all elements of delivering a circular economy.

Other areas of 'Collaborate and innovate' such as 'Explore carbon capture, utilisation and storage, and carbon offsetting to mitigate unavoidable greenhouse gas emissions' had lower levels of support driven by a significant proportion of respondents who were not sure, indicating a lower level of respondent understanding of this area.

Education and support for residents with their waste and recycling is viewed as important and this should also include engaging with residents and listening to their feedback.

Although the majority agreed with the approach to research, planning and monitoring, there is some belief that more frequent reviews of the strategy will be necessary than the five year cycle proposed.

4.4.1 Changes to the Strategy following the Consultation

The consultation response, insight and government policy updates have been fully considered by the Essex Waste Partnership when reviewing what revisions to apply to the Waste Strategy for Essex. Details of how consultation response, insight and government policy updates have been considered and reflected in the Waste Strategy for Essex are detailed in the Essex Waste Partnership Response to Consultation report² and are summarised in this section.

Analysis of the consultation comments identified some broad themes that respondents felt should be considered when updating the Strategy such as 'achievability of the strategy and the need for clear actions' and 'the role businesses can play'. Changes have been applied to the Strategy document to reflect these themes such as clearly setting out actions the partnership will take to achieve the approach and targets. This includes:

- Strengthening engagement with businesses. This initiative started with a webinar held in April 2024, focusing on actions that businesses can adopt and the opportunities stemming from the shift towards a more circular economy;

² Essex Waste Partnership (2024) Waste Strategy for Essex 2024-2054 Essex Waste Partnership Response to consultation

- Continued consideration of the high-level themes when creating the action plans to deliver the Strategy vision. For example, concerns around costs and the environmental impact of incineration will be addressed when deciding on services, technology choices and infrastructure design;
- Commitment to continuing engagement with residents and communities for the lifetime of the Strategy.

In addition, throughout the Strategy document, the following changes have been applied:

- Simplified language and removal of unnecessary technical terms to ensure ease of understanding;
- Removal of information in the draft strategy that was included solely to provide context;
- Targets have been aligned to each section of the partnership's approach to help residents hold the partnership to account for progress and performance.

The partnership also identified an opportunity to enhance the strategy with additional content. Commitments have been added to:

- Work together to increase recycling in public spaces, reduce litter and fly tipping;
- Regularly review the strategy to ensure it is fit for purpose and to publish progress reports;
- Lobby government for better regulation to tackle waste at source, ensuring manufacturers and retailers play their part to reduce waste.

The changes to wording of the Strategy do not include any additions that would necessitate further assessment.

5. REASONS FOR SELECTING THE WASTE STRATEGY AS ADOPTED IN THE LIGHT OF THE OTHER REASONABLE ALTERNATIVES

Regulation 12 (2) of the SEA Regulations requires that ECC identifies, describes and evaluates the likely significant effects on the environment of implementing the Strategy, and reasonable alternatives, taking into account its objectives and geographical scope.

This section of the Post Adoption Statement sets out the reasons for selecting the Waste Strategy for Essex as adopted.

Consideration of alternatives was undertaken in discussion with a wide range of stakeholders. The extent to which alternatives could be considered 'reasonable' was influenced by the existing legislative and policy context that the document must reference and align with, and the current Government commitments and targets. As a result, undeliverable or contradictory scenarios were excluded early in the process and a narrow range of scenarios was taken forward for detailed modelling.

Detailed technical work was carried out to explore the current activities across the EWP in terms of waste collection, treatment and disposal, and to investigate scenarios and opportunities for the future. In the case of this SEA and the Waste Strategy these scenarios and associated sensitivities that fed into the development of the Strategy have been the subject of the assessment and the scenarios and sensitivities are considered to be reasonable alternatives in the context of the SEA Regulations.

The modelling carried out as part of the Strategy data gathering and assessment process went on to inform an appraisal of the proposed scenarios and sensitivities³. The scenarios and sensitivities were assessed against previously agreed criteria and weightings to ensure that the impacts of the scenarios were fully considered from a sustainability and technical perspective and to identify a BPES.

The modelling demonstrated that making no changes to the collection and disposal approaches was not acceptable as it would not deliver the level of ambition required by the partnership. Compared to the 'do nothing' scenario all modelled alternatives performed better. However, the expected difference in performance between these alternatives was not shown to be significant. These results informed the partnership's decision not to prescribe a collection model based on one BPES in the draft Strategy. In addition, due to the unique limitations and contexts of each Constituent Council, it was not considered practical to propose one BPES in the Strategy, but rather to focus on the approaches and targets of the assessed scenarios and sensitivities that performed better in the appraisal, within the context of the EWP and the potential barriers that might exist in different areas.

In this context the approach followed in the Strategy was closely linked to the waste management hierarchy but in a manner that provided each council with local flexibility in designing their services to meet local needs. However, the partnership developed statements outlining the activities that may be delivered in order to realise the ambitions of the draft Strategy.

When developing the Strategy targets and ambitions, the modelling was used to assess the deliverability and define the level of aspiration.

The partnership considered the results of the sensitivity analysis and, where the performance of the model improved, the sensitivity was taken forward for inclusion in the draft Strategy.

As the public have been broadly supportive of the strategy it has not been necessary to make any substantive changes to the final version proposed for adoption. In the finalisation of the Strategy no changes have been made to the basis of the Strategy aside of some changes to wording. The key changes that have been made in response to the feedback received are:

³ Ricardo (2023) Waste Strategy for Essex Final Report. Available at: https://consultations.essex.gov.uk/rci/waste-strategy-for-essex-consultation/supporting_documents/WSfE%20appendix%206%20%20Full%20report%20on%20technical%20options.pdf

- Language has been simplified and unnecessary technical terms or jargon have been removed to ensure the strategy is easy to understand.
- The vision statement has been updated to ensure it more strongly aligns with the strategy focus on waste reduction, reuse and recycling.
- The commitments and high-level actions proposed by the partnership have been updated to make them easier to understand. These will be used by the partnership as the basis for the development of detailed action plans.
- The targets and ambitions have been updated and consolidated to ensure only things which can be quantified and measured are included.
- The strategy position on landfill has been strengthened by committing to ceasing the use of landfill by 2030.
- Interim steps to achieve a target have been removed from the strategy. These will be incorporated into future action plans to ensure progress can be consistently measured.
- A commitment has been added to regularly review the strategy to ensure it is fit for purpose and to publish progress reports to ensure continued transparency.
- A commitment has been added to work together to increase recycling in public spaces, reduce litter and fly tipping.
- The strategy now includes an enhanced commitment by the partnership to lobby government for better regulation to tackle waste at source, ensuring manufacturers and retailers play their part to reduce waste.
- The strategy has been updated to better reflect the role of business and communities and the need for the partnership to support them to reduce the impact of waste.

6. MONITORING OF THE WASTE STRATEGY

6.1 OVERVIEW

The SEA Regulations require that the Post Adoption Statement sets out the measures that are to be taken to monitor the significant environmental effects of the implementation of the Strategy.

As set out in Government Guidance⁴, it is not necessary to monitor everything or monitor an effect indefinitely. Rather, monitoring needs to be focused on significant environmental effects.

Monitoring is required to track the environmental effects to show whether they are as predicted, to help identify any adverse impacts and trigger deployment of mitigation measures.

6.2 MONITORING MEASURES

The SEA Regulations require that ECC monitors the significant environmental effects from the implementation of the Waste Strategy so it can identify unforeseen effects at an early stage and act to take relevant or appropriate action to remedy any problems.

Given the range of indicators currently in use, and to avoid duplication, it is recommended that existing indicators are utilised wherever possible. As required by the SEA Regulations monitoring indicators are focussed on those objectives where potential for likely significant effects of the strategy's implementation have been identified. Monitoring indicators are not provided for all SEA objectives.

Potential monitoring indicators were identified as part of the SEA process and were documented in the Environmental Report and are shown in Table 6.1. These have been reviewed and are still deemed appropriate.

Table 6.1: Indicators for Monitoring Effects

SEA Objective	Waste Monitoring Indicator
Material Assets and Waste Management	Amount of arisings, split by waste streams
	Total waste per household
	Residual waste arising per household
	Percentage reused/recycled/composted
	Amount of energy generated
Population and Human Health	Percentage of users satisfied with waste services
	Number of nuisance related complaints
	Percentage missed collections
	Number of environmental permit breaches for waste facilities
Soil, Geology and Land-Use	Number of fly tipping incidents per annum
Air and Climate	Waste miles travelled to dispose of waste
	Waste vehicle capacity utilisation rates
	CO ₂ saved through greater alignment with the waste hierarchy
	Percentage of low emission vehicles and plant

⁴ Office of the Deputy Prime Minister ODPM et al (2005) A Practical Guide to the Strategic Environmental Assessment Directive. Available from https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7657/practicalguidesea.pdf

SEA Objective	Waste Monitoring Indicator
	Energy use in waste operation
Landscape and Visual Amenity	Number of nuisance-related complaints such as noise, dust, and overflowing bins related to local landscape and streetscape.

The Resource and Waste Strategy includes a 25 Year Environment Plan Outcome Indicator Framework⁵ in development for monitoring progress against Resource and Waste Strategy policies and commitments that consists of a number of measures and which reflect progress against the following six policy priorities: increasing resource productivity; reducing greenhouse gas emissions; reducing waste production; increasing recycling; and reducing landfilling. Where deemed appropriate the monitoring indicators set out in the Resource and Waste Strategy may be used to monitor the Waste Strategy for Essex once fully developed. The EWP will consider their inclusion as part of the strategy review process.

⁵ [Outcome Indicator Framework for the 25 Year Environment Plan \(defra.gov.uk\)](https://defra.gov.uk)

7. THE AVAILABILITY OF DOCUMENTS

The adopted Final Waste Strategy for Essex and accompanying SEA documentation will be available on the ECC website at:

<https://consultations.essex.gov.uk/rci/waste-strategy-for-essex-consultation/>

APPENDICES

APPENDIX A SEA POST ADOPTION PROCEDURES

Part 4 of the SEA Regulations requires ECC, 'as soon as is reasonably practicable' after the adoption of the Waste Strategy, to:

1. Make a copy of the Final Waste Strategy for Essex and the accompanying Environmental Report available at its principal office for inspection by the public at all reasonable times and free of charge;
2. Notify the public and potentially affected parties of their availability;
3. Inform the Consultation Bodies and other parties who responded;
4. Issue a statement containing:
 - a) How environmental considerations have been integrated into the Waste Strategy;
 - b) How the Environmental Report has been taken into account;
 - c) How consultation responses have been taken into account;
 - d) The reasons for choosing the Waste Strategy as adopted;
 - e) Measures to monitor the significant environmental effects of the Waste Strategy.

Requirements 1 to 3 have been fulfilled by the publication of the Waste Strategy and SEA documents on ECC's website, and informing all consultees of the publication. In addition, with respect to requirement 1, a hardcopy will be available for inspection on request.

The publication of this SEA Post Adoption Statement fulfils Requirement 4.



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REPORT of MONITORING OFFICER

to
COUNCIL
12 SEPTEMBER 2024

DATA PROTECTION POLICY UPDATES

1. PURPOSE OF THE REPORT

- 1.1 To consider the draft Data Protection Policy attached as **APPENDIX 1** to this report. and the adoption of this policy by the Council.
- 1.2 To consider the Processing of Special Category Data Policy attached as **APPENDIX 2** to this report and the adoption of this policy by the Council.
- 1.3 To consider the draft Document Retention Policy, attached as **APPENDIX 3** to this report and the adoption of this policy by the Council.

2. RECOMMENDATIONS

- (i) That the Data Protection Policy attached at **APPENDIX 1** be approved;
- (ii) That the Processing of Special Category Data Policy attached at **APPENDIX 2** be approved;
- (iii) That the Document Retention Policy attached at **APPENDIX 3** be approved;
- (iv) That delegated Authority is given to the Assistant Director of Resources in consultation with the Data Protection Officer to make any operational changes to the retention periods contained within the Document Retention Policy.

3. SUMMARY OF KEY ISSUES

- 3.1 The Council has a legal requirement to comply with the Data Protection Act 2018.
- 3.2 The Data Protection Act requires that we are able to demonstrate compliance with the principles set out in the Act. These policies are a vital part in demonstrating how the Council processes its data.
- 3.3 The Council's use of documents and personal data are vital in supporting its core requirements and providing evidence of actions and decisions. It is also essential that our residents can be satisfied that the Council has policies and procedures in place to ensure their data is held lawfully.
- 3.4 These three policies together provide a comprehensive suite of documents that ensure that data is used, stored and destroyed in line with the requirements of the Data Protection Act.

- 3.5 The Data Protection Policy and the Document Retention Policy are revisions of previous policies.
- 3.6 The Processing of Special Category Data is a new policy which provides extra guidance when dealing with Special Category Data which includes, health, race and criminal offence data.

4. CONCLUSION

- 4.1 The adoption of these three policies will ensure the Council has clear policies for how it manages the records and personal data it holds while carryout its functions.

5. IMPACT ON PRIORITIES AS SET OUT IN THE CORPORATE PLAN 2023 - 2027

5.1 Provide good quality services.

- 5.1.1 We are required by law to demonstrate how we comply with the Data Protection Act and these policies meet that requirement. Having clear policies in place will allow staff to continue to provide a quality service when processing residents data. Having an up-to-date policy provides residents with reassurance that their personal data will be handled lawfully.

6. IMPLICATIONS

- (i) **Impact on Customers** – No direct impact arising from this report, but adoption of the Policy provides customer reassurance that effective processing of their data and document management is incorporated into the Council's working practices.
- (ii) **Impact on Equalities** – Failure to have an up-to-date policy having regard to current statutory and regulatory requirements could potentially leave the Council open to challenge. The Policies ensure that all data is processed fairly across the organisation.
- (iii) **Impact on Risk (including Fraud implications)** – Failure to have up to date policies having regard to current statutory and regulatory requirements could potentially leave the Council open to challenge and/or fines for non-compliance from the Information Commissioner. Penalties can be levied up to £17million or 4% of turnover.
- (iv) **Impact on Resources (financial)** – None.
- (v) **Impact on Resources (human)** – The policies allow staff to manage data in a productive manner and ensure that the processing of documents and searches for information are as efficient as possible.

Background Papers: None.

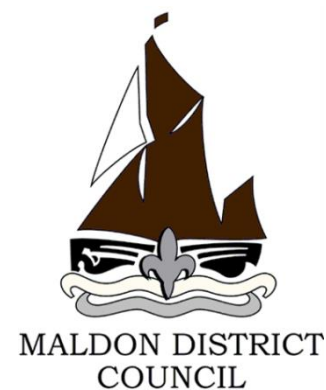
Enquiries to: Emma Holmes Lead Specialist Legal and Monitoring Officer.

Document Control Sheet

Document title	Data Protection and Privacy Policy
Summary of purpose	To review and update the Council's Data Protection procedures in line with the requirements of the General Data Protection Regulations which come into force on 25 th May 2018.
Prepared by	Emma Holmes
Status	Final
Version number	
Approved by	Full Council
Approval date	
Date of implementation	Immediate
Review frequency	3 years (Retention Schedule revised continuously to incorporate any changes/new documents)
Next review date	September 2027
Circulation	
Published on the Council's website	

Validity Statement

This document is due for review by the date shown above, after which it may become invalid. Users of the strategy or policy should ensure that they are consulting the currently valid version of the document.



MALDON DISTRICT COUNCIL**DATA PROTECTION POLICY**

Maldon District Council ('the Council') aims to ensure that personal information/data is treated lawfully and correctly.

The lawful and correct treatment of personal information is extremely important in maintaining the confidence of those with whom the Council deals and in achieving its objectives.

This policy applies to all officers, Members and those engaged undertaking business with or on behalf of the Council.

The Council fully endorses and adheres to the Data Protection principles set out below:-

DATA PROTECTION PRINCIPLES**Personal Information shall be:**

- Processed fairly, lawfully and in a transparent manner;
- Collected for specific, explicit and legitimate purposes;
- Adequate, relevant and limited to what is necessary to meet the purpose;
- Accurate and up to date;
- Kept for no longer than is necessary;
- Kept secure to maintain integrity and confidentiality;
- Processed in an accountable manner;

In addition, the accountability principle requires us to be able to evidence our compliance with the above six principles and make sure that we do not put individuals at risk because of processing their personal data. Failure to do so, can result in breach of legislation, reputational damage, or financial implications due to fines. To meet our obligations, we put in place appropriate and effective measures to make sure we comply with data protection law.

Our staff have access to a number of policies, operational procedures and guidance to give them appropriate direction on the application of the data protection legislation, this includes;

Document Retention Policy
Acceptable Use Policy
Information Security Policy
Using Email and Digital Communications Guidance
Special Category and Criminal Conviction Data Policy

Policy Objectives

To achieve the overall aim the Council will:

- Provide adequate resources to support an effective corporate approach to Data Protection;
- Ensure all staff are appropriately trained to perform their roles;
- Comply with all relevant statutory obligations;
- Respect the confidentiality of all personal data, irrespective of source;
- Publicise the Council's commitment to Data Protection;
- Compile and maintain appropriate policies, procedures and documentation;
- Promote general awareness and provide specific training, advice and guidance at all levels to ensure standards are met;
- Monitor and review compliance with legislation and introduce changes where necessary;
- Assist the Regulator and auditors as necessary

Processing of Information:

The Council, through appropriate management controls will, when processing personal information on any individual:

- Observe fully conditions regarding the collection and use of information meet the Council's legal obligations under Data Protection legislation;
- Collect, process and retain data only to the extent that it is needed to fulfil operational needs or to comply with any legal requirement;
- Ensure that the rights of people about whom information is held can be fully exercised including:-
 - The right to be informed that processing is being undertaken;
 - The right of access to personal information;
 - The right to withdraw or amend consent for processing*;
 - The right to correct, amend or erase information*;
 - The right to be forgotten*.
- Ensure staff are reminded that data covered by Data Protection legislation is exempt from disclosure under the Freedom of Information Act 2000.
- *Ensure where an individual exercises their right to be forgotten or withdraws permission for their data to be processed, the Council will inform the subject of the potential impact of this decision, as it may prevent the Council being able to provide a service which the subject has requested.
- **Note:** The right to be forgotten or withdraw permission for processing does not apply where there the Council has a statutory obligation or requirement to process that information.

Fair Obtaining/Processing

Individuals whose data is collected by the Council must be made aware at the time of collection of all the processes that data may be subject to. No manual or automatic processing of an individual's data can take place unless reasonable steps have been taken to make that individual aware of that processing.

Individuals must also be informed of likely recipients of their information, both internal and external, and also be given details of who to contact in order to query the use or content of their information (Data Protection Officer).

When consent is used as the lawful basis for processing data, it must be explicit and granular to allow the subject to 'opt-in' to any processing activity. The Privacy Notice where this data is collected should also explain how a subject's data will be used, how they can amend or withdraw their consent, and to whom they should contact to do so.

Data Uses and Purposes

- All processing performed must only be for the purpose that is necessary to enable the Council to perform its duties and services, and which has been notified by the Council to the Information Commissioner. Personal data can only be processed in line with notified purposes.
- No new processing may take place UNTIL the Information Commissioner has been notified of the relevant purpose AND the data subjects have been informed and, their consent obtained. All new occurrences of, or future developments for, processing of personal data must therefore be reported to the Data Protection Officer, who is responsible for maintaining Council's Data Protection registrations.
- All personal data should be regarded as confidential and only disclosed to persons (internal and external) who are listed for the purpose concerned in the Council's current notification AND whose authority to receive it has been explicitly established.
- Information owned by the Council must not be used for non-Council purposes.
- Employees may only remove hard copies of personal data from a Council office with the authority of the Chief Executive and will be held responsible for any misuse or unauthorised disclosures while the data is in their control.

What counts as Personal Data?

The term 'personal data' applies to any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier.

This definition provides for a wide range of personal identifiers to constitute personal data, including name, identification number, location data or online identifier, reflecting changes in technology and the way organisations collect information about people.

The regulations apply to both automated personal data and to manual filing systems where personal data are accessible according to specific criteria. This could include chronologically ordered sets of manual records containing personal data.

Personal data that has been pseudonymised – e.g. key-coded – can fall within the scope of the regulations depending on how difficult it is to attribute the pseudonym to a particular individual. Likewise, anonymised data that can be 'reverse engineered', or manipulated on its own or in conjunction with other data sources to identify an individual, will also be classified as personal data.

A name and address, or information attached to a reference number that we can use to look someone up, are both personal data. So is a company e-mail address if it includes a person's name.

Data Quality

Information processed shall not be excessive or irrelevant to the notified purposes.

Information will be held only for as long as is necessary for the notified purposes, after which it shall be deleted or destroyed in accordance with the Council's Document Retention Policy.

Whenever information is processed, reasonable measures shall be taken to ensure that it is up-to-date and accurate.

Organisational Responsibilities and Security

All personal data should be kept secure, in a manner appropriate to its sensitivity and the likely harm should a breach occur. Security shall be applied to all stages of processing to prevent unauthorised access or disclosure (internal or external), damage (accidental or deliberate) or loss.

Personal data must not be left on display or unsecured when unattended. Computer software shall be kept secure when not in use. System entry passwords should be known only to the holder and be changed regularly.

Everyone managing and handling personal information is appropriately trained to do so.

Everyone managing and handling personal information is appropriately supervised.

Anybody wanting to make enquiries about handling personal information knows what to do.

Queries about handling personal information are promptly and courteously dealt with.

Methods of handling personal information are clearly described.

A regular review and audit is made of the way personal information is managed.

Methods of handling personal information are regularly assessed and evaluated.

Performance with handling personal information is regularly assessed and evaluated.

All Council employees and Members will be provided with a copy of the Policy as adopted by the Council together with appropriate training. Employees and Managers have a duty to follow the Policy and procedures and to co-operate with the Council to ensure this Policy is effective.

Action may be taken against any employee/Member who fails to comply or commits breach of the Policy.

It is the duty of individual employees and Members to ensure that personal information held by them is dealt with in accordance with the Data Protection legislation.

Processing carried out by a third party on behalf of the Council shall be subject to a contract, which stipulates compliance with Data Protection regulations and this policy.

Similarly, when the Council is processing personal data on behalf of a third party it will need to demonstrate that the data is subject to the same standards of care.

Any breaches of security shall be reported to the Chief Executive and Data Protection Officer for investigation and subsequent remedial action.

Complaints & Queries

Queries regarding this policy should be addressed to the Data Protection Officer:
dpo@maldon.gov.uk

If you are not happy with the Council's response to a Data Protection request you can complain using the Council's complaints system.

You can speak to your local Councillor(s) to see if they can resolve the issue for you.

If you are unclear who this is telephone the Council Officers 01621 875790 or visit our website www.maldon.gov.uk

You can complain to the Information Commissioner at:

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 01625 545 700

Web: www.ico.gov.uk

Large print and other versions of this guidance

If you require a large print or Braille version of this leaflet or need it translated into another language, please ask at our reception at the Council Offices or telephone 01621 875790.

Policy Statement for processing special category and criminal conviction personal data

This policy sets out how Maldon District Council ("Council") will protect special category and criminal convictions personal data.

Special category data

Special category data is defined at Article 9 of the UK General Data Protection Regulation (GDPR) as personal data revealing:

- Racial or ethnic origin;
- Political opinions;
- Religious or philosophical beliefs;
- Trade union membership;
- Genetic data;
- Biometric data for the purpose of uniquely identifying a natural person;
- Data concerning health; or
- Data concerning a natural person's sex life or sexual orientation.

Criminal offence data

Article 10 of the UK GDPR covers processing in relation to criminal convictions and offences or related security measures. In addition, section 11(2) of the DPA 2018 specifically confirms that this includes personal data relating to the alleged commission of offences or proceedings for an offence committed or alleged to have been committed, including sentencing. This is collectively referred to as 'criminal offence data'.

This policy meets the requirement at paragraph 1 of Schedule 1 to the Data Protection Act 2018 that an appropriate policy document be in place where the processing of special category personal data is necessary for the purposes of performing or exercising obligations or rights which are imposed or conferred by law on the controller or the data subject in connection with employment, social security or social protection.

It also meets the requirement at paragraph 5 of Schedule 1 to the Data Protection Act 2018 that an appropriate policy document be in place where the processing of special category personal data is necessary for reasons of substantial public interest. The specific conditions under which data may be processed for reasons of substantial public interest are set out at paragraphs 6 to 28 of Schedule 1 to the Data Protection Act 2018.

Conditions for processing special category and criminal offence data

We process special categories of personal data under the following legal articles of the UK GDPR:

i. Article 9(2)(b) – where processing is necessary for the purposes of performing or exercising obligations or rights which are imposed or conferred by law on the Council or the data subject in connection with employment, social security or social protection.

Examples of our processing include staff sickness absences and political activity declarations.

ii. Article 9(2)(g) - reasons of substantial public interest.

The Council is the prosecuting authority for a large number of offences both criminal and civil in nature, these include Environmental (Environmental Protection Act) and Planning Offences (Town

and Country Planning Act) our processing of personal data in this context is for the purposes of substantial public interest and is necessary for the carrying out of our role.

Examples of our processing include the information we seek or receive as part of investigating a complaint.

iii. Article 9(2)(j) – for archiving purposes in the public interest.

The relevant purpose we rely on is Schedule 1 Part 1 paragraph 4 – archiving.

An example of our processing is the transfers we make to the Essex Records Office as part of our obligations under the Public Records Act 1958.

iv. Article 9(2)(f) – for the establishment, exercise or defence of legal claims.

Examples of our processing include processing relating to any employment tribunal or other litigation.

v. Article 9(2)(a) – explicit consent

In circumstances where we seek consent, we make sure that the consent is unambiguous and for one or more specified purposes, is given by an affirmative action and is recorded as the condition for processing.

Examples of our processing include staff dietary requirements and health information we receive from our customers who require a reasonable adjustment to access our services.

vi. Article 9(2)(c) – where processing is necessary to protect the vital interests of the data subject or of another natural person.

An example of our processing would be using health information about a member of staff in a medical emergency.

We process criminal offence data under Article 10 of the UK GDPR.

Examples of our processing of criminal offence data include pre-employment checks and declarations by an employee in line with contractual obligations.

Special Category of data processed

We process the special category data about our employees that is necessary to fulfil our obligations as an employer. This includes information about their health and wellbeing, ethnicity, photographs and their membership of any trade union. Further information about this processing can be found in our staff privacy notice.

Our processing for reasons of substantial public interest relates to the data we receive or obtain in order to fulfil our statutory function as a regulator. This may be evidence provided to us as part of a complaint or intelligence information we gather for our investigations. Further information about this processing can be found in our privacy notices.

Procedures for securing compliance with Schedule 1 when processing Special category data

Article 5 of the General Data Protection Regulation sets out the data protection principles with which we will comply.

We process SPECIAL CATEGORY data for the following purposes in Part 1 of Schedule 1 of the Data Protection Act 2018 :

Paragraph 1(1) employment, social security and social protection.

We process Special Category data for the following purposes in Part 2 of Schedule 1. All processing is for the first listed purpose and might also be for others dependent on the context:

Paragraph 6(1) and (2)(a) statutory, etc. purposes

Paragraph 8(1) equality of opportunity or treatment

Paragraph 10(1) preventing or detecting unlawful acts

Paragraph 11(1) and (2) protecting the public against dishonesty

Paragraph 12(1) and (2) regulatory requirements relating to unlawful acts and dishonesty

Paragraph 24(1) and (2) disclosure to elected representatives

Criminal offence data

We process criminal offence data for the following purposes in parts 1 and 2 of Schedule 1

Paragraph 1 – employment, social security and social protection

Paragraph 6(2)(a) – statutory, etc. purposes

Compliance with the Data Protection Principles

These are our procedures for ensuring that we comply with them.

Principle 1

Personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject.

The Council will:

ensure that personal data is only processed where a lawful basis applies, or where processing is otherwise lawful

only process personal data fairly, and will ensure that data subjects are not misled about the purposes of any processing

ensure that data subjects receive full privacy information so that any processing of personal data is transparent

Principle 2

Personal data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.

The Council will:

only collect personal data for specified, explicit and legitimate purposes, and we will inform data subjects what those purposes are in a privacy notice

not use personal data for purposes that are incompatible with the purposes for which it was collected. If we do use personal data for a new purpose that is compatible, we will inform the data subject first

Principle 3

Personal data shall be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.

The Council will only collect the minimum personal data that we need for the purpose for which it is collected. We will ensure that the data we collect is adequate and relevant.

Principle 4

Personal data shall be accurate and, where necessary, kept up to date.

The Council will ensure that personal data is accurate, and kept up to date where necessary. We will take particular care to do this where our use of the personal data has a significant impact on individuals.

Principle 5

Personal data shall be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed.

The Council will only keep personal data in identifiable form as long as is necessary for the purposes for which it is collected, or where we have a legal obligation to do so. Once we no longer need personal data it shall be deleted or rendered permanently anonymous.

Principle 6

Personal data shall be processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

The Council will ensure that there appropriate organisational and technical measures in place to protect personal data.

Accountability principle

The data controller shall be responsible for, and be able to demonstrate compliance with these principles. Our Data Protection Officer is responsible for monitoring The Council's compliance with these principles.

We will:

- ensure that records are kept of all personal data processing activities, and that these are provided to the Information Commissioner on request
- carry out a Data Protection Impact Assessment for any high risk personal data processing, and consult the Information Commissioner if appropriate
- ensure that a Data Protection Officer is appointed to provide independent advice and monitoring of the departments' personal data handling, and that this person has access to report to the highest management level of the department
- have in place internal processes to ensure that personal data is only collected, used or handled in a way that is compliant with data protection law
- Data controller's policies as regards retention and erasure of personal data
- We will ensure, where special category or criminal convictions personal data is processed, that there is a record of that processing, and that record will set out, where possible, the envisaged time limits for erasure of the different categories of data
- where we no longer require special category or criminal convictions personal data for the purpose for which it was collected, we will delete it or render it anonymous data subjects receive full privacy information about how their data will be handled, and that this will include the period for which the personal data will be stored, or if that is not possible, the criteria used to determine that period

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2024 MDC Document Retention Schedule

The purpose of the Retention Schedule

A retention schedule is a list of records which need to be retained by Local Government for a designated period of time.

The retention schedule shows:

- i. the title of each record which it creates in the course of its business;
- ii. a time period for which records are to be retained and the action which should be taken when it is of no further administrative use; and
- iii. identifies the reason (legislative, regulatory and/or operational) on which retention is based.

The existence of the retention schedule is a requirement of Maldon District Council's corporate Document Retention Policy. It has been developed in collaboration with Service Managers. The retention schedule refers to all information, regardless of the media in which it is stored, i.e. manual files, computer files, tapes, microfiche, etc. Where records are sentenced for destruction all back-up copies or copies stored on alternative media must also be destroyed. The retention schedule provides consistent instructions for all staff who deal with records, and a formal policy for records retention and disposal.

The purpose of the schedule is to:

- i. prevent the premature destruction of records that need to be retained for a specified period to satisfy legal, financial and other requirements of public administration;
- ii. assist in identifying records that may be worth preserving permanently as part of the Maldon District Council's archives; and
- iii. provide consistency for the destruction of those records not required permanently after specified periods.

Members of staff are expected to manage their current record keeping systems using the Retention Schedule and to take account of the different kinds of retention periods when they are creating new record keeping systems. The Schedule is a 'living document' and will be reviewed and amended as and when retention details change due to Council policy, if new information is created, to remove any obsolete record titles, or regulations and legislation that govern information and its use are introduced or altered.

Records

A record is any type of information created, received, or transmitted in the transaction of Maldon District Council business, regardless of physical format. Examples of where the various types of information are located include:

- Appointment books and calendars.
- Audio and video recordings.
- Computer programs.
- Contracts.
- Electronic files.
- Emails.
- Handwritten notes.
- Invoices.
- Letters and other correspondence.

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- Memory in cell phones and PDAs.
- Online postings, such as on Facebook, Twitter, Instagram, Snapchat, Slack, Reddit, Vine, and other social media platforms and websites.
- Performance reviews.
- Test samples.
- Voicemails.

Therefore, any paper records and electronic files, including any records of donations made online, that are part of any of the categories listed in the Records Retention Schedule contained in the Appendix to this policy, must be retained for the amount of time indicated in the Records Retention Schedule. A record must not be retained beyond the period indicated in the Record Retention Schedule, unless a valid business reason (or a litigation hold or other special situation) calls for its continued retention. If you are unsure whether to retain a certain record, contact your manager or Data Protection Officer.

Using the Retention Schedule

Where records have been identified for disposal they should be disposed of in an appropriate way. All records containing personal information, or sensitive information should be disposed of using secure waste sacks or shredded after administrative use.

The Freedom of Information Act 2000 requires the Council to maintain a list of records which have been destroyed and who authorised their destruction. Members of staff should record at least:

- File reference (or other unique identifier);
- File title (or brief description);
- Number of files;
- The name of the authorising officer; and
- Date of destruction.

Retention Schedule and the Freedom of Information Act (2000)/Environmental Information Regulations (2004)

The Freedom of Information Act (2000) and Environmental Information Regulations (2004) are intended to promote a culture of openness and accountability amongst public authorities by providing people with rights of access to records held by Maldon District Council. With the introduction of this legislation the Lord Chancellor issued a Code of Practice to be followed by public organisations using his powers under Section 46 of the Freedom of Information Act (2000). This guidance sets out his views on desirable practice for the retention, management and disposal of public authority records. The Code of Practice includes a requirement to develop and apply Document Retention Schedules within the organisation. The Retention Schedule is a requirement of the Freedom of Information Act (2000).

Retention schedule

The Data Protection Act (2018) requires that personal data shall be:

- used fairly, lawfully and transparently
- used for specified, explicit purposes

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- used in a way that is adequate, relevant and limited to only what is necessary
- accurate and, where necessary, kept up to date
- kept for no longer than is necessary
- handled in a way that ensures appropriate security, including protection against unlawful or unauthorised processing, access, loss, destruction or damage

These principles require the Council to have procedures in place, covering the review of information held on files.

Retention schedules assist with compliance under the Data Protection Act, which requires us to keep personal data no longer than is necessary for the purpose for which it was collected. The time limits for keeping records are based on statutory requirements, common business practice, and national guidance and best practice (the Retention Guidelines for Local Authorities (RGLA), a guide produced by the Records Management Society of Great Britain).

In some parts of the retention schedule the recommended retention period given is 6 years. This is based on the 6 year time limit within which legal proceedings must be commenced as laid down in the Limitation Act 1980. It should also be noted that, under this Act, civil action could be taken up to 12 years following certain events.

Further information

Information and Records Management Society <http://irms.org.uk/>

The National Archives <http://www.nationalarchives.gov.uk>

Archives and Records Association <http://archives.org.uk/>

Information Commissioner's Office <http://www.ico.org.uk/>

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Understanding the Retention Schedule

Ref. No	Function Description	Retention Action / Retention Period	Examples of Records	Statutory Retention Period or Common practice
AI 1.1	<u>Acquisitions</u> Assets over £50,000 Any papers concerning the management of the acquisition (by financial lease or purchase) process for assets and real property	Destroy 12 years , after all obligations / entitlements are concluded	<ul style="list-style-type: none"> • Legal Documents Relating to the Purchase / Sale • Particulars of Sale Documents • Survey particulars • Leases • Applications for Leases, Licences & Rental Revision • Tender Documents • Conditions of Contracts • Certificates of Approval 	Statutory RGLA 7.29 Limitations Act 1980
AI 1.2	Assets under £50,000	Destroy 6 years , after all obligations / entitlements are concluded	As above	Statutory RGLA 7.29 Limitations Act 1980

Ease of reference to identify function

Definition of function in terms of related items

Period of time for which document should be retained **and** action(s) once it has exceeded

Common examples of the types of documents included within the function

Indicates if retention action is statutory/ regulatory or Common practice

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Democratic Processes				
DP1 Electoral Services				
Ref. No	Function Description	Retention Action / Retention Period	Examples of Records	Statutory Retention Period or Common practice
DP1.1	Election / registration preparation <ul style="list-style-type: none"> Production of hard copy electoral register for use at each polling station Production of separate lists of postal voters, proxy postal voters and proxy voters for use at each polling station 	Marked registers and lists of absent voters to be retained for a period of 12 months before being destroyed.	<ul style="list-style-type: none"> Electoral Register List of absent voters 	Statutory
DP1.2	Election/referenda documents <ul style="list-style-type: none"> Local elections Parliamentary election (incl. combined local) or European elections Referenda (including Neighbourhood Planning) 	Destroy 12 months after the count Destroy 12 months after the count Destroy 12 months after declaration of results of poll	<ul style="list-style-type: none"> After the count - Counted and rejected ballot papers in separate packets The ballot paper accounts and the statement of rejected ballot papers and of the result of the verification of the ballot paper accounts The tendered votes lists, the lists of voters with disabilities assisted by companions, the lists of votes marked by the presiding officers and the related statements, the lists maintained under reg. 41A and the declarations made by the companions of voters with disabilities The packets of completed corresponding lists and certificates as to employment on duty on the day of the poll 	Statutory

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			<ul style="list-style-type: none"> The packets containing marked copies of register and of lists of postal voters, proxies and postal proxies 	
DP1.3	Invitation To Register	1 year from date of publication of current register	<ul style="list-style-type: none"> Application forms (hard copy and scanned*) *National Insurance numbers are automatically redacted by EMS after 6 months 	Common practice per AEA
DP1.4	Results Declaration of results (local elections only)	Permanent Storage at MDC Transfer to place of deposit after administrative use is concluded	<ul style="list-style-type: none"> Declaration of Results of Polls Consolidated returns of votes received Uploaded to MDC website 	Local Practice
DP1.5	Returns and Declarations as to Election Expenses <ul style="list-style-type: none"> Parish Council Election Local Government Election Parliamentary Election 	Destroy 12 months after receipt Destroy 24 months after receipt Destroy 24 months after receipt	<ul style="list-style-type: none"> Expenses forms and accompanying documents in support 	Statutory Statutory Statutory
DP1.6	Copy of revised Electoral Register published on 1 December each year for public inspection, and lists of monthly alterations covering the period January to September inclusive each year	Destroy obsolete register on 1 December each year		Statutory
DP1.7	Copy of edited version of Electoral Register for public inspection, and lists of monthly alterations covering the period January to September inclusive each year	Destroy obsolete register on 1 December each year	Copy kept on electoral software (starting from 2004) for the purpose of verifying applications from overseas voters' applications. Hard copies kept for period prior to 2004	Statutory
DP1.8	Household Enquiry Forms	Destroy 1 year from date of publication of current register	Application forms (hard copy and scanned)	Common practice per AEA

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DP1.9	Other Elector Declarations	Destroy 1 year from date of publication of current register	Overseas Voters Anonymous Voters Crown Servants Living Overseas Service Voters Voters With No Fixed Abode – Application forms (hard copy and scanned*) *National Insurance numbers are automatically redacted by EMS after 6 months	Common practice per AEA
DP1.10	Names and Addresses of Election Agents/Polling Agents/Count Agents/Count Guests	Destroy 12 months after declaration of result of election	Forms received from Candidates and/or their Agents – held in hard copy and on EMS – data retained on EMS	Local Practice
DP1.11	Names and personal details of staff employed in and around elections and annual canvass of electors E.G. Casual election staff - Poll Clerks, Presiding Officers, Canvassers, etc.	Retained for as long as remain on staff pool of casual election workforce. Hard copy, emails and EMS	Application forms received are entered onto EMS	Local Practice

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Democratic Processes				
DP2 Committee & Support Services				
Ref. No	Function Description	Retention Action / Retention Period	Examples of Records	Statutory Retention Period or Common practice
DP2.1	Council & Committee Meetings Process of preparing business for Council consideration and making the formal record of discussion, debate and resolutions	<p>Permanent Storage at MDC Transfer to place of deposit after administrative use is concluded.</p> <p>Committee documents published to and retained on website.</p> <p>Original hard copy sets of Minutes are signed by the Chairman at the following meeting as being a correct record of the proceedings and these are to be retained indefinitely,</p> <p>Minutes (and copies) to be made available for 6 years after a meeting.</p> <p>Lists of Background Papers to be kept available for 4 years after the date of the meeting.</p>	<ul style="list-style-type: none"> • Council Minutes • Council Agenda & Business Papers • Council Notice Papers and Proceedings • Indexes • Committee Minutes • Registers of delegations to Special Committees 	<p>Statutory</p> <p>Minutes retention - Section 228 of the Local Government Act 1972.</p> <p>Local Government (Access to Information) Act 1985</p> <p>Hard copy Committee agendas and reports should be destroyed after meetings.</p>
DP2.2	Delegated Decisions	Written records of delegated decisions must be kept available for 6 years .	<p>Service area records and paper files.</p> <p>Service area website pages, if applicable, where any such decisions are published</p> <p><i>[NB – Process under review & therefore likely to change in 2018]</i></p>	The Openness of Local Government Bodies Regulations 2014 requires publication of certain types of delegated decision
DP2.3	Minute Taking	<p>Destroy after date of confirmation of the minutes</p> <p>Draft notes should be deleted/ destroyed</p>	<ul style="list-style-type: none"> • Draft / rough minutes • Audio tapes 	Common practice

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		once Minutes have been confirmed. Audio recordings published to website should be deleted after 2 years		Common practice
DP2.4	Political Parties Papers The process of undertaking representation of the Local Authority.	Destroy 3 years after last action Destroy correspondence relating to Leader's actions / appointments 2 years after last action	<ul style="list-style-type: none"> • Leader of Opposition Papers • Leader of Council Papers • Appointments to outside organisations and charitable bodies 	Common practice
DP2.5	Register of Interests of District Councillors: To be kept up-to-date during the term of office of the individual Councillor. A record of each Councillor's interests in accordance with the Localism Act 2011.	To be kept up-to-date during the term of the office of the individual Councillor. Following completion of another form, or the term of office ending, retain for 6 years .	Paper. The register of interest forms of current Councillors are published on the MDC website.	Statutory
DP2.6	Register of Interests of Town and Parish Councillors: A record of each Councillor's interests in accordance with the Localism Act 2011.	To be kept up-to-date during the term of office of the individual Councillor. Following completion of another form, or the term of office ending, retain for 6 years .	Paper. The register of interest forms of current Councillors are published via the MDC website.	Statutory Town & Parish Clerks required to keep MDC informed of changes e.g. resignations, new Co-optee's etc.
DP2.7	Declaration of Acceptance of Office: Each Councillor signs this declaration upon appointment.	Once the Councillor has ceased to be in office these can be destroyed after 6 years .	Paper form	Statutory – Local Government Act 1972

2024 MDC Document Retention Schedule

DP2.8	Partnership, Agency & External Meetings Process of preparing business for partnership and agencies consideration and making the record of discussion, debate and resolutions, where the Local Authority legally owns the record. Process of preparing business for external committees' consideration, and making the record of discussion, debate and resolutions, where the Local Authority does not own the record	Permanent Storage at MDC Transfer to place of deposit after administrative use is concluded. Destroy 3 years after last action	<ul style="list-style-type: none"> Documents establishing the body / partnership Agendas Minutes Council Reports Recommendations Supporting documents such as Council briefing and discussion papers 	Common practice Common practice
DP2.9	Honours and Submissions Preparation of honours submission	Destroy 1 year after last action	<ul style="list-style-type: none"> Honours Nomination Form Covering Documentation Letters of Support Referral for comment from Lord Lieutenant 	Common practice
DP2.10	Staff Disclosure of Interests Register of staff gifts and hospitality Staff register of interests	Destroy 1 year after record Destroy 3 years after each record	Declaration of the offer of gifts or hospitality to staff Declaration of the interests of staff which may affect their work with the Council	Common practice
DP2.11	Constitution Constitution of the Maldon District Council	Permanent storage at MDC. Need the ability to review earlier versions of the Constitution as part of considering actions taken.	Constitution	Common practice

2024 MDC Document Retention Schedule

Legal and Contracts				
LC1 Legal Services				
Ref. No	Function Description	Retention Action / Retention Period	Examples of Records	Statutory Retention Period or Common practice
LC1.1	Litigation Process of managing, undertaking or defending for or against litigation on behalf of the Local Authority	Destroy 6 years after last action	<ul style="list-style-type: none"> • Criminal Case File • Civil Case File • Correspondence 	Statutory
LC1.2	Advice Process of providing legal advice on a point of law	Destroy 6 years after last action	<ul style="list-style-type: none"> • E-mail queries • Memorandums/briefing notes 	Statutory
LC1.3	Agreements Process of agreeing terms between organisations. Note: this does not include contractual agreements	Destroy correspondence files relating to any agreement 6 years after agreement in place if executed under hand or for 12 years if executed as a Deed	<ul style="list-style-type: none"> • Concordat • Agreements • Contracts • Deeds 	Statutory
LC1.4	Conveyance (see also Property Acquisition and Disposal) Process of changing ownership of land or property	Destroy correspondence 12 years after closure	<ul style="list-style-type: none"> • Conveyancing Files 	Statutory
LC1.5	Bye Laws - Enactment The process of making local laws	Permanent Storage at MDC Transfer to place of deposit after administrative use is concluded	Permanent Storage at MDC Transfer to place of deposit after administrative use is concluded	Good practice

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LC1.6	Administration & Enforcement The process of administering and enforcing bye laws	Destroy 6 years after certificate has expired or penalty payment has been made or the matter has been finished or correspondence on the matter has ceased	<ul style="list-style-type: none"> Applications and Certificates Permits Licenses Infringement Notices (Parking) Correspondence Bye law enforcement FPN enforcement 	Statutory
LC2 Contract Management				
Ref. No	Function Description	Retention Action / Retention Period	Examples of Records	Statutory Retention Period or Common practice
LC2.1	Contracts and Tendering Pre Contract Advice Process of calling for expressions of interest	Destroy 2 years after contract let or not proceeded with	<ul style="list-style-type: none"> Expressions of Interest 	Common practice
LC2.2	Specification and Contract Development Process involved in the development and specification of a contract	Ordinary Contracts Destroy 6 years after the terms of contract have expired Contracts Under Seal Destroy 12 years after the terms of contract have expired	<ul style="list-style-type: none"> Tender Specification <p>Note: For project files containing drafts leading to a final version these records can be destroyed</p>	Statutory
LC2.3	Tender Issuing and Return Process involved in the issuing and return of a tender	Destroy 1 year after start of contract	<ul style="list-style-type: none"> Opening Notice Tender Envelope 	Common practice

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LC2.4	Evaluation of Tender Successful Tender Document	Ordinary Contracts Destroy 6 years after the terms of contract have expired Contracts Under Seal Destroy 12 years after the term of contract have expired	<ul style="list-style-type: none"> Tender Documents Quotations 	Statutory
	Unsuccessful Tender Documents	Destroy 1 year after start of contract		Common practice
LC2.5	Post Tender Negotiation Process in negotiation of a contract after a preferred tender is selected	Destroy 1 year after the terms of contract have expired	<ul style="list-style-type: none"> Clarification of Contract Post Tender Negotiation Minutes 	Common practice
LC2.6	Awarding of Contract The process of awarding of contract	<u>Ordinary Contracts</u> Destroy 6 years after the terms of contract have expired <u>Contracts Under Seal</u> Destroy 12 years after the terms of contract have expired	<ul style="list-style-type: none"> Signed Contract 	Statutory
LC2.7	Contract Management Contract operation and monitoring	Destroy 2 years after the terms of contract have expired	<ul style="list-style-type: none"> Compliance / Performance Reports Minutes and Papers of Meetings Changes to Requirements Variation Forms Extension of Contract Complaints Disputes on Payment 	Common practice
	Management and amendment of contract	<u>Ordinary Contracts</u> Destroy 6 years after the terms of contract have expired <u>Contracts Under Seal</u> Destroy 12 years after the terms of contract have expired		Statutory

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LC2.8	Localism Management of the Community Rights	Assets of Community Value Destroy 5 Years after receipt of nomination Community Right to Challenge Destroy 5 years after receipt of challenge	<ul style="list-style-type: none">• Nomination Forms and correspondence• Appeal documentation• Entry on Assets Register amended• Challenge notification	
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Strategy & Management				
SM1 Strategy				
Ref. No	Function Description	Retention Action / Retention Period	Examples of Records	Statutory Retention Period or Common practice
SM1.1	Corporate Planning and Reporting Developing corporate strategies and planning and reporting activities	Permanent Storage at MDC Transfer to place of deposit after administrative use is concluded To be retained with committee minutes when approved by Council	<ul style="list-style-type: none"> Corporate Plans Strategic Plans Business Plans Annual Reports 	Common practice
SM1.2	Preparing business for strategic consideration and making the record of discussion, debate and resolutions	2 years	<ul style="list-style-type: none"> Corporate Leadership Team minutes Task & Finish Group minutes 	Common practice
SM1.3	Preparing business for service, team or forum consideration and recording discussion, debate and resolutions	3 years from closure	<ul style="list-style-type: none"> Directorate or Team meeting minutes Managers Forum minutes 	Common practice
SM1.4	Statutory Returns Preparing information to be passed on to central government as part of statutory requirements	7 years from closure	<ul style="list-style-type: none"> Returns to Central Government 	Statutory
SM1.5	Policy, Procedures, Strategy and Structure Activities that develop policies, procedures, strategies and structures for the Local Authorities	Permanent Storage at MDC Transfer to place of deposit after administrative use is concluded Digital copies kept only	<ul style="list-style-type: none"> Policy, procedure, precedent, instructions Records relating to policy development & implementation Corporate and Service Plans and Strategies and Policies 	Common practice

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SM1.6	Process of monitoring and reviewing strategic plans, policies or procedures to assess their compliance with guidelines	3 years after end of plan or policy	<ul style="list-style-type: none"> • Strategic Action Plans • Service specific improvement plans • Policy Reviews 	Common practice
SM1.7	Public Consultation Process of consulting the public and staff in the development of corporate policies or strategic plans	2 years from closure	<ul style="list-style-type: none"> • Survey and questionnaire forms; list of consultees and responses • Citizens Panel feedback • Staff surveys & results 	Common practice
SM1.8	Process of consulting the public and staff in future budget development	2 years from closure	<ul style="list-style-type: none"> • Budget Consultation papers • List of consultees and responses • Citizens Panel feedback 	Common practice

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SM2 Management				
Ref. No	Function Description	Retention Action / Retention Period	Examples of Records	Statutory Retention Period or Common practice
SM2.1	Information Management Activity whereby standards, authorities, restraints and verifications are introduced and maintained to manage information effectively	Permanent Storage at MDC Transfer to place of deposit after administrative use is concluded	<ul style="list-style-type: none"> • Classification Schemes • Registers • Indexes • Authorised Lists of File Headings 	Common practice
SM2.2	Management of collections of records transferred to the archives	Permanent Storage at MDC Transfer to place of deposit after administrative use is concluded	<ul style="list-style-type: none"> • Accession Registers • Depositor Files 	Common practice
SM2.3	Process that records the disposal of records	Permanent Storage at MDC Transfer to place of deposit after administrative use is concluded	<ul style="list-style-type: none"> • Disposal Certificates/logs/deeds 	Common practice
SM2.4	Feedback Management of enquiries, submissions and complaints which result in significant changes to policy or procedures	2 years retention - i.e. the current year and previous year.	<ul style="list-style-type: none"> • Reports • Returns • Correspondence 	Common practice
SM2.5	Management of detailed responses on Council actions, policy or procedures	Destroy 2 years after administrative use is concluded	<ul style="list-style-type: none"> • Reports • Returns • Correspondence • Ombudsman 	Common practice

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SM2.6	Quality & Performance Management Monitoring or reviewing the quality, efficiency, or performance of a Council service	Destroy 3 years from closure	<ul style="list-style-type: none"> Peer Reviews reports Assessment / Inspection Reports 	Common practice
SM2.7	Process of assessing the quality, efficiency or performance of a Local Authority service	Destroy 3 years from closure	<ul style="list-style-type: none"> Excellence assessments 	Common practice
SM2.8	Public Relations <u>Publications</u> - Design and setting of information for publication	Destroy 2 years after last action	<ul style="list-style-type: none"> Proofs, templates of publications / promotional literature etc. 	Common practice
SM2.9	The published work of the Local Authority	Destroy after administrative use is concluded Note: one copy from the initial print run should go directly to the archive.	<ul style="list-style-type: none"> Leaflets / guides produced Strategies / Plans published 	Common practice
SM2.10	Media Relations Process of interaction with the media	Press releases to be kept permanently and considered for transfer to Archive/Museum after 5 years. Other correspondence to be reviewed for Archive or destruction after 3 years .	<ul style="list-style-type: none"> Press releases E-mail correspondence with the press 	Common practice
SM2.11	Marketing Process of developing and promoting Council campaigns and events	Destroy after administrative use is concluded Note: one copy from initial print run should go directly to archive	<ul style="list-style-type: none"> Publicity flyers / posters Guides 	Common practice
SM2.12	The process of organising a ceremonial event or civic occasion.	Permanent Storage at MDC Transfer to place of deposit after administrative use is concluded. Consider transfer to Archive/Museum after	<ul style="list-style-type: none"> Itinerary Invitations Visitors' Book Photographs 	Common practice

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		10 years.		
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Strategic Housing				
SH1 Strategic Housing				
Ref. No	Function Description	Retention Action / Retention Period	Examples of Records	Statutory Retention Period or Common practice
SH1.1	Housing Provision Process of dealing with Homeless applications	Destroy 6 years after the end of the financial year in which the records were created	<ul style="list-style-type: none"> • Homeless Application Forms • Case Notes • Homelessness Decisions • Correspondence • Bank statements • Medical records • Benefits Information • Birth certificates • Passports • Immigration information • Other agency information 	Statutory – Housing Act(s)
SH1.2	Homelessness Reviews	Destroy 6 years after the end of the financial year in which the records were created	<ul style="list-style-type: none"> • Homeless Application Forms • Case Notes • Homelessness Decisions • Correspondence • Bank statements • Medical records • Benefits Information • Birth certificates • Passports • Immigration information • Other agency information • Legal Judgement 	Statutory – Housing Act(s)

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SH1.3	General Housing Advice	Destroy 6 years after the end of the financial year in which the records were created	<ul style="list-style-type: none"> • Homeless Prevention Application Forms • Case Notes • Bank statements • Medical records • Benefits Information • Birth certificates • Passports • Immigration information • Other agency information 	Statutory – Housing Act(s)
SH1.4	Stock Transfer Records	Permanent Storage at MDC	<ul style="list-style-type: none"> • Agreement • Property Records 	Common practice
SH1.5	Copies of Statutory Housing Returns e.g. HIPSSA	Destroy 6 years after the end of the financial year in which the records were created	<ul style="list-style-type: none"> • Copies of actual returns • Audit Trails 	Common practice
SH1.6	Statistical data for Housing performance indicators	Destroy 6 years after the end of the financial year in which the records were created	<ul style="list-style-type: none"> • Copies of actual returns • Audit Trails 	Common practice
SH1.7	New Development	Destroy once development occupied	Land Registry Transfer of Title docs Nomination agreements Grant confirmation Viability assessments Customer satisfaction returns	Common practice
SH1.8	Process of dealing with online Choice Based Lettings applications (Housing Register).	Destroy 6 years from closure of application Records retained for duration of 'active' application and inclusion on waiting list. Documents reviewed along with application every 12 months. Non-relevant and superseded documents destroyed.	CBL Application Form <ul style="list-style-type: none"> • Bank statements • Relevant medical information • Benefits Information • Birth certificates • Passports • Immigration information • Other agency information 	Statutory – Housing Act(s)

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SH1.9	Process of dealing with Private Sector Leasing.	Destroy 7 years after completion of lease.	<ul style="list-style-type: none"> • Homeowner acceptance form • Grant spend invoice • Work specification • Nomination details 	Statutory – Housing Act(s)
SH1.10	Process of dealing with Empty Homes.	Retain for the duration for which there is an administrative requirement (i.e. property remain empty or proceedings being undertaken).	<ul style="list-style-type: none"> • Land Registry • Council tax empty property list • Letters to owners • Photographs of empty properties • Other letters and correspondence 	Common practice

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Human Resources				
HR1 Human Resources				
Ref. No	Function Description	Retention Action / Retention Period	Examples of Records	Statutory Retention Period or Common practice
HR1.1	Employee Data: Personal Data / Files	<p>Destroy 7 years from the end of employment</p> <p>Retain for references and potential litigation.</p> <p>UPDATE: Due to <u>McCloud Judgement</u> and its potential impact on the LGPS; The Council will retain a complete payment history for every employee who was actively contributing to the pension scheme from 31 March 2014.</p> <p>This will be updated further once a judgement has been received.</p> <p>This update applies to Ref. No. HR1.1 – HR1.3, HR1.5 – HR1.26, HR1.28 and FM1.8.</p>	<p>Electronic personnel files for all employees, including disciplinary, grievance, capability and health management records. As standard personnel files include the following documents:</p> <ul style="list-style-type: none"> • Application form • Equal Opportunities Monitoring Form • References • Proof of right to work in UK / ID documents (such as passports, visas etc) • Form including emergency contact details and bank details • Occupational Health pre-employment fitness clearance • Evidence of skills and qualifications • Information regarding any disabilities disclosed and reasonable adjustments • Results of DBS checks where applicable • Results of BPSS checks where applicable • Training records • Medical / self-certificates and return to work forms • Contract of employment, written statement of terms and related correspondence • Contractual change documentation • Special leave forms 	Common Practice

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			<ul style="list-style-type: none"> • Bank details form • LGPS (pension) form • Local government continuous service confirmation • Job description • Probation documentation • Personal relationship declarations • Job description <p>Personal data held electronically on the HR database includes:</p> <ul style="list-style-type: none"> • Name, address, contact details, date of birth, National Insurance number, emergency contact • Equality and diversity data (e.g. gender, ethnic origin, disability, nationality, religion/belief, sexual orientation) • Absence history • Job history • Training records • Confirmation of LGPS membership 	
HR1.2	Employee Data: DBS & BPSS Checks	<p>Destroy after 6 months</p> <p>Retention period only 6 months to allow for the consideration and resolution of any related disputes or complaints.</p>	Proof that check took place to be maintained separately in secure storage. No details to be kept in employee file. Only retain details on personal file that check was carried out (denote on Appointment Checklist) and by whom, and whether it was satisfactory.	Information Commissioner's Office, Employment Code 2005
HR1.3	Employee Data: Basic employee record	<p>Destroy 20 years from the end of employment</p> <p>Retain for the provision of references, statistical historical purposes</p>	Employee start date, end date, reason for leaving job, job roles	Common Practice
HR1.4	Recruitment: Application forms / interview notes (unsuccessful applicants)	12 months from the date of interviews	Application forms / interview notes	Common Practice

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		Retention period aligned to time limits for potential discrimination Acts related claims.		
HR1.5	Redundancy: Facts relating to redundancies	Destroy 7 years from the date of redundancy Retention period aligned to time limits on litigation.	Facts relating to redundancies including: <ul style="list-style-type: none"> • General details • Calculation of payments • Refunds 	Common Practice
HR1.6	Redundancy: Facts relating to redundancies where there are more than 20 redundancies	Destroy 12 years from the date of redundancy	Facts relating to redundancies including: <ul style="list-style-type: none"> • General details • Calculation of payments • Refunds • Notification to the Secretary of State 	Statutory: Section 5 Limitation Act 1980
HR1.7	Employee Pay: Statutory Sick Pay records and calculations	Destroy 7 years from the end of employment NB: The Statutory Sick Pay (Maintenance of Records) (Revocation) Regulations 2014 (SI 2014/55) abolished the former obligation on employers to keep these records. The retention period is therefore recommended if there was a contractual claim for breach of employment contract.	All related records and calculations	Common Practice
HR1.8	Employee Pay: Statutory Maternity Pay records and calculations	Destroy 3 years from the end of the tax year they relate to	All related records and calculations including: <ul style="list-style-type: none"> • Pay records • Calculations • Certificates (MatB1s) or other medical evidence 	Statutory Maternity Pay (General) Regulations 1986
HR1.9	Employee Leave: Adoption records and supporting documents for maternity and paternity leave (not pay related)	Destroy 7 years from the end of employment	Documents related to: <ul style="list-style-type: none"> • Requests/declarations • Confirmation of leave • Adoption certificate 	Common Practice

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HR1.10	Employee Leave: Parental Leave	Destroy 18 years from birth / adoption Retention periods aligned to time limits on potential litigation	All parental leave records	Common Practice
HR1.10	Attendance: Records related to working time	Destroy 7 years from end of leave year in which it was taken.	Working time records including timesheets and overtime records	Statutory: Working Time Regulations 1998 (SI 1998/1833)
HR1.11	Attendance: Other records related to staff leave	Destroy 7 years after action completed.	Sick leave Jury Service Study Leave Special / personal leave Territorial army / special constabulary / retained fire fighter leave	Common Practice
HR1.12	Health Records: Health Records where the reason for termination of employment is connected with health	Destroy 7 years from the end of employment Retention periods aligned to time limits on potential litigation	All relevant health records	Common Practice
HR1.13	Health Records: Medical records kept by reason of the Control of Substances Hazardous to Health Regulations 1999	Destroy 40 years from the date of last entry	All relevant records	Statutory: The Control of Substances Hazardous to Health Regulations 1999 and 2002 (COSHH) (SIs 1999/437 and 2002/2677)
HR1.14	Health Records: Medical records and details of biological tests under the Control of Lead at Work Regulations	Destroy 40 years from the date of last entry	All relevant records	Statutory: The Control of Lead at Work Regulations 1998 (SI 1998/543) as amended by the Control of Lead at Work Regulations

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				2002 (SI 2002/2676)
HR1.15	Health Records: Medical records under the Control of Asbestos at Work Regulations: medical records containing details of employees exposed to asbestos and medical examination certificates	Destroy 40 years from the date of last entry	All relevant records	Statutory: The Control of Asbestos at Work Regulations 2002 (SI 2002/2675). Also see the Control of Asbestos Regulations 2006 (SI 2006/2739) and the Control of Asbestos Regulations 2012 (SI 2012/632)
HR1.16	Health Records: Medical records under the Ionising Radiations Regulations 1999	Until the person reaches 75 years of age, but in any event for at least 50 years .	All relevant records	Statutory: The Ionising Radiations Regulations 1999 (SI 1999/3232)
HR1.17	Trade Union Liaison: Employee and Industrial Relations Documents relating to industrial relations or disputes	Destroy 7 years after resolution of issue.	<ul style="list-style-type: none"> • Generic Agreements and Awards • Negotiations • Disputes • Claims Lodged 	Common Practice
HR1.18	Trade Union Liaison: Process of <u>minor</u> and <u>routine</u> industrial matters	Destroy 2 years after administration is concluded.	Daily industrial relations management	Common Practice
HR1.19	Case Work File: Grievances	Review 7 years after date of last action (minimum retention). Head of People, Performance and Policy to determine if case file should continue to be retained and for how long.	Includes: <ul style="list-style-type: none"> • Investigation documentation • Case notes • Management reports • Proceedings where proven to be unfounded • Other related documentation 	Statutory: Section 5 Limitation Act 1980
HR1.20	Case Work File: Disciplinary	Review 7 years after date of last action (minimum retention). Head of People, Performance and Policy to	Includes: <ul style="list-style-type: none"> • Investigation documentation • Case notes 	Statutory: Section 5 Limitation Act 1980

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		determine if case file should continue to be retained and for how long.	<ul style="list-style-type: none"> • Management reports • Proceedings where proven to be unfounded • Warning letters <p>Warnings to be removed from personnel files after the relevant time has 'spent' as per the Disciplinary Policy.</p>	
HR1.21	Case Work File: Disciplinary – Warnings involving children	In such circumstances records should be retained at least until the employee reaches normal retirement age , or for 10 years if that is longer.	Includes: <ul style="list-style-type: none"> • Investigation documentation • Case notes • Management reports • Proceedings where proven to be unfounded • Warning letters 	Statutory: Section 5 Limitation Act 1980
HR1.22	Case Work File: Disciplinary – Warnings involving vulnerable adults	In such circumstances records should be retained at least until the employee reaches normal retirement age , or for 10 years if that is longer.	Includes: <ul style="list-style-type: none"> • Investigation documentation • Case notes • Management reports • Proceedings where proven to be unfounded • Warning letters 	Statutory: Section 5 Limitation Act 1980
HR1.23	Equal Opportunities: Equal Employment Opportunities: The process of investigation and reporting on specific cases to ensure that obligations are in accordance with agreed Equal Opportunities guideline policies	Destroy 5 years after action completed	Case file / notes	Statutory: Section 5 Limitation Act 1980
HR1.24	Employee Performance: (Personal file) Performance Review and Performance Conversation Documentation	Destroy 7 years from the end of employment	Performance Review and Performance Conversation forms / documentation	Common Practice
HR1.25	Job Evaluation: (Personnel file)	Destroy 7 years from the end of employment	Pay and conditions / grading review requested by employee including outcome and appeal	Common Practice

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HR1.26	Job Evaluation: (General file)	Destroy 15 years from job evaluation exercise and final grade approval (unless connected to a pay and conditions / grading review)	Job evaluation forms, job descriptions, rationale and assessments	Common Practice
HR1.27	Strategic HR Plans	Destroy 12 years after actions completed	Strategic HR plans	Common Practice
HR1.28	Appointments of Statutory Officers: The appointment of an individual for a statutory position	Permanent Storage at MDC Transfer to place of deposit after administrative use is concluded	<ul style="list-style-type: none"> Appointment files 	Statutory: Section 5 Limitation Act 1980
HR1.29	Appointments of Statutory Officers: The process of <u>selection</u> of an individual for a statutory position	Destroy 1 year after date of appointment (if process applicable – does not currently exist)	<ul style="list-style-type: none"> Vacancies and Application Records Interview Notes Prospective Staff Records Registers of Applicants Unsuccessful Applications Records 	Statutory: Section 5 Limitation Act 1980
HR1.30	Training and Development: Routine staff training processes, not occupational health and safety or children related	Destroy 2 years after action Ongoing staff records are kept digitally on the HR system.	Course instructions Course evaluation	Statutory: Section 5 Limitation Act 1980
HR1.31	Training and Development: Training (concerning children)	Destroy 35 years after training completed, or last entry.	Course instructions Course evaluation Training register	Statutory: Section 5 Limitation Act 1980
HR1.32	Training and Development: Training (occupational health and safety training)	Individual course assessment records should be destroyed once the training has been renewed every 3 years . Ongoing staff records are kept digitally on the HR system.	Course evaluation OH&S training register	Statutory: Section 5 Limitation Act 1980
HR1.33	Off Payroll Workers Data: (Agency)	Destroy on termination of working arrangement	<ul style="list-style-type: none"> Proof of right to work in UK / ID documents (such as passports, visas etc) 	Common Practice Information

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			<ul style="list-style-type: none"> • Contact details • Emergency contact details • DBS check - only retain details on personal file that check was carried out (denote on Appointment Checklist) and by whom, and whether it was satisfactory. 	Commissioner's Office, Employment Code 2005 (DBS Checks)
HR1.34	Off Payroll Workers Data : (Consultants)	Retain 7 years after the tax year to which they relate	<ul style="list-style-type: none"> • Proof of right to work in UK / ID documents (such as passports, visas, etc.) • Contact details • DBS check - only retain details on personal file that check was carried out (denote on Appointment Checklist) and by whom, and whether it was satisfactory. 	Common Practice
HR1.35	Off Payroll Workers Data: HMRC Check	Retain 7 years after the tax year to which they relate	HMRC Off Payroll Workers On-line Check	Common Practice
HR1.36	Off Payroll Workers Data: (Consultants)	Retain 7 years after working arrangement has terminated with organisation	Proof of Professional Indemnity Insurance and Public Liability Insurance	Common Practice
HR1.37	Work Experience / Placement Individuals: (18 years and over)	Retain 2 years after arrangement has terminated with organisation	<ul style="list-style-type: none"> • Contact details • Emergency contact details • Date of birth • ID checks • DBS check - only retain details on personal file that check was carried out (denote on Appointment Checklist) and by whom, and whether it was satisfactory. • References (if applicable) • Pre-commencement health check (if applicable) 	Common Practice

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HR1.38	Work Experience / Placement Individuals: (18 years and under)	Retain 2 years after arrangement has terminated with organisation	<ul style="list-style-type: none"> • Contact details • Emergency contact details • Date of birth • ID checks • Young person's risk assessment • References (if applicable) • Pre-commencement health check (if applicable) 	Common Practice
HR1.39	Zero Hours Workers Data	Retain 7 years after arrangement has terminated with organisation	Relevant data as per HR 1.1	Common Practice
HR1.40	Workplace Volunteers	Retain 2 years after arrangement has terminated with organisation	<ul style="list-style-type: none"> • Contact details • Emergency contact details • Date of birth • ID checks DBS check - only retain details on personal file that check was carried out (denote on Appointment Checklist) and by whom, and whether it was satisfactory. • Pre-commencement health check (if applicable) 	Common Practice

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Financial Management				
FM1 Accounts & Audit				
Ref. No	Function Description	Retention Action / Retention Period	Examples of Records	Statutory Retention Period or Common practice
FM1.1	Reporting The process that consolidates financial transactions on an annual basis for corporate reporting purposes	Destroy 6+1 years after the financial year has ended.	<ul style="list-style-type: none"> Consolidated Annual Reports Consolidated Financial Statements Statement of Financial Position Operating Statements General Ledger 	Common practice
FM1.2	The process that supports and consolidates financial transactions on a periodic (less than annual) basis, superseding those from the previous period. Does not include journals and subsidiary ledgers and cash books	Destroy when administrative use is concluded	<ul style="list-style-type: none"> Consolidated Monthly & Quarterly Reports Consolidated Monthly & Quarterly Financial Statements Working Papers for the Preparation of the Above Monthly Accrual Statements Cash flow Statements Creditor Listings and Reports Debtor Listings and Reports Delivery Notes/Supplier Statements 	Common practice
FM1.3	Financial Transactions Management Management of the approvals process for purchase, including investigations	Destroy when administrative use is concluded	<ul style="list-style-type: none"> Appointments & Delegations Audit Investigations Arrangements for the provision of goods and/or services 	Common practice
FM1.4	Identification of the receipt, expenditure and write offs of public monies	Destroy 6+1 years after the conclusion of the financial transaction that the record supports	<ul style="list-style-type: none"> Allowances Work Orders 	Statutory

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			<ul style="list-style-type: none"> • Invoices • Credit Card Statements • Cash Books • Receipts • Cheque Counterfoils • Bank Statements • Subsidiary Ledgers (Annual) • Journals (Annual) • Vouchers 	
FM1.5	Processes that balance and reconcile financial accounts	Destroy 3 years after administrative use is concluded	<ul style="list-style-type: none"> • Reconciliation • Summaries of Accounts 	Common practice
FM1.6	Taxation Records	Destroy 6+1 years after the end of the financial year in which the records were created	<ul style="list-style-type: none"> • Taxation Records • Motor Vehicle Logs • Fringe Benefits Tax Records • Group Certificates 	Statutory
FM1.7	Processes involved in the collection of National Insurance Number	As soon as no longer required.	<ul style="list-style-type: none"> • Notification and Input Records 	Statutory
FM1.8	Payroll Accountable processes relating to payment of employees	Destroy 6+1 years after the conclusion of the financial transaction that the record supports	<ul style="list-style-type: none"> • Authority Sheets • Payroll Deduction Authorities • Payroll Disbursement • Employee Pay Records • Employee Taxation Records 	Statutory
FM1.9	Non-accountable process relating to payment of employees	Destroy after administrative use is concluded	<ul style="list-style-type: none"> • Summary Employee Pay Reports • Dummy pay slips 	Common practice
FM1.10	Non-accountable process relating to payment of employees	Destroy after administrative use is concluded	<ul style="list-style-type: none"> • Summary Employee Pay Reports • Dummy pay slips 	Common practice

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FM2 Financial Provisions				
Ref. No	Function Description	Retention Action / Retention Period	Examples of Records	Statutory Retention Period or Common practice
FM2.1	Budgets and Estimates The process of finalising Local Authorities' Annual Budget	Destroy 6+1 year after relevant year has concluded.	<ul style="list-style-type: none"> Annual Budget 	Common practice
FM2.2	The process of developing Local Authorities' Annual Budget	Destroy 3 years after annual budget adopted by Local Authorities	<ul style="list-style-type: none"> Draft Budgets Departmental Budgets Draft Estimates 	Common practice
FM2.3	The process of reporting which examines the budget in relation to actual revenue and expenditure	Destroy after next year's Annual Budget has been adopted by Local Authorities	<ul style="list-style-type: none"> Quarterly Statements 	Common practice
FM2.4	Loans The activity of borrowing money to enable a Local Authority to perform its functions and exercise its powers	Destroy 6+1 years after the loan has been repaid [None held at present?]	<ul style="list-style-type: none"> Loan Files 	Statutory
FM2.5	Summary Management of loans	Destroy 6+1 years after administrative use is concluded	<ul style="list-style-type: none"> Loans Registers 	Common practice
FM2.6	Housing Mortgages	Last payment + 6+1 years if signed Last payment + 12 years if sealed	<ul style="list-style-type: none"> Mortgage Agreements Correspondence 	Statutory
FM2.7	Home Improvement Grants	Destroy 6+1 years after last payment for grants under £50,000. For grants over £50,000 destroy 12 years after last payment Where plans and detailed drawings included offer to Archivist	<ul style="list-style-type: none"> Agreement to Pay Loan Details of Payment Correspondence Relating to Loan Approval notice Application documents 	Statutory

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FM2.8	Council Tax Valuation The valuation of rateable land within a municipal district for the purpose of the making of the rate	Valuation lists – Permanent Storage at MDC Transfer to place of deposit after administrative use is concluded	<ul style="list-style-type: none">• Rate Books• Rate Cards• Register of Rateable Properties	Statutory

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FM3 Revenues & Benefits				
Ref. No	Function Description	Retention Action / Retention Period	Examples of Records	Statutory Retention Period or Common practice
FM3.1	Council Tax and Non Domestic Rate Administration The activity corresponding with ratepayers and Council Tax Payers in relation to liability, objections, submissions, appeals, discounts, reductions, exemptions and other related matters.	Electronic records – destroy 6 years after the end of the financial year in which the records relate Paper records after scanning – destroy 3 months after the records have been scanned (for QA process).	<ul style="list-style-type: none"> • Notices • Objections • Applications • Correspondence • Council Tax and Non Domestic Rate Property Files • Tax and Interest information 	Statutory Common practice
FM3.2	Housing Benefit and Council Tax Benefit/Support The activity corresponding with claims for Housing/Council Tax Benefit and/or Local Council Tax Support(LCTS), appeals, requests for reconsideration of decisions, records of investigations and visits	Electronic records – Destroy 6 years after the end of the financial year in which the records relate Paper records after scanning – destroy 3 months after the records have been scanned (for QA process).	<ul style="list-style-type: none"> • Benefit/LCTS claim forms • Letters • Appeals and requests for reconsiderations • Copies of evidence used for verification of claim • Records of visits and investigations 	Statutory
FM3.3	Council Tax / Non Domestic / Housing/Council Tax Benefit & Local Council Tax Support Statutory and Statistical Returns	Electronic records – Destroy 6 years after the end of the financial year in which the records were created	<ul style="list-style-type: none"> • Stats 128 • Stats 121 • Stats 122 • Stats 124 • QRC4 • NNDR1 • NNDR3 • CTB1 	Common practice
FM3.4	Housing/Council Tax Benefit Financial returns The process that consolidates financial transactions on an annual basis for the purposes of the initial, revised and final	Destroy 6 years after the end of the financial year in which the records were created	<ul style="list-style-type: none"> • Estimate submission • Final signed subsidy claim • Final Audited subsidy claim 	Statutory

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	subsidy claim to the Department of Work and Pensions			
FM3.5	Fraud Investigation Records relating to the investigation and any subsequent sanction, penalty or prosecution	No fraud proved – Destroy 12 months from closure of file Penalty or sanction – Destroy 3 years from date accepted by claimant Prosecution – Destroy immediately after the conclusion of proceedings (after the appeal period has passed) from date of conviction or for the duration of the conditional discharge	<ul style="list-style-type: none"> • File records • Interview notes • IUC Tapes 	Common practice

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Council Asset & Infrastructure Management

AI 1 Property Acquisition & Disposal				
Ref. No	Function Description	Retention Action / Retention Period	Examples of Records	Statutory Retention Period or Common practice
AI 1.1	<u>Acquisitions</u> Assets over £50,000 Any papers concerning the management of the acquisition (by financial lease or purchase) process for assets and real property	Destroy 12 years , after all obligations / entitlements are concluded	<ul style="list-style-type: none"> • Legal Documents Relating to the Purchase / Sale • Particulars of Sale Documents • Survey particulars • Leases • Applications for Leases, Licences & Rental Revision • Tender Documents • Conditions of Contracts • Certificates of Approval 	Statutory RGLA 7.29 Limitations Act 1980
AI 1.2	Assets under £50,000	Destroy 6 years , after all obligations / entitlements are concluded	As above	Statutory RGLA 7.29 Limitations Act 1980
AI 1.3	Deeds	Permanent retention – in Strong Room	<ul style="list-style-type: none"> • Deeds and associated documentation 	
AI 1.4	<u>Disposal</u> Assets over £50,000 Documents relating to the management of the disposal (by sale or write off) process for assets and real property	Destroy 12 years , after all obligations / entitlements are concluded	<ul style="list-style-type: none"> • Legal Documents Relating to the Purchase / Sale • Particulars of Sale Documents • Survey particulars • Leases • Applications for Leases, 	Statutory RGLA 7.29 Limitations Act 1980

2024 MDC Document Retention Schedule

			Licences & Rental Revision <ul style="list-style-type: none"> • Tender Documents • Conditions of Contracts • Certificates of Approval 	
AI 1.5	Assets under £50,000	Destroy 6 years , after all obligations / entitlements are concluded	As above	Statutory RGLA 7.29 Limitations Act 1980
AI 1.6	Sale or write off of property Management of the disposal (by sale or write off) process for real property	Destroy 15 years , after all obligations / entitlements are concluded	<ul style="list-style-type: none"> • Legal Documents relating to the purchase / sale • Particulars of Sale Documents • Survey particulars • Tender Documents • Conditions of Contracts 	Common practice RGLA 8.3

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AI 2 Land & Property Management				
Ref. No	Function Description	Retention Action / Retention Period	Examples of Records	Statutory Retention Period or Common practice
AI 2.1	Accessibility Documentation and information relating to the access of property owned by the Council	Destroy - 7 years from closure	<ul style="list-style-type: none"> Key-holder Information Details of Contractors 	Common practice
AI 2.2	Building surveys Data collected from surveys conducted on council buildings	Destroy - 7 years from closure	<ul style="list-style-type: none"> Condition Surveys Warranties 	Common practice
AI 2.3	Certification Certificates of approval	Destroy - 7 years from closure	<ul style="list-style-type: none"> Statutory Surveys 	Common practice
AI 2.4	Energy management Within Council property	Destroy - 7 years from closure	<ul style="list-style-type: none"> Council's Energy Management contract Energy Performance Certification 	Common practice
AI 2.5	Equipment disposal Process involved in the disposal of Council equipment	Destroy - 7 years from closure	<ul style="list-style-type: none"> Agreements to dispose of equipment 	Common practice
AI 2.6	Internal agreements Specific to internal agreements concerning Council property	Destroy - 7 years from closure Normally reviewed annually or periodically during life of agreement. Destroy 2 years after expiry of agreement.	<ul style="list-style-type: none"> Internal SLAs / internal departmental agreements 	Common practice

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AI 2.7	Land and property history Historical documents about Council owned land and property	Retain for life of property or building plus 12 years . Consider transfer to Essex Records Office depending upon nature of document/building before destruction.	<ul style="list-style-type: none"> Plans 	Common practice RGLA 8.2
AI 2.8	Leasing The process of managing leased property	Destroy 15 years after the expiry of the lease	<ul style="list-style-type: none"> Lease agreements Valuation queries Applications for leases/licences 	Common practice RGLA 8.8
AI 2.9	Managing the occupancy of property	Destroy 7 years after the conclusion of the transaction that the record supports	<ul style="list-style-type: none"> Requests for Works, Cleaning etc. 	Common practice RGLA 8.9
AI 2.10	Property management and renovation Buildings and estates of 'special interest' Other buildings and estates	Transfer to place of deposit after administrative use is concluded Retain for the life of the building	<ul style="list-style-type: none"> Project Specifications Plans Installation Manuals Certificates of Approval Work Orders Tender Documents Conditions of Contract 	Common practice RGLA 8.5 RGLA 8.6
AI 2.11	Security Security and processes related with security of the council's property	Destroy 7 years after the conclusion of the process that the record supports.	Documentation held by Facilities Management	Common practice
AI 2.12	Usage statistics Any data held concerned with usage of Council land property	Destroy - 3 years after expiry of lease / agreement	Documentation held by occupier, if requested	Common practice
AI 2.13	Valuations Valuation documentation and statistics	Destroy - 6 years from end of financial year after disposal of property	Valuations on disposal	Common practice

2024 MDC Document Retention Schedule

AI 3 Maintenance of Council Property				
Ref. No	Function Description	Retention Action / Retention Period	Examples of Records	Statutory Retention Period or Common practice
AI 3.1	Maintenance Instruction manuals related to council property	Destroy - 7 years after last action	<ul style="list-style-type: none"> • Instruction manuals 	Common practice RGLA 7.27
AI 3.2	Planned maintenance Relating to the process of managing and undertaking planned maintenance of property	Destroy - 7 years after last action	<ul style="list-style-type: none"> • Cleaning • Painting • Garden maintenance 	Common practice RGLA 7.27
AI 3.3	Refurbishment Relating to the process of managing and undertaking planned renovations and development of property	Destroy - 7 years after last action	<ul style="list-style-type: none"> • Work orders • Tender documents • Conditions of contracts 	Common practice RGLA 8.7
AI 3.4	Responsive maintenance Relating to the process of managing and undertaking emergency maintenance of property	Destroy - 7 years after last action	<ul style="list-style-type: none"> • Cleaning • Painting • Garden maintenance 	Common practice RGLA 7.27

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AI 4 Information & Communication Technology				
Ref. No	Function Description	Retention Action / Retention Period	Examples of Records	Statutory Retention Period or Common practice
AI 4.1	ICT Systems Management Computer Systems documentation	Destroy after 2 years	<ul style="list-style-type: none"> Release notes & associated implementation documents 	Common practice
AI 4.2	Project documentation for system(s) implementation	Destroy after 6 years	<ul style="list-style-type: none"> Implementation Plan Project initiation Document (PID) Project documentation & notes Software Licensing Agreements 	Common practice
AI 4.3	Technical data relating to Information & Communication infrastructure	Reviewable Destroy records as they become obsolete or are no longer required.	<ul style="list-style-type: none"> Supplier details 	Common practice
AI 4.4	Records of internet use	Delete 3 months (recurring 99 days as per system)		Common practice
AI 4.5	E-mail records	Destroy 6 years after date of email		Common practice

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AI 5 Transport Management				
Ref. No	Function Description	Retention Action / Retention Period	Examples of Records	Statutory Retention Period or Common practice
AI 5.1	Transport Management - The process of managing allocation and maintenance of vehicles	Destroy 7 years after the sale or disposal of the vehicle	<ul style="list-style-type: none"> • Approvals as Drivers • Allocations & Authorisations for Vehicles • Maintenance 	RGLA 8.15
AI 5.2	Acquisition and disposal of vehicles through lease or purchase	Destroy 7 years after the disposal of the vehicle	<ul style="list-style-type: none"> • Leases • Contracts • Quotes • Approvals • Fleet Authorisation Numbers 	RGLA 8.14
AI 5.3	Recording vehicle usage	Destroy 3 years after the sale or disposal of the vehicle	<ul style="list-style-type: none"> • Vehicle Usage Reports 	RGLA 8.16
AI 5.4	Recording drivers usage	Destroy 7 years after closure	<ul style="list-style-type: none"> • Vehicle Log Book 	RGLA 8.17

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AI 6 Insurance				
Ref. No	Function Description	Retention Action / Retention Period	Examples of Records	Statutory Retention Period or Common practice
AI 6.1	Policy Management The summary management of insurance arrangements	Permanent Storage at MDC Transfer to place of deposit after administrative use is concluded	<ul style="list-style-type: none"> Insurance Policies 	Statutory
AI 6.2	The process of insuring Local Authority Officers, property, vehicles and equipment against negligence, loss or damage	Destroy 6+1 years after the terms of the policy have expired	<ul style="list-style-type: none"> Insurance Register Correspondence 	Statutory
AI 6.3	The process of renewing insurance policies	Destroy 6+1 years after the insurance policy has been renewed	<ul style="list-style-type: none"> Insurance Policy Renewal Records Correspondence 	Statutory
AI 6.4	Claims Management The process that records insurance claims against the Local Authority or Local Authority Officers	Destroy 6+1 years after all obligations/entitlements are concluded (allowing for the claimant to reach 25 years of age)	<ul style="list-style-type: none"> Claims Records Correspondence 	Statutory

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AI 7 Health & Safety				
Ref. No	Function Description	Retention Action / Retention Period	Examples of Records	Statutory Retention Period or Common practice
AI 7.1	Inspections and Assessments Process of inspecting equipment to ensure it is safe	Destroy 6 years from disposal of the equipment	<ul style="list-style-type: none"> Equipment Inspection Records 	Common practice
AI 7.2	Process of carrying out monitoring to ensure that a work process is safe	Keep for 21 years before considering destruction	<ul style="list-style-type: none"> Monitoring Results Inspection reports Maintenance records 	Common practice
AI 7.3	Process of monitoring of areas where employees and persons are likely to have become in contact with asbestos	SRP - Destroy 40 years from date of last entry	<ul style="list-style-type: none"> Property Asbestos Files Health Surveillance reports Medical records under Control of Asbestos at Work Regs. 	Statutory
AI 7.4	Process of monitoring of areas where employees and persons are likely to have come in contact with radiation	SRP – Retain until the person reaches 75 years of age but in any event for at least 50 years	<ul style="list-style-type: none"> Radon Monitoring Health Surveillance reports Medical reports under Ionising Radiations Regs. 1999 	Statutory
AI 7.5	Process to ensure safe systems of work	Retain until superseded or process ceases +1 year	<ul style="list-style-type: none"> Departmental Procedure Notes Method Statements 	Common practice
AI 7.6	Process to assess the level of risk	Destroy 3 years from last assessment	<ul style="list-style-type: none"> Risk Assessment 	Common practice
AI 7.7	Permits to work	Destroy 3 years from last action or expiry before considering destruction	<ul style="list-style-type: none"> Fire Safety Certificates First Aid Certificates 	Common practice
AI 7.8	Reporting of accidents	SRP – 3 years from the date of the last entry (or if the accident involves a child/young adult then until that person reaches age of 21 years).	<ul style="list-style-type: none"> Accident Books Accident records/reports 	Common practice

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AI 8 Emergency Planning				
Ref. No	Function Description	Retention Action / Retention Period	Examples of Records	Statutory Retention Period or Common practice
AI 8.1	Emergency Plan Process to develop the emergency / disaster plan for the local community	Destroy when plan superseded	<ul style="list-style-type: none"> Civil Emergency Plan Business Continuity Plan 	Common practice
AI 8.2	Process of recording the results of the test for emergency/disaster plan for the local community	Destroy 3 years after closure or until similar test is undertaken, whichever is the longest.	<ul style="list-style-type: none"> Exercise Orders Results of Exercise Action Plan 	Common practice
AI 8.3	Incident Monitoring Activities that report on all major incidents in the local community, whether the Emergency Plan has been invoked or not.	Permanent Storage at MDC Transfer to place of deposit after administrative use is concluded. Longer-term consider transfer to Archive/Museum of local history.	<ul style="list-style-type: none"> Incident Log 	Common practice
AI 8.4	Activities that report on all minor incidents in the local community, whether the Emergency Plan has been invoked or not.	Destroy 7 years after closure	<ul style="list-style-type: none"> Exercise Orders Results of Exercise Action Plan 	Common practice
AI 8.5	Staff contact details on FastSMS system used to alert staff in cases of emergency of disaster recovery plan initiation.	Remove from system when leaving organisation	<ul style="list-style-type: none"> Staff telephone numbers 	Common practice

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General Public Services				
GPS1 Investigation & Licensing				
Ref. No	Function Description	Retention Action / Retention Period	Examples of Records	Statutory Retention Period or Common practice
GPS1.1	Enforcement, Certification and Prosecution Summary management systems that allow the monitoring and management of registration, certification and licenses registration requirements in summary form	Retain for as long as there is an administrative purpose (min 3 years)	<ul style="list-style-type: none"> Public register HMO Licensing/Inspections Housing Act orders Private water supply Environmental permitting Nuisances 	Statutory/Common practice
GPS1.2	The administration of applications, registration, certification and licenses in relation to Local Authorities' registration requirements	Destroy 2 years after registration or entitlement lapses	<ul style="list-style-type: none"> Applications for Animal Registration Applications for registration of a Business Premises Registers Certificates of Registration of Taxi Drivers Gaming Licensing 	Statutory/Common practice
GPS1.3	The process involved in licensing sites for the holding or use of toxic or hazardous substances (including petroleum, agricultural chemical products or herbicides)	Permanent Storage at MDC Transfer to place of deposit after administrative use is concluded – 60 years after registration or entitlement lapses	<ul style="list-style-type: none"> Diesel Licenses Petroleum Licenses Health and Safety Licensing Hazardous Substances Contaminated Land Register/Pollution 	Statutory
GPS1.4	Notification The process of issuing notices to citizens with respect to particular responsibilities	Destroy 2 years after the matter is concluded	<ul style="list-style-type: none"> Fire Prevention Notices Fire Prevention Infringement Notices Objections to Notices Appeals Against Notices Registration of Premises Infringement Notices Animal Impounding Notices 	Common practice

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GPS1.5	Investigation, Inspection and Monitoring The process of investigation and monitoring where inspection is the Council's responsibility by law.	Destroy 7 years from last action	<ul style="list-style-type: none"> • Inspection records • Certificates of compliance 	Common practice
GPS1.6	Prosecution The process of prosecution or sanction of an individual or organisation for failing to comply with their legal responsibilities	Destroy 6 years from last action	<ul style="list-style-type: none"> • Prosecution / Sanction Files • FPN/PCN Files • Files relating to sanctions issued by CPOs (i.e. dog fouling, fly tipping, littering, etc.) • DVLA 	Statutory

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GPS2 Cemeteries				
Ref. No	Function Description	Retention Action / Retention Period	Examples of Records	Statutory Retention Period or Common practice
GPS2.1	Cemeteries Summary management systems that record the location of burials, identity of deceased individuals	Permanent Storage at MDC Transfer to place of deposit after administrative use is concluded	<ul style="list-style-type: none"> • Register of Interments • Cemetery Register • Cemetery Plans • Exhumation records 	Statute
GPS 2.2	The process of regulation of burials	Destroy 5 years after last action	<ul style="list-style-type: none"> • Permits • Applications • Orders 	Common practice
GPS 2.3	Tributes Application, installation and maintenance of tributes (i.e. benches & plaques, etc.)	Destroy 5 years after last action* *Basic register of tributes kept permanently to assist informing those placing such tributes of any deterioration, damage, requirements to re-locate, etc.	<ul style="list-style-type: none"> • Permits • Applications • Details of location, type, inscription 	Common practice
GPS3 Waste Management				
Ref. No	Function Description	Retention Action / Retention Period	Examples of Records	Statutory Retention Period or Common practice
GPS3.1	Waste Collection The process of arranging the collection or transportation of household waste	Destroy 3 years after last action taken	<ul style="list-style-type: none"> • Abandoned Vehicles • Bulky Waste • Domestic Waste 	Common practice
GPS3.2	The process of arranging the collection or transportation of controlled waste	Destroy 6 years after last action taken	<ul style="list-style-type: none"> • Inspections, • Weighbridge tickets • Duty of Care • 	Common practice

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GPS3.3	The process of managing the Waste Transfer Site	Externally required returns – destroy after 6 years Internally required records (as per EA Permit) – destroy after 2 years	<ul style="list-style-type: none"> • Environment Agency returns • Waste Data Flow returns • Household Waste & Recycling Statistics • Fly-tipping data • Accepted waste • Rejected waste • Despatched waste • Site diary 	Statutory Statutory
GPS3.4	The processing of managing optional waste collection services	<ul style="list-style-type: none"> • Green waste - Destroy 2 years after last action taken • Clinical waste – Destroy 6 months after end of service delivery • Fly tipping – 3 years 	<ul style="list-style-type: none"> • Green waste collection • Clinical waste collection • Fly tipping 	Common practice

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Planning & Development				
PD1 Spatial Planning				
Ref. No	Function Description	Retention Action / Retention Period	Examples of Records	Statutory Retention Period or Common practice
PD1.1	Developing and producing Planning Policy documents setting out a vision, strategic direction and policy framework for the existing and future land use within the District.	Permanent Storage at MDC when plan superseded.	<ul style="list-style-type: none"> Local Development Plan Local Development Scheme Supplementary Planning Guidance. Background evidence to Plan preparations - research studies and surveys 	Town & Country Planning Act 1990
PD1.2	Public and stakeholder consultation to gain approval for Planning Policy documents	Permanent Electronic Storage at MDC Representations are often requested after the Plans have been adopted and are reference points for other planning inquiries and enquiries. Archive on website	<ul style="list-style-type: none"> Public Consultation Documents Public Consultation Representations Public Inquiry Documents – statements and evidence 	Town & Country Planning Act 1990
PD 1.3	Natural and built heritage listing The activity of recording information on specific sites/areas of special interest including historic buildings, monuments and ecology.	Permanent Storage at MDC Transfer to place of deposit after administrative use is concluded.	<ul style="list-style-type: none"> Historic Listed Buildings Register Buildings at Risk Register Building Preservation Notices Conservation Area Designations - Appraisals and Plans Listed building records Sites and Monuments Records Archaeological Records Ecological Records Species Records Definitive maps 	Common practice RGLA 10.3

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PD2 Development Management				
Ref. No	Function Description	Retention Action / Retention Period	Examples of Records	Statutory Retention Period or Common practice
PD 2.1	Planning application registration & processing The process of controlling development of areas through applications for planning permission, prior approvals, listed building consent, advertisement consent, certificates of lawfulness and other such permissions	Transfer Planning Application register to Permanent Storage at MDC once the register has been completed (or at arranged intervals if it is held electronically). Scan all documentation.	<ul style="list-style-type: none"> Planning Application Register Planning Application Files and Plans Decision Notices Correspondence Relating to Any Objections S.106 agreements Article 4 Directions 	Common practice RGLA 10.6
PD 2.2	Application processing related to planning appeals including enforcement appeals and other such proceedings lodged with the Planning Inspectorate.	Permanent Storage at MDC Transfer to place of deposit after administrative use is concluded. Scan all documentation.	<ul style="list-style-type: none"> Planning appeal files 	Limitations Act 1980
PD 2.3	Pre-Application Enquiries and consultation communication relating to matters within other authorities.	Permanent Storage at MDC Transfer to place of deposit after administrative use is concluded. Scan all documentation.	<ul style="list-style-type: none"> Pre-application discussions and documents 	Common practice
PD 2.4	The process of enforcing planning, building or land regulations	Permanent Storage at MDC Transfer to place of deposit after administrative use is concluded. Scan all documentation.	<ul style="list-style-type: none"> Enforcement Notices Stop Notices Breach of Condition Notices Section 215 Notices 	Common practice

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PD 2.5	The process of protecting specific trees or a particular area, group or woodland, or hedges from deliberate damage or destruction.	Permanent Storage at MDC Transfer to place of deposit after administrative use is concluded. Scan all documentation.	<ul style="list-style-type: none"> Tree Preservation Orders S.211 notices – work to trees in a Conservation Area Hedgerow Retention Notices 	Common practice RGLA 10.7
PD 2.6	The process of approving applications for grants to historic buildings	Destroy 5 years after administrative use concluded	<ul style="list-style-type: none"> 1962 Act Historic Buildings Grant applications and correspondence 	Common practice
PD3 Land Charges				
Ref. No	Function Description	Retention Action / Retention Period	Examples of Records	Statutory Retention Period or Common practice
PD 3.1	Producing an official Local Authority Search result & maintaining a statutory register The process of investigating any information held by the Council pertaining to a specific property or parcel of land.	Permanent Storage at MDC Transfer to place of deposit after administrative use is concluded. Scan all documentation.	<ul style="list-style-type: none"> Statutory register of Local Land Charges searches 	Land Charges Act 1975
PD 3.2	The retention of Local Authority search results and information provided by other departments and external organisations for verification purposes .	10 years retention of Electronic document Permanent retention of electronic data on TLC or relevant land charges system.	<ul style="list-style-type: none"> Copies of completed Local Land Charge searches 	Land Charges Act 1975

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PD4 Street Naming & Numbering				
Ref. No	Function Description	Retention Action / Retention Period	Examples of Records	Statutory Retention Period or Common practice
PD4.1	Street naming and numbering Documentation on the street naming development naming and property numbering/naming	Permanent Storage at MDC in either electronic or paper format	<ul style="list-style-type: none"> Street Files Street Records Requests for: <ul style="list-style-type: none"> Naming of Streets Numbering of Houses 	Common practice
PD5 Building Control				
Ref. No	Function Description	Retention Action / Retention Period	Examples of Records	Statutory Retention Period or Common practice
PD5.1	The process of regulating the planned use of land or buildings and inspecting building work to ensure compliance	Permanent Storage at MDC Transfer to place of deposit after administrative use is concluded	<ul style="list-style-type: none"> Building Control Registers Building Regulation Full Plans Building Notices Inspection Reports 	Building Act 1984 & Building Regulations 2000
PD5.2	The process of approving Building Control applications in relation to Listed Buildings	Permanent Storage at MDC Transfer to place of deposit after administrative use is concluded	<ul style="list-style-type: none"> Building Files Plans Specifications Correspondence Applications Permits Certificates 	Building Act 1984 & Building Regulations 2000 RGLA 10.10

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PD5.3	The process of approving Building Control applications for all other buildings	These can be destroyed 15 years after construction completed, but our policy will be to retain for the time being to enable historic information to be provided and to consider the extent of scanning of all historic files to be scanned on the Document Management System (Comino) before they are destroyed. Note retention of pre-1974 files held by MDC as these include Planning Application records which require permanent storage .	<ul style="list-style-type: none"> • Building Files • Plans • Specifications • Correspondence • Applications • Permits • Certificates 	Building Act 1984 & Building Regulations 2000 RGLA 10.11 & 10.12
PD5.4	The process of inspecting building work for the purpose of ensuring compliance	Destroy 15 years after the issue of a completion certificate	<ul style="list-style-type: none"> • Completion Certificate • Building Inspection Records 	Building Act 1984 & Building Regulations 2000
PD6 Economic Development & Promotion				
Ref. No	Function Description	Retention Action / Retention Period	Examples of Records	Statutory Retention Period or Common practice
PD6.1	Advice to business Information on providing advice to new and existing businesses	Destroy – 7 years after scheme to which information relates is completed	<ul style="list-style-type: none"> • Promotional leaflets • Correspondence 	Common practice
PD6.2	Business awards Information regarding business awards and grants	Destroy – 7 years after scheme to which grant relates is completed	<ul style="list-style-type: none"> • Nomination forms • Promotional literature • Grant award material 	Common practice
PD6.3	Business development Information about activities designed to develop and encourage business	Destroy – 7 years after scheme to which grant relates is completed	<ul style="list-style-type: none"> • Business associations • Business Fairs 	Common practice

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	development. Including externally funded projects and sustainability			
PD6.4	Business development Information about activities designed to develop and encourage business development. Including externally funded projects and sustainability	Destroy – 7 years after scheme to which grant relates is completed	<ul style="list-style-type: none"> • Business associations • Business Fairs 	Common practice
PD6.5	Regional Development Participation in sub/ regional regeneration developments and forums	Destroy – 7 years after scheme to which grant relates is completed	<ul style="list-style-type: none"> • Project files • Forum agendas, papers and minutes 	Common practice
PD6.6	Business Intelligence The collection and management of economic and social data about the District	Destroy 20 years after the material is collected	<ul style="list-style-type: none"> • Socio economic data • Business surveys, responses & analysis 	Common practice

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Safeguarding Children & Vulnerable Adults

S1
Safeguarding Children & Vulnerable Adults

Ref. No	Function Description	Retention Action / Retention Period	Examples of Records	Statutory Retention Period or Common practice
S1.1	Safeguarding children & vulnerable adults The process of protecting children and vulnerable adult's health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect.	100yrs from date of birth.		Good practice
S1.2	Welfare concerns that are referred to Social Care or the Police. E.g. this would include concerns about physical, sexual, emotional or neglect of a child or physical, sexual, emotional, neglect, institutional, financial or discriminatory of a vulnerable adult, disclosures from a child or vulnerable adult about being abused or information from a third party which might suggest a child or vulnerable adult is being abused; concerns about a parent or another adult that uses our services, or a young person who has been abused by another young person.	Records should be kept for 6 years after the last contact with the service user unless longer retention is required to comply with any other statutory requirements, information contained therein is relevant to legal action which has been started, are archived for historical purposes, consist of a sample of records maintained for the purpose of retrospective comparison, involve the transfer of significant information with subject identification, on to aggregated files, relate to individuals and providers of services who have or whose staff have been judged to be unsatisfactory, or are held in order to provide the subject aspects of his or her personal history.		Good practice
S1.3	Welfare concerns that Community Services decide, after consultation, do not necessitate a referral to Social Care or the Police. In such circumstances a record should be made of the concern and the outcome.	Destroy the record 6 years after the child/vulnerable adult concerned ceases to use the service, unless the child or adult are continuing to use the services in the area that the referral initiated from.		Good practice

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S1.4	<p>Concerns about people (paid and unpaid) who work with children, young people or vulnerable adults, for example, allegations, convictions, disciplinary action, inappropriate behaviour towards or vulnerable adults.</p> <p>E.g. where an employee has breached the code of conduct, a record of the behaviour, the action taken and outcome should be recorded.</p>	<p>Personnel files and training records (including disciplinary records and working time records) - retain for 6 years after employment ceases.</p> <p>However the records should be retained for a longer period if any of the following apply:</p> <ul style="list-style-type: none"> • There were concerns about the behaviour of an employee where s/he behaved in a way that has harmed, or may have harmed, a child or vulnerable adult; • The employee possibly committed a criminal offence against, or related to, a child or vulnerable adult; • The employee behaved towards a child or vulnerable adult in a way that indicates s/he is unsuitable to work with children or vulnerable adults <p>In such circumstances records should be retained at least until the employee reaches normal retirement age, or for 10 years if that is longer.</p>	<ul style="list-style-type: none"> • Personnel files and training records (including disciplinary records and working time records). 	Statutory
S1.5	<p>Disclosure and Barring Service checks obtained as part of the vetting process.</p>	<p>The actual disclosure form must be destroyed after 6 months. However, it is advisable that organisations keep a record of the date of the check, the reference number, the decision about vetting and the outcome.</p>		Statutory

2024 MDC Document Retention Schedule**Version History**

Version Number	Date	Change
1.01	8/01/2018	S1.3 – Amend retention period to 6 years.
1.02	17/1/18	Safeguarding retention periods revised.
1.03	14/3/18	GPS3.3-4 retention periods amended
1.04	25/4/18	LC2.1-2.3 amended
1.05	5/6/18	HR Section updated.
1.06	04/02/2020	Updated due to McCloud Judgement and its potential impact on the LGPS. As noted at page 25.

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REPORT of CHIEF FINANCE OFFICER

to
COUNCIL
12 SEPTEMBER 2024

MEDIUM TERM FINANCIAL STRATEGY UPDATE AND SAVINGS STRATEGY

1. PURPOSE OF THE REPORT

- 1.1. To inform Council of the updated Medium Term Financial Strategy (MTFS) position and set out the requirement to address the budget gap in 2025 / 26 and beyond.

2. RECOMMENDATION

That Council reviews the updated Medium Term Financial Strategy (MTFS) position and notes that a further update will be reported in December 2024;

3. SUMMARY OF KEY ISSUES

- 3.1 At the Council meeting on 15 February 2024 the 2024 / 25 budget was agreed and the MTFS projections over the following two years were noted.
- 3.2 A balanced budget was set for 2024 / 25 based on the savings agreed by the Council. The projected 2024 / 25 position as at Quarter One will be presented to the Strategy and Resources Committee in September 2024 for consideration.
- 3.3 Based on the assumptions set out to the Council in February 2024, a small gap of circa £27k was forecast for 2025 / 26 rising to £188k in 2026 / 27.
- 3.4 Following a review of the agreed future year savings and the emergence of further unavoidable cost pressures, the projected 2025 / 26 to 2026 / 27 position has been updated. In addition, a high level review of core MTFS assumptions has been undertaken, although these have not yet been updated, due to no new firm information being available at this stage.
- 3.5 Further work on the MTFS will be carried out over the coming months and presented to Members for further consideration via the Finance Member Group before being brought to the Strategy and Resources Committee in November 2024. The position will therefore likely change further before being brought back to Council for agreement.
- 3.6 The overall updated forecasts for the period 2025 / 26 to 2026 / 27 are set out in Table 1 below.

3.7 Table 1- Updated Projected Cumulative Budget Gap

	2025 / 26 £000	2026 / 27 £000
Opening Budget Gap per Council in February 2024	27	188
Savings at risk of non-delivery	33	(37)
Indicative new pressures	430	401
Projected Cumulative Budget Gap	490	553

3.8 It should be noted that the savings at risk and indicative new pressures are high level estimates at this stage, based on the information available at the time of writing the report. A detailed review of all savings and pressures will be undertaken by the Finance Member Group over the next two months before being considered by the Strategy and Resources Committee for recommendation onto the Council.

3.9 It should also be noted that these forecasts are based on number of assumptions on the level of funding available, as set out at Table 2, which are subject to review and will be refined further as the budget process continues.

3.10 Table 2 – Current Funding Assumptions (per agreed MTFS at Feb 2024)

Current Assumption	2025 / 26	2026 / 27
Funding Settlement	Flat	Flat
Leisure contract income	Flat	Flat
Business Rates income	Flat	Flat
CT base increase	1%	1%
Salary inflation	2.5%	2%
Discretionary fees & charges uplift	3.1%	2%
Average return on investment income	3.15%	2.95%

3.11 The projected residual gap of £490k in 2025 / 26 rising by a further £63k to £553k in 2026 / 27 would deplete the Council's general balances by £1.043m over the next two years but would leave them in excess of the agreed minimum of £2.6m at the end of 2026 / 27.

3.12 Table 3 – Changes to the Projected General Fund Balances

	2025 / 26 £000	2026 / 27 £000
Projected Opening General Fund Balance	5,878	5,388
Projected Movement	(490)	(553)
Projected Closing General Fund Balance	5,388	4,835

3.13 An indicative 2027 / 28 position is also being modelled and will be reported to Council as part of the budget setting process over the coming months.

3.14 In order to address the projected gap action needs to be taken to identify savings. This will need to consider all possible options for savings and income generation, including the potential to stop or reduce non-statutory services, review the level and standard statutory services are being provided at, delivering services in different ways including outsourcing or shared services, and a full review of fees & charges and commercial income opportunities. Officers are currently working on savings and income generation proposals and will report back to the Finance Member Group who

are tasked to lead on this work in September / October 2024. This Group will then make clear recommendations back to the Strategy and Resources Committee in November 2024 for consideration.

- 3.15 It should be noted that no additional income relating to a new Leisure Contract has been assumed at this time, pending a Council decision on the award of a new contract. If a new contract award is agreed in autumn 2024, forecast income projections will be updated accordingly and could reduce the projected gap in future years.
- 3.16 It should also be noted that the new Chief Executive may wish to consider a review of the management structure of the Council once in post, which could give rise to future savings, although it will be unlikely that these will be quantified with certainty in time to feed into the 2025 / 26 budget process.

4. CONCLUSION

- 4.1 It can be seen that work to identify savings needs to be undertaken to address the projected budget gap. The Finance Member Group will be tasked with leading this work and making clear recommendations back to the Strategy and Resources Committee and the Council for agreement.

5. IMPACT ON PRIORITIES AS SET OUT IN THE CORPORATE PLAN 2023 - 2027

5.1 Smarter finances

- 5.1.1 The 'Smarter Finance' corporate priority sets out the objectives of setting a robust Medium Term Financial Strategy and sustainable expenditure plans in order that the Council can provide services without relying on the use of reserves in future.

6. IMPLICATIONS

- (i) **Impact on Customers** – None directly arising from this report.
- (ii) **Impact on Equalities** – None directly arising from this report.
- (iii) **Impact on Risk** – If the Council does not take the actions suggested in the report there is a risk that it will remain in an unsustainable financial position and will not be able to meet its legal requirement to set a balanced budget in future years.
- (iv) **Impact on Resources (financial)** – As set out within the body of this report.
- (v) **Impact on Resources (human)** – None directly arising from this report.

Background Papers:

Enquiries to: Naomi Lucas, Chief Finance Officer.

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REPORT of DIRECTOR OF SERVICE DELIVERY

to
COUNCIL
12 SEPTEMBER 2024

NATIONAL PLANNING POLICY FRAMEWORK CONSULTATION RESPONSE

1. PURPOSE OF THE REPORT

- 1.1 To present to the Council the consultation response to the proposed changes to the National Planning Policy Framework (NPPF). The consultation commenced on 30 July 2024 and the closing date for responses is 24 September 2024.

2. RECOMMENDATION

That the Council approves the consultation response to the draft NPPF for submission to the Ministry of Housing, Communities and Local Government by the deadline.

3. SUMMARY OF KEY ISSUES

- 3.1 The consultation response to the proposed changes to the NPPF are set out at **APPENDIX A** of this report.
- 3.2 An earlier draft version of the consultation response was presented to the Planning Policy Working Group for discussion and input on 13 August 2024.
- 3.3 Whilst the draft NPPF proposes a number of changes to national policy and presents questions, for which most a formal response from Maldon District Council is proposed in **APPENDIX A**, the main change which will affect the District is the proposed alteration to the national Standard Method for calculating housing numbers. It is proposed to alter that methodology in such a way so that most local authorities in the country will see an increase in housing numbers for their areas. For the Maldon District, the housing number will move from 276 homes per annum to 544 homes per annum; a 97% increase. This in turn, will also become a mandatory target.
- 3.4 As can be seen from **APPENDIX A**, this increase in housing numbers will have a significant impact on the District. The proposed uplift in the amount of housing has nothing to do with local need and is 97% above what the previous figure from the Standard Method was calculated at. The previous figure was regarded as a reasonable number to plan for the growth of the District; it was almost identical with the Maldon District Local Housing Needs Assessment 2021 with an affordability uplift, and it aligned with the average number of houses that have been delivered in the District across the plan period from 2014 to the present. To meet this increase in housing growth, the population of the District will have to increase through greater in-migration. This means many of these potential migrants will then have to commute out to work because there is unlikely to be an accompanying uplift in job creation within the District. This will place additional pressure on transport infrastructure in

particular. Factoring in additional pressure on other infrastructure services such as the NHS, education and water, which are already under pressure, it would appear as if the ramifications of the proposed changes, not only for the Maldon District but for many parts of the country have not been thought through enough.

- 3.5 The draft consultation response has tried to set out why the changes to the Standard Method will simply not deliver what the Government is proposing which is a significant increase in new housing units across the country.
- 3.6 Members should also be aware that if the proposed changes to the NPPF take effect then the Council's 5-year supply of deliverable sites for housing will drop below 5-years. This would mean the 'tilted balance' would become engaged in determining applications for housing and there is therefore significant concern this will lead to planning by appeal, which is by its nature and unplanned approach to growth.
- 3.7 There is no indication in the proposed changes to the NPPF that there will be more funding for infrastructure with the proposed Infrastructure Levy that the previous government was going to bring in to replace Section 106 and Community Infrastructure Levy (CIL) has been dropped.

4. CONCLUSION

- 4.1 The NPPF consultation response is set out at **APPENDIX A** and the Council should use this opportunity to express its opinion on those changes and the impacts they could have on the District.

5. IMPACT ON PRIORITIES AS SET OUT IN THE CORPORATE PLAN 2023 - 2027

5.1 Enhancing and connecting our place

- 5.1.1 Responding to national policy consultations is a way in which the Council can seek to influence change in the District and mitigate the impact development has on the local area.

5.2 Helping the economy to thrive

- 5.2.1 Responding to national policy consultations is a way in which the Council can seek to influence economic change in the District and mitigate the impact development has on the local area.

5.3 A greener future

- 5.3.1 Responding to national policy consultations is a way in which the Council can seek to influence climate action in the District and mitigate the impact development has on the local area.

6. IMPLICATIONS

- (i) **Impact on Customers** – If the proposed NPPF changes on the housing number goes ahead there will be an impact on the whole District. There will be a mandatory housing target which the Council will find difficult to deliver and it will have an impact on already overstretched infrastructure.

- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk (including Fraud implications)** – There is a risk to the Council of the proposed NPPF changes on the housing number goes ahead. The 5-year supply will drop to below 5-years, this will leave the Council open again to speculative unplanned for development. It is yet to be assessed, but there will also be a likely impact on the timetable of the Local Development Plan Review, though that may not be a significant impact and will depend on if and when changes are brought into effect.
- (iv) **Impact on Resources (financial)** – At the present time regarding the Local Development Plan Review it is not considered there has been any abortive work. It is likely that the Local Housing Needs Assessment will have to be updated earlier in the process and may need to be repeated prior to submission for Examination. Prudent budget management is taking place with the Local Development Plan Review budget to minimise any impact.
- (v) **Impact on Resources (human)** – There is a risk to the Council of the proposed NPPF changes if the new housing numbers go ahead. The 5-year supply of deliverable sites will drop to below 5-years and this will leave the Council open to speculative unplanned development. This will place an increased pressure on the professional resources within Development Management.

Background Papers: None.

Enquiries to: Anne Altoft-Shorland, Head of Planning Policy and Implementation.

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NATIONAL PLANNING POLICY FRAMEWORK (NPPF) CONSULTATION RESPONSE**12 September 2024****Question 1: Do you agree that we should reverse the December 2023 changes made to paragraph 61?**

The Council does not object per se to the reversal of the changes made to paragraph 61 from December 2023. It is important to have a clear starting point in terms of what the minimum housing requirement should be. The Government now talks about “hard constraints” as being the reasons why a Local Planning Authority (LPA) might not be able to meet its housing requirement. However, the one “hard constraint” that has been left out is infrastructure. There continues to be a lag between growth and infrastructure delivery, which as far as the proposed changes are concerned the Government has still failed to address this major concern and constraint.

Question 2: Do you agree that we should remove reference to the use of alternative approaches to assessing housing need in paragraph 61 and the glossary of the NPPF?

This is not a tracked change in the glossary and paragraph 61 – The Council does agree that there should be one standard method for assessing housing need but strongly objects to the amended method being proposed by the Government.

Question 3: Do you agree that we should reverse the December 2023 changes made on the urban uplift by deleting paragraph 62?

This relates to Green Belt development and is not applicable to Maldon District which does not have any Green Belt.

Question 4: Do you agree that we should reverse the December 2023 changes made on character and density and delete paragraph 130?

No, the Council does not support reversing the deletion of paragraph 130. The Government is expecting all Councils to meet the new standard method formulae even if that means that density will have to be increased. Yet there has been no consideration that in rural areas increasing density to such an extent to meet that new standard method housing requirement will have a radical impact on the character of the area to the detriment of residents visual and residential amenities. What if the vision in a local plan actually supports respecting the existing character of an area which is low density, rural and agricultural? These proposed changes appear to have been written by people who live in urban areas/cities without any consideration of rural UK, biodiversity, and the impact these will have on the character of many rural villages and towns across the country.

Question 5: Do you agree that the focus of design codes should move towards supporting spatial visions in local plans and areas that provide the greatest opportunities for change such as greater density, in particular the development of large new communities?

No, the Council does not agree that the focus of design codes should move towards supporting spatial visions in local plans. The Government is expecting all Councils to meet the new standard method formulae even if that means that density will have to be increased. Yet there has been no consideration that in rural areas increasing density to such an extent to meet that new standard method housing requirement will have a radical impact on the character of the area to the detriment of residents’ visual and residential amenities. What if

the vision in a local plan actually supports respecting the existing character of an area which is low density, rural and agricultural? These proposed changes appear to have been written by people who live in urban areas/cities without any consideration of rural UK, biodiversity, and the impact these will have on the character of many rural villages and towns across the country.

Question 6: Do you agree that the presumption in favour of sustainable development should be amended as proposed?

The Council does support making the presumption in favour of sustainable development clearer by setting out that it refers to housing supply.

However, it is the consequences of these changes that the Council strongly objects to - as paragraph 15 of the consultation document states, the change to the standard method is going to bring more local authorities in the short term into the scope of the presumption. This is poorly thought out, the Council considers this a free ticket for developers waiting to submit planning applications. Maldon District is going to go from having a 5-year supply to not having one overnight when these proposals take effect. The day after the publication of these proposals we had developers contacting us for discussions on sites where for robust planning reasons we were moving toward refusals of planning permission as the schemes were not of good enough quality.

As a Council we are trying to bring forward a local plan review and this change will inevitably undermine our ability to positively plan-make because we will have to firstly reconsider our position considering the massive 97% increase in the housing requirement and this will delay the process, we had already made advances on in the last year. This is the greatest uplift in the whole of Essex; even beating the three cities in the county. As a District we have the smallest population and already have an infrastructure deficit to serve those people. Secondly, we will have to consider granting permission to applications ahead of that process, which undermines the plan-led system the NPPF update still has the audacity to advocate exists. The main issue and constraint in the Maldon District is infrastructure; it is lagging behind the growth in our present approved local plan and the bodies responsible for commissioning or delivery of those facilities are struggling to deliver due to lack of funds or borrowing capacity, complex internal approval processes before anything can be built or spending controls such as NHS England lease restraints tied to the District Valuer. All the while, our doctors' surgeries are operating at/ overcapacity, transport investment is behind growth, our education system is nearing capacity, our local NHS hospital is going to close with no NHS plan in place to bring forward either a dispersal of the services within the District or a new hospital to cater for an unforeseen increase in the population that the NPPF will demand. How are we supposed to plan to meet that target when public service investment is unlikely to follow? This will be an unsustainable Local Plan and contrary to the NPPF.

Our plan, prior to these proposed changes would have been to bring forward the standard method requirement of housing at 276 per homes per annum. This would have been a relatively small housing allocation of approximately 1,500 homes over 15 years, but it would have given the area a chance to catch up with the delivery of infrastructure from the previous plan due to end in 2029. The new standard method means over a 97% increase in the housing requirement – a figure that the market has never delivered, despite over-delivering per annum. In effect this is going to mean that the Council will very quickly move away from having a five-year supply after our plan adoption and we will end up with a housing trajectory in our plan that we know the market will never meet, because the evidence demonstrates this is something we have never achieved before, and this seems highly unlikely without

public investment. Overall, we believe these proposals are ill thought out especially with regard to the long-term consequences on rural and coastal areas and we are being set-up to fail, without additional tangible support being put in place.

Question 7: Do you agree that all local planning authorities should be required to continually demonstrate 5 years of specific, deliverable sites for decision making purposes, regardless of plan status?

The Council does not support this proposed change. The new standard method means over a 97% increase in the housing requirement – a figure that the area has never delivered. In effect this is going to mean that the Council will very quickly move away from having a five-year supply after our plan adoption and we will end up with a housing trajectory in our plan that we know we will never meet, because the evidence demonstrates this is something we have never achieved before. Even with considerable housing allocations and windfall development since our last plan adoption we have not met that proposed standard method requirement. Overall, we believe these proposals are ill thought out especially with regard to the long-term consequences on rural and coastal areas.

Question 8: Do you agree with our proposal to remove wording on national planning guidance in paragraph 77 of the current NPPF?

The Council strongly objects to this proposed change. Over-delivery places pressures on local infrastructure which always lags behind growth. Over-supply should therefore be left in the NPPF, and its accompanying guidance, local authorities should be able to set it against new supply need. The Government has failed to produce a comprehensive and coherent plan to demonstrate how infrastructure provision will be boosted to support such growth. In fact, to the contrary, the Government has now actually called into question £22billion worth of planned infrastructure investment. The focus appears to be entirely driven by the number of houses to be built and not how the needs of the new occupants will be met, or how nice environments for them to live in will be protected/created.

Question 9: Do you agree that all local planning authorities should be required to add a 5% buffer to their 5-year housing land supply calculations?

The Council strongly objects to this proposed change. With the new standard method housing requirement most Councils will lose their 5-year supply, this will only increase this pressure on LPAs as they fight off the deluge of planning applications that will come in as a result. This matter has been poorly thought out. LPAs already have staff resource capacity issues with a lack of planning officers especially at senior level and having to deal with the influx of major planning applications these changes are going to generate will place additional pressure on resources. In Maldon District Council, we have had to move policy planners away from local plan review into development management periodically in order to support resources because we are running the department with the majority of staff being outside contractors. This is financially unsustainable for a local authority to continue to do this. The additional support offered in these proposed changes put forward by the Government to support LPAs are unrealistic: planning application fees cannot be continually increased to cover contractor costs as they would become unviable for some smaller developers and household applicants. The need for new planners far outweighs the small amount of additional resource proposed by the Government (300 new planners – less than 1 per LPA) and these are needed now, not at some unspecified future date. Also, the Government may make funding for new planners available, but can the Government actually make planners come and work in places that find it really hard to recruit where they are not very accessible or where they compete with demand in surrounding areas? The Council

presently has 4 vacancies for senior planners in Development Management and after redesigning roles after several failed attempts to recruit in previous years could only appoint one officer because of the low numbers and poor quality of applicants.

Question 10: If yes, do you agree that 5% is an appropriate buffer, or should it be a different figure?

The Council strongly objects to this proposed change. With the new standard method housing requirement most Councils will lose their 5-year supply, this will only increase this pressure on LPAs as they fight off the deluge of planning applications that will come in as a result. This matter has been poorly thought out. LPAs already have staff resource capacity issues with a lack of planning officers especially at senior level and having to deal with the influx of major planning applications these changes are going to generate will place additional pressure on resources. In Maldon we have had to move policy planners into development management periodically in order to support resources because we are running the department with the majority of staff being outside contractors. This is financially unsustainable for a local authority to continue to do this. The additional support offered in these proposed changes put forward by the Government to support LPAs are unrealistic: planning application fees cannot be continually increased to cover contractor costs as they would become unviable for some smaller developers and household applicants. The additional support offered in these proposed changes put forward by the Government to support LPAs are unrealistic: planning application fees cannot be continually increased to cover contractor costs as they would become unviable for some smaller developers and household applicants. The need for new planners far outweighs the small amount of additional resource proposed by the Government (300 new planners) and these are needed now, not at some unspecified future date. Also, the Government may make funding for new planners available, but can the Government actually make planners come and work in places that find it really hard to recruit? The Council presently has 4 vacancies for senior planners and after advertising could only appoint one officer because of the low numbers and quality of applicants.

Question 11: Do you agree with the removal of policy on Annual Position Statements?

This relates to Green Belt development and is not applicable to Maldon District which does not have any Green Belt.

Question 12: Do you agree that the NPPF should be amended to further support effective co-operation on cross boundary and strategic planning matters?

The Council cannot see the point of this proposal. At the present time there is good strategic co-operation across Essex. This is just another layer of planning making it more complex. Instead, perhaps the system should place a greater legal duty on those authorities that deliver infrastructure to work in a more co-operative way with those that have to plan for the growth and allocate the land required. The previous Government removed structure plans and regional planning for a reason – it was time consuming and created more work, which by default cost more funding. It also placed a top-down approach to planning leaving local residents disenfranchised from the process. It is important to keep planning decisions at the most local level possible otherwise disenfranchisement from the process will lead to discontent and more objections to growth.

Strategic planning is going to have a challenging time if it is brought in again. As all local authorities have a massive increase in their housing requirement, it will be impossible for those local authorities who cannot deliver their housing requirement for whatever reason to negotiate moving it to a neighbouring authority because everyone will be trying to deliver

their own increased housing requirement and will not have the capacity to take on more growth.

In the Council's Housing and Economic Land Availability Assessment (HELAA) we are now unsure that we have enough land to allocate housing in the most sustainable settlements, given the 96% increase in the housing requirement under the new proposed standard method. Are we supposed to conjure up sites out of thin air to cover the need, or do simply allocate pieces of land where we are not even sure if they are available/deliverable?

Question 13: Should the tests of soundness be amended to better assess the soundness of strategic scale plans or proposals?

The Government needs to consider making the planning system less complex. The tests of soundness have always evoked "evidence fear" in local authorities and a fear of being found unsound. This delays submission of local plans for examination, means that LPAs overthink their plans, looking at all risks and trying to de-risk the plan. This is also because examinations are so expensive, time consuming and resource hungry. The Government should be looking to make them simpler and fast tracked. The majority of a local plan does not really need examining publicly, especially where strategic matters have been agreed through the DTC and a statement of common ground. The parts of the examination to be sat in public could be reduced or the examination could be done in writing – it does not have to be public at all. This would assist in bringing local plans forward more quickly, reduce cost and subsequently get more plans adopted and in place.

Question 14: Do you have any other suggestions relating to the proposals in this chapter?

The Government needs to consider making the planning system less complex. The tests of soundness have always evoked "evidence fear" in local authorities and a fear of being found unsound. This delays submission of local plans for examination, means that LPAs overthink their plans, looking at all risks and trying to de-risk the plan. This is because examinations are so expensive, time consuming and resource hungry. The Government should be looking to making them simpler and fast tracked. The majority of a local plan does not really need examining publicly, especially where strategic matters have been agreed through the DTC and a statement of common ground. The parts of the examination to be sat in public could be reduced or the examination could be done in writing – it does not have to be public at all. This would assist in bringing local plans forward more quickly, reduce cost and subsequently get more plans adopted and in place.

Question 15: Do you agree that Planning Practice Guidance should be amended to specify that the appropriate baseline for the standard method is housing stock rather than the latest household projections?

No, the Council vehemently objects to the proposed change. The Council is incensed at this proposed change and has never used the word vehemently before in a consultation response. Maldon District's housing need will jump from 276 homes per annum using the previous standard method to 544 homes per annum which is a 96% increase. The Council was content and had no objections to the previous standard method: it produced a figure that was almost identical to the actual need identified via our Local Housing Needs Assessment plus the affordability ratio. It also produced a figure that corresponds with the actual annual average delivery number of homes by the housing market for the Council's present plan period. Looking back since 1992 the Council has never delivered 544 homes per annum: not even between 1997 and 2010. Since 1992 the average yearly completion has been 227 homes a year, with the highest yearly completion number being 450 in 1999.

Therefore, putting aside the acute infrastructure concerns, the possibility of Maldon District being able to achieve 544 going forward even with new allocations and windfall delivery is zero. This will have an effect on the Council's ability to meet the Housing Delivery Test, which the Council is meeting presently.

With the new standard method housing requirement most Councils will lose their 5-year supply, this will only increase this pressure on LPAs as they fight off the deluge of planning applications that will come in as a result. This matter has been poorly thought out. LPAs already have staff resource capacity issues with a lack of planning officers especially at senior level and having to deal with the influx of major planning applications these changes are going to generate will place additional pressure on resources. In Maldon we have had to move policy planners into development management periodically in order to support resources because we are running the department with the majority of staff being outside contractors. This is financially unsustainable for a local authority to continue to do this. Moving policy planners into development management also means that work on our local plan has been delayed and will be delayed further if we have to do this again following the proposed changes to the NPPF.

The influx of major planning applications these changes are going to generate will place additional pressure on resources. In Maldon we have had to move policy planners into development management periodically in order to support resources because we are running the department with the majority of staff being outside contractors. This is financially unsustainable for a local authority to continue to do this. Moving policy planners into development management also means that work on our local plan has been delayed and will be delayed further if we have to do this again following the proposed changes to the NPPF.

Question 16: Do you agree that using the workplace-based median house price to median earnings ratio, averaged over the most recent 3-year period for which data is available to adjust the standard method's baseline, is appropriate?

The Council would question why the Government has used the workplace-based median house price to median earnings ratio? It is not clear how this would reduce affordability in a location where the new Standard Methodology is going to exceed the identified need. Using workplace-based median figures does not consider the increase of people working from home and also appears not to have taken any information from the 2021 census about where people are now working. It would be very difficult for a district council to influence workplace earnings and the cost of market housing in order to drive a reduction in affordability. For a rural district, even one with the most flexible economic policies set out within a local plan, there is not a chance of driving forward significant job creation in the higher wage brackets to assist in driving down affordability.

In order for Maldon District to influence and drive down the Median House Price we have carried out some analysis and we believe that we would need to significantly change the size of property consented by the Council from mixed bedroom sizes at the moment with an emphasis on family housing to smaller cheaper properties, mainly flats and 1 & 2 bedroom homes so that we offer higher levels of lower cost housing. This would go against the evidence set out in our Local Housing Needs Assessment which advocates an increase in 3-bedroom family housing. This identified local need is supported by our housing register where 3- and 4-bedroom houses are higher in demand than smaller houses. Local Plan policies are supposed to be evidence driven, but this new approach would not be evidence driven, it would be Government target driven. There is also the viability of sites, which would decrease for developers if smaller properties were mandated by the Council to be built just in

order to drive down our affordability ratio and try and drive the housing target back to a level that gets nearer to need rather than a target set by the Government.

We would also point out that the Median House price is informed by the Land Registry who only record houses purchased at full market price hence it is the median of this higher figure not actual value of the total houses built. We believe that we have built too much housing at a higher value, and this has pushed up the affordability ratio. Unfortunately for families that have grown up in the district, typical rural family housing is not going to be affordable in the traditional sense of semi and or detached properties. Broadly speaking the only way that this type of housing could become affordable for new households is for wages to double or open market housing to decrease by 50%. This would mean a mixed increase in both social affordable housing and the delivery of smaller 1- and 2-bedroom homes and flats over and above what is already provided, but this could make development unviable and actually not cater to the identified local need in the District.

The Government appears to be looking at supply and demand in terms of making housing more affordable, it appears that the Government believes that pushing into the market more housing supply will equalise out the price of housing and make it more affordable. But in regard to housing this economic theory is not going to work in areas where the demand/need at present is being met by the existing standard method methodology. The present standard method is a “housing requirement” because its calculations for Maldon District match the need identified in our Local Housing Needs Assessment, but moving forward this will become a government imposed “target” and will actually have nothing to do with need. We will have to change our language in terms of how we speak to the general public about housing and what we put in our local plan – it will become a “target”, not a “requirement to address need”. In order for Maldon District to meet this imposed “target” the evidence shows our in-migration component of our population growth will have to significantly increase. Therefore, the changes will in effect be moving people (if that actually happens, which we doubt) into a district that already has poor transport connections with the rest of Essex. Given our evidenced limited education, health, public transport and employment opportunities, a high proportion of these people will then try and out-commute for their regular daily needs using their cars, and this also flies in the face of the drive to move away from car usage and onto public transport. The incoming Government, rather than steadying the ship on infrastructure and providing reassurance to Councils, actually immediately started scrapping planned infrastructure investments and commencing a review of many others. This has done little to show Council’s that there is any serious intent to ensure the new housing growth is ever going to be supported by the required infrastructure investment.

Question 17: Do you agree that affordability is given an appropriate weighting within the proposed standard method?

The Council would question why the Government has used the workplace-based median house price to median earnings ratio? It is not clear how this would reduce affordability in a location where the new Standard Methodology is going to exceed the identified need. Using workplace-based median figures does not consider the increase of people working from home and also appears not to have taken any information from the 2021 census about where people are now working. It would be very difficult for a district council to influence workplace earnings and the cost of market housing in order to drive a reduction in affordability. Even with the most flexible economic policies within a local plan, a district area which is rural and isolated from the main road network doesn’t have a chance of driving forward significant job creation in the higher wage brackets.

In simple terms in order for Maldon District to influence and drive down the Median House Price we have carried out some analysis and we believe that we would need to significantly change the size of property consented by the Council from mixed bedroom sizes at the moment with an emphasis on family housing to smaller properties cheaper, mainly flats and 1- and 2-bedroom homes so that we offer higher levels of lower cost housing. This would go against the evidence set out in our Local Housing Needs Assessment which advocates an increase in 3-bedroom family housing. This locally identified need is supported by our housing register where 3- and 4-bedroom houses are higher in need than smaller houses. Local Plan policies are supposed to be evidence driven. But this new approach would not be evidence driven it would be Government target driven. This is also without considering the viability of sites which would decrease for developers if smaller properties were mandated by the Council to be built just in order to drive down our affordability ratio and try and drive the housing target back to a level that gets nearer to need rather than target.

We would also point out that the Median House price is informed by the Land Registry who only record houses purchased at full market price hence it is the median of this higher figure not actual value of the total houses built.

The Government appears to be looking at supply and demand in terms of making housing more affordable, it appears that the Government believes that pushing into the market more housing supply will equalise out the price of housing and make it more affordable. But in regard to housing this economic theory is not going to work in areas where the demand/need at present is being met by the existing standard method methodology. The present standard method is a "housing requirement" because its calculations for Maldon District match the need identified in our Local Housing Needs Assessment, but moving forward this will become a government imposed "target" and will actually have nothing to do with need. We will have to change our language in terms of how we speak to the general public about housing and what we put in our local plan – it will become a "target", not a "requirement to address need". In order for Maldon District to meet this imposed "target" the evidence shows our in-migration component of our population growth will have to significantly increase. Therefore, the changes will in effect be moving people (if that actually happens, which we doubt) into a district that already has poor transport connections with the rest of Essex. Given our evidenced limited education, health, public transport and employment opportunities, a high proportion of these people will then try and out-commute for their regular daily needs using their cars and this also flies in the face of the drive to move away from car usage and onto public transport. The incoming Government, rather than steadying the ship on infrastructure and providing reassurance to Councils, actually immediately started scrapping planned infrastructure investments and commencing a review of many others. This has done little to show Council's that there is any serious intent to ensure the new housing growth is ever going to be supported by the required infrastructure investment.

Using the 2014 household projections and the present Standard Method formula it worked out correctly in terms of Maldon District's Local Housing Needs Assessment plus the affordability ratio. It also was the correct figure in terms of the annual delivery number of homes for the Council's present plan period. Looking back since 1992 the Council has never delivered 544 homes per annum. Therefore, putting aside the acute infrastructure concerns, the possibility of Maldon District being able to achieve this going forward even with new allocations and windfall delivery is zero. This would have a significant negative affect on our 5-year supply and most likely mean we would not be able to meet the Housing Delivery Test (which we are meeting presently).

Question 18: Do you consider the standard method should factor in evidence on rental affordability? If so, do you have any suggestions for how this could be incorporated into the model?

The Council would question how factoring this in would affect the future rental affordability of homes. In areas where the private rented stock is higher than the social rental stock which one would be taken into account? If it was social rental stock those with a higher stock would appear to be more affordable. This would once again skew the outputs to the detriment of those places with a low social rental stock.

Question 19: Do you have any additional comments on the proposed method for assessing housing needs?

The Council does not want a return to the past with housing need being assessed by an Objectively Assessed Need. This method was time consuming and costly and led to unnecessary argument at examination. The standard method is a more effective way of calculating housing need and calculating it in a more consistent way across England. However, it was not broken and did not need fixing, it worked out at approximately the correct figure for Maldon District, when having regard to our Local Housing Needs Assessment and past housing delivery performance.

The Council is extremely concerned about the proposed changes. We vehemently object to them. This is the first time we have ever used the word “vehemently” in a consultation response, which shows we are so concerned and incensed about the proposed changes. The effect this will have on the District of Maldon will be extremely detrimental to both our residents and our staff. These proposed changes are an open ticket on developers to submit planning applications. We will go from having a five-year supply of housing to not having one overnight. This will undermine our ability to Plan make, it may also mean moving resources into development management from planning policy in order to cope with the all the additional planning applications. The Council will be forced to approve planning applications for housing in places that we do not consider appropriate for growth, and this will place undue pressure on our already stretched infrastructure. We are in an area that piling in more housing when there is no evidence we need it, is going to place such pressure on our infrastructure, which is already at a deficit, with the solution to highway capacity issues to get in and out of the District being to either build more roads or increase their capacity by expensive upgrades., This flies in the face of Essex County Council’s place and movement agenda because in a rural area people are going to use their cars when the public transport is not available to absorb this increase of un-needed growth.

These new proposals are ill thought out in terms of even short-term consequences, with the Government seemingly only concerned with housing numbers granted permission, not housing delivery on the ground. The Government appears to be looking at supply and demand in terms of making housing more affordable, it appears that the Government believes that pushing into the market more housing supply will equalise out the price of housing and make it more affordable. But in regard to housing this economic theory is not going to work in areas where the demand/need at present is being met by the existing standard method methodology. There is no evidence in Maldon District that there is a need for 544 homes per annum and it will effectively mean that Council will be looking for a massive increase in inward migration, which does not exist presently in terms of how our population grows. The companies developing in the District have been slowing down completions because the market has slowed down, and this has got nothing to do with the number of permissions granted: we presently have 2994 homes with permission not built out in the District. The Government should be looking first and foremost at providing a means to

accelerate infrastructure delivery by public bodies and support to unlocking land banked and stalled development sites, rather than pressuring Councils to add 10,000's of more units to those already not being built. It would appear the Government has focussed attention on the planning system to plug the hole, however the planning system can only lead the horse to the water – the Government needs to force developers to actually build out the sites and it is shameful there is little in the proposals to make developers work differently.

Maldon District is a rural coastal district and therefore the jobs we have locally are limited in number and range of sectors. This results in there being many people living in the District who have to commute outside for work. This travel is dominated by cars because public transport links are poor. These proposals therefore run contrary to the primary tenets of sustainable development whereby people should be reducing their travel by car. We will in effect be building houses (if they actually get built) for people to move into the District and then out commute for work by car. In terms of infrastructure requirements: the health service in the District is stretched to breaking point by the NHS's own admission; the schools are nearing capacity; the District is going to lose its hospital, with no apparent route to a replacement service; and public transport is poor. There is a high need for affordable housing, with many people bidding for each home that becomes available. Development can only fund so much infrastructure without the development becoming unviable and in terms of priorities it cannot pay for everything. Biodiversity Net Gain is now mandatory and more generally: health, education and affordable housing are seen as a greater priority than transport. The District has just lost its on call public bus and taxi service because it is not viable to run it anymore as a private business. Though the County Council are seeking a replacement it is going to be difficult to find a company to run this service when the previous service has gone under because of viability and falling passenger numbers since Covid. Strategic planning is going to have a challenging time if it is brought in again. As all local authorities have a massive increase in their housing requirement, it will be impossible for those local authorities who cannot deliver their housing requirement for whatever reason to negotiate moving it to a neighbouring authority because everyone will be trying to deliver their own increased housing requirement and will not have the capacity to take on more growth.

Overall, the Council would urge the Government to reconsider these proposed changes. There seems to be a persistent message that the Planning system is holding up houses being built. However, we have already mentioned our approx. 3,000 consented plots that are not being built. Government needs to realise that the planning system cannot currently physically make developers put a spade in the ground and build houses.

Government should have a closer look at where the actual blockages are to getting bricks and mortar constructed on the ground. Perhaps Council's should be given more powers to require developers to commence sites, finish sites, or rescind permissions where there has been no obvious move to commence over an extended period. Also, the Government should consider making lack of infrastructure a "hard constraint" in terms of bringing forward growth or provide a more effective way of delivering the key infrastructure projects such as transport, education and health projects. The Government could underwrite these projects and be paid back via Community Infrastructure Levy (CIL) or Section 106 (S106) funding, which would resolve many of the infrastructure issues across the Country.

Question 20: Do you agree that we should make the proposed change set out in paragraph 124c, as a first step towards brownfield passports?

The Council supports the proposed change set out in new paragraph 122c. However, the Government seem to be under the impression that brownfield land is available in abundance

everywhere and this is not the case. In a rural district like Maldon District where there is no history of mass industry there is little brownfield land and most of it is either in active economic use or in areas of high flood risk. We would suggest that the NPPF is altered to support brownfield land in areas of flood risk where that land is a blight on the area in terms of impact on amenities and needs to be developed and where this could unlock better defences being installed. This will mean a consistent approach across the country and help bring more brownfield land forward.

Question 21: Do you agree with the proposed change to paragraph 154g of the current NPPF to better support the development of PDL in the Green Belt?

This relates to Green Belt development and is not applicable to Maldon District which does not have any Green Belt.

Question 22: Do you have any views on expanding the definition of PDL, while ensuring that the development and maintenance of glasshouses for horticultural production is maintained?

This relates to Green Belt development and is not applicable to Maldon District which does not have any Green Belt.

Question 23: Do you agree with our proposed definition of grey belt land? If not, what changes would you recommend?

This relates to Green Belt development and is not applicable to Maldon District which does not have any Green Belt.

Question 24: Are any additional measures needed to ensure that high performing Green Belt land is not degraded to meet grey belt criteria?

This relates to Green Belt development and is not applicable to Maldon District which does not have any Green Belt.

Question 25: Do you agree that additional guidance to assist in identifying land which makes a limited contribution of Green Belt purposes would be helpful? If so, is this best contained in the NPPF itself or in planning practice guidance?

This relates to Green Belt development and is not applicable to Maldon District which does not have any Green Belt.

Question 26: Do you have any views on whether our proposed guidance sets out appropriate considerations for determining whether land makes a limited contribution to Green Belt purposes?

This relates to Green Belt development and is not applicable to Maldon District which does not have any Green Belt.

Question 27: Do you have any views on the role that Local Nature Recovery Strategies could play in identifying areas of Green Belt which can be enhanced?

This relates to Green Belt development and is not applicable to Maldon District which does not have any Green Belt.

Question 28: Do you agree that our proposals support the release of land in the right places, with previously developed and grey belt land identified first, while allowing local planning authorities to prioritise the most sustainable development locations?

This relates to Green Belt development and is not applicable to Maldon District which does not have any Green Belt.

Question 29: Do you agree with our proposal to make clear that the release of land should not fundamentally undermine the function of the Green Belt across the area of the plan as a whole?

This relates to Green Belt development and is not applicable to Maldon District which does not have any Green Belt.

Question 30: Do you agree with our approach to allowing development on Green Belt land through decision making? If not, what changes would you recommend?

This relates to Green Belt development and is not applicable to Maldon District which does not have any Green Belt.

Question 31: Do you have any comments on our proposals to allow the release of grey belt land to meet commercial and other development needs through plan-making and decision-making, including the triggers for release?

This relates to Green Belt development and is not applicable to Maldon District which does not have any Green Belt.

Question 32: Do you have views on whether the approach to the release of Green Belt through plan and decision-making should apply to traveller sites, including the sequential test for land release and the definition of PDL?

This relates to Green Belt development and is not applicable to Maldon District which does not have any Green Belt.

Question 33: Do you have views on how the assessment of need for traveller sites should be approached, in order to determine whether a local planning authority should undertake a Green Belt review?

This relates to Green Belt development and is not applicable to Maldon District which does not have any Green Belt.

Question 34: Do you agree with our proposed approach to the affordable housing tenure mix?

The Council supports that it should be for LPAs to determine tenure mixes for affordable housing for their own areas.

Question 35: Should the 50 per cent target apply to all Green Belt areas (including previously developed land in the Green Belt), or should the Government or local planning authorities be able to set lower targets in low land value areas?

This relates to Green Belt development and is not applicable to Maldon District which does not have any Green Belt.

Question 36: Do you agree with the proposed approach to securing benefits for nature and public access to green space where Green Belt release occurs?

This relates to Green Belt development and is not applicable to Maldon District which does not have any Green Belt.

Question 37: Do you agree that Government should set indicative benchmark land values for land released from or developed in the Green Belt, to inform local planning authority policy development?

This relates to Green Belt development and is not applicable to Maldon District which does not have any Green Belt.

Question 38: How and at what level should Government set benchmark land values?

This relates to Green Belt development and is not applicable to Maldon District which does not have any Green Belt.

Question 39: To support the delivery of the golden rules, the Government is exploring a reduction in the scope of viability negotiation by setting out that such negotiation should not occur when land will transact above the benchmark land value. Do you have any views on this approach?

This relates to Green Belt development and is not applicable to Maldon District which does not have any Green Belt.

Question 40: It is proposed that where development is policy compliant, additional contributions for affordable housing should not be sought. Do you have any views on this approach?

This relates to Green Belt development and is not applicable to Maldon District which does not have any Green Belt.

Question 41: Do you agree that where viability negotiations do occur, and contributions below the level set in policy are agreed, development should be subject to late-stage viability reviews, to assess whether further contributions are required? What support would local planning authorities require to use these effectively?

This relates to Green Belt development and is not applicable to Maldon District which does not have any Green Belt.

Question 42: Do you have a view on how golden rules might apply to non-residential development, including commercial development, travellers' sites and types of development already considered 'not inappropriate' in the Green Belt?

This relates to Green Belt development and is not applicable to Maldon District which does not have any Green Belt.

Question 43: Do you have a view on whether the golden rules should apply only to 'new' Green Belt release, which occurs following these changes to the NPPF? Are there other transitional arrangements we should consider, including, for example, draft plans at the regulation 19 stage?

This relates to Green Belt development and is not applicable to Maldon District which does not have any Green Belt.

Question 44: Do you have any comments on the proposed wording for the NPPF (Annex 4)?

This relates to Green Belt development and is not applicable to Maldon District which does not have any Green Belt.

Question 45: Do you have any comments on the proposed approach set out in paragraphs 31 and 32?

This relates to Green Belt development and is not applicable to Maldon District which does not have any Green Belt.

Question 46: Do you have any other suggestions relating to the proposals in this chapter?

This relates to Green Belt development and is not applicable to Maldon District which does not have any Green Belt.

Question 47: Do you agree with setting the expectation that local planning authorities should consider the particular needs of those who require Social Rent when undertaking needs assessments and setting policies on affordable housing requirements?

The Council would support the setting out in policy the tenure expectations for affordable housing. This makes planning for affordable housing more transparent and allows for future planning. However, the registered housing providers are struggling to take on affordable housing and in at least one case the Council has had to waive affordable housing on sites because a provider could not be found. It should be possible for a local authority who is not a social housing provider already or a stock holding authority to become a RSP as a last resort and this should be supported by the Government financially in order to assist in the delivery of affordable housing and to help with any loss of this type of housing going forward.

Question 48: Do you agree with removing the requirement to deliver 10% of housing on major sites as affordable home ownership?

Yes, the Council would support this, it was overly complicated and difficult to administer and in areas with a high social and affordable housing need is undermining the ability of local authorities to support and approved affordable housing. The Government does need to ensure a policy is in place for Discount Market Sale in terms of this tenure as Affordable and therefore registered provides and local authorities can then be eligible to apply for and receive Grant if this tenure is provided on a mixed tenure scheme. A flexible grant support system from the Government towards affordable housing is a priority if the Government want to deliver a significant increase in the number of additional affordable homes.

Question 49: Do you agree with removing the minimum 25% First Homes requirement?

Yes, the Council would support this, it was overly complicated and difficult to administer and in areas with a high social and affordable housing need is undermining the ability of local authorities to support and approved affordable housing.

Question 50: Do you have any other comments on retaining the option to deliver First Homes, including through exception sites?

No further comment.

Question 51: Do you agree with introducing a policy to promote developments that have a mix of tenures and types?

Yes, the Council would support introducing a policy to promote developments that have a mix of tenures and types.

Question 52: What would be the most appropriate way to promote high percentage Social Rent/affordable housing developments?

In smaller settlements, where there is a housing needs assessment, demonstrating a local affordable housing need, having a national rural affordable housing policy which sets a maximum site size or number could assist in bringing forward rural affordable housing. Making this local to the settlement through policy would also assist with local support for this kind of housing. Whilst Councils can do this now, there is insufficient funding to carry out housing needs assessments on all of the small settlements in an area frequently, particularly if an area is very rural and has many smaller settlements. Having a national fund that communities can call on to fund this activity would be beneficial especially for rural areas and help to evidence rural affordable housing need, this need then could be supported through policy in local plans or national policy.

Question 53: What safeguards would be required to ensure that there are not unintended consequences? For example, is there a maximum site size where development of this nature is appropriate?

Having a maximum site size is difficult because some rural settlements are small, in terms of households but they have services and facilities to enable those living in them to get their basic day to day living needs. They may not have a school or doctors but have a shop. These types of settlements should not be swamped by new development, because it alters their character and unless the growth is substantial it does not bring a school or doctors into the community. An alternative could be a % of the overall homes in the settlement, this would have to be reasonably low as large sites could swamp and drastically alter a settlement in terms of its impact on local character.

Question 54: What measures should we consider to better support and increase rural affordable housing?

A national fund should be available for the carrying out of housing needs assessments which local communities could call on so that they could ascertain a more accurate figure for local rural affordable housing need. This would assist if communities wanted to bring forward community led housing.

Question 55: Do you agree with the changes proposed to paragraph 63 of the existing NPPF?

The Council supports the changes to paragraph 63 of the existing NPPF.

Question 56: Do you agree with these changes?

The Council supports the changes with regard to Community Led Housing.

Question 57: Do you have views on whether the definition of 'affordable housing for rent' in the Framework glossary should be amended? If so, what changes would you recommend?

The Council has no further comment on this matter.

Question 58: Do you have views on why insufficient small sites are being allocated, and on ways in which the small site policy in the NPPF should be strengthened?

Within Maldon District, the land has not come forward in regard to small sites – most sites within the HELAA are over 1.0ha in size. The proposals can make the requirement mandatory but if there is not the land then the Council cannot deliver. Maldon Council will not be able to make the 10% allocation, however it might have done with a smaller housing requirement under the original Standard methodology, but not with the significant increase in housing need. 1.0ha is too large for most small rural settlements and this site size might end up dominating the original settlement especially if there were a number of these sites to consider. It would be more appropriate to allow a % of smaller sites to come forward as a windfall amount to be included in the calculations for the total supply of housing. Local Authorities could then set the parameters around these sites and where they would support them in terms of which settlements. This would then form a control over allowing too much development in small rural settlements thereby overwhelming them and it would push larger allocated developments into more sustainable communities.

Question 59: Do you agree with the proposals to retain references to well-designed buildings and places, but remove references to ‘beauty’ and ‘beautiful’ and to amend paragraph 138 of the existing Framework?

The Council supports this proposal.

Question 60: Do you agree with proposed changes to policy for upwards extensions?

The Council supports this proposal.

Question 61: Do you have any other suggestions relating to the proposals in this chapter?

No additional suggestions to make.

Question 62: Do you agree with the changes proposed to paragraphs 86 b) and 87 of the existing NPPF?

The Council supports this proposal.

Question 63: Are there other sectors you think need particular support via these changes? What are they and why?

The Council has no comment on this question.

Question 64: Would you support the prescription of data centres, gigafactories, and/or laboratories as types of business and commercial development which could be capable (on request) of being directed into the NSIP consenting regime?

The Council has no comment on this question.

Question 65: If the direction power is extended to these developments, should it be limited by scale, and what would be an appropriate scale if so?

The Council has no comment on this question.

Question 66: Do you have any other suggestions relating to the proposals in this chapter?

None.

Question 67: Do you agree with the changes proposed to paragraph 100 of the existing NPPF?

The Council does support these changes but would point out that there is already significant weight placed on the delivery of infrastructure within the planning process.

Question 68: Do you agree with the changes proposed to paragraph 99 of the existing NPPF?

The Council supports these changes.

Question 69: Do you agree with the changes proposed to paragraphs 114 and 115 of the existing NPPF?

Whilst the Council supports the proposed changes to paragraphs 114 and 115. The Council objects to the last sentence in paragraph 115 which states “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe, *in all tested scenarios.*” This effectively means that any Highway Authority cannot object to a development if one tested scenario has a lesser impact on the road network. If a site has 4 different access routes, 3 of which Highways consider would be unacceptably impacted but 1 is ok, then the development would be acceptable. However, we cannot force residents to use the 1 ‘ok’ access point. So, this will inevitably create additional pressure on those 3 poor access routes which will increase the hazard and risk to life. In addition, this could create bottlenecks and additional highway impact on that one part of the network with the lesser impact. It should be for the Highway Authority to determine the level of impact either from a single development or cumulatively and a greater weight should be placed on cumulative impact, especially as there are going to be many applications submitted when local authorities lose their 5-year supply if the new housing standard method is implemented. This appears to be a way of allowing developments that could have a severe impact on the safety of the majority of the highway network in an area, just because it has one route that might be ok and is the opposite of the need to move away from high car usage and the impact road vehicles have on climate change.

Question 70: How could national planning policy better support local authorities in (a) promoting healthy communities and (b) tackling childhood obesity?

There should be a national policy capping the number of takeaway outlets there can be in High Streets, the permitted development rights for change of use in high streets should be looked at again to stop the proliferation of takeaway outlets.

Question 71: Do you have any other suggestions relating to the proposals in this chapter?

None.

Question 72: Do you agree that large onshore wind projects should be reintegrated into the NSIP regime?

No, the Council does not agree with this proposal. It is important that these types of application are determined at a local level so local considerations can be taken into account. Whereas an offshore farm has limited localised impacts, onshore farms have the potential for significant and long-lasting impacts on the local landscape and residents. Putting these applications into the NSIP regime takes away the ability of residents to engage properly in the planning process and creates a top-down imposed planning system.

Question 73: Do you agree with the proposed changes to the NPPF to give greater support to renewable and low carbon energy?

The Council supports the proposals. However, the right for residents to object should not be undermined. Local Planning Authorities should still be allowed to take into account all the concerns of residents when determining these types of applications and if there is a detrimental impact on residents, a local authority should be able to refuse these types of applications.

Question 74: Some habitats, such as those containing peat soils, might be considered unsuitable for renewable energy development due to their role in carbon sequestration. Should there be additional protections for such habitats and/or compensatory mechanisms put in place?

The Council would support additional protections for habitats that play a role in carbon sequestration.

Question 75: Do you agree that the threshold at which onshore wind projects are deemed to be Nationally Significant and therefore consented under the NSIP regime should be changed from 50 megawatts (MW) to 100MW?

The Council would support this as it means more applications would fall within the local decision-making process.

Question 76: Do you agree that the threshold at which solar projects are deemed to be Nationally Significant and therefore consented under the NSIP regime should be changed from 50MW to 150MW?

The Council would support this as it means more applications would fall within the local decision-making process.

Question 77: If you think that alternative thresholds should apply to onshore wind and/or solar, what would these be?

No further comment.

Question 78: In what specific, deliverable ways could national planning policy do more to address climate change mitigation and adaptation?

Essex County Council has tried to develop a net zero planning policy but this in itself is a difficult task and has resulted in a complex policy that is difficult for all to follow. Neither are there the resources to monitor it and it remains problematic as to its overall effectiveness in terms of implementation. There must be a way found to simplify this matter at a national level so that people can engage with it more effectively.

Question 79: What is your view of the current state of technological readiness and availability of tools for accurate carbon accounting in plan-making and planning decisions, and what are the challenges to increasing its use?

Presently the issue is too complicated for the average person to understand and even planning officers find it too complicated. Essex County Council has tried to develop a net zero planning policy but this in itself is a difficult task and has resulted in a complex policy that is difficult for all to follow. Neither are there the resources to monitor it and it remains problematic as to its overall effectiveness in terms of implementation. There must be a way found to simplify this matter at a national level so that people can engage with more effectively.

Question 80: Are any changes needed to policy for managing flood risk to improve its effectiveness?

It should be made clear that site allocations should not happen in areas of high flood risk. This is a hard constraint and national policy should set out clearly what is expected of LPAs in regard to land in high flood risk. The only exception would be brownfield land which could be a blight on a community if left undeveloped and could add to housing supply.

Question 81: Do you have any other comments on actions that can be taken through planning to address climate change?

The consultation document and questions above make great fanfare about the reduced costs and efficiencies of solar power generation justifying altered thresholds.

In light of that, now would be an opportune moment for Government to take the positive step of introducing a mandatory requirement for PV generation to a certain minimum level be installed on all new homes along with battery storage, and potentially commercial buildings (or within the site area).

Question 82: Do you agree with removal of this text from the footnote?

Removal of the footnote does not compromise the ability of the NPPF to protect the best and most versatile agricultural land. Instead of removing the footnote why does the Government not move it into the main body of the text within the NPPF. The protection of the land we grow our food on is an important matter and the NPPF should continue to place great emphasis on it as a priority for protection from development.

Question 83: Are there other ways in which we can ensure that development supports and does not compromise food production?

No further comment.

Question 84: Do you agree that we should improve the current water infrastructure provisions in the Planning Act 2008, and do you have specific suggestions for how best to do this?

The Council supports any improvements to bringing water infrastructure to completion faster.

Question 85: Are there other areas of the water infrastructure provisions that could be improved? If so, can you explain what those are, including your proposed changes?

Presently, the mechanism for funding water infrastructure leaves a lag in time between the completion of growth and the upgrade to water infrastructure, particularly water recycling centres. Water companies AMP funding programmes are unaware of the impact of future growth and the impact it will have on their infrastructure. The Government needs to look at bridging that funding gap in the planning process. This takes on a level of urgency if the proposed changes to the national standard method increase the number of homes as set out. It should also be mandatory for water authorities to publish yearly to local authorities capacity levels of their infrastructure and their plans to upgrade in conjunction with growth – at the present time local authorities have to ask for this information and it does not always accord with comments on planning applications.

Question 86: Do you have any other suggestions relating to the proposals in this chapter?

None.

Question 87: Do you agree that we should we replace the existing intervention policy criteria with the revised criteria set out in this consultation?

The Council agrees that the policy criteria should be revised. They need to be flexible, as the delays in local plan making are not always a local authority's fault. A general election and political changes mean plans are going to be delayed. The difficulties in evidencing delivery which many councils are now going to have to revisit will also delay plan making and local authorities should not be penalised for these sorts of delays. For example, in Maldon we are likely to have to carry out additional calls for land as we do not currently have sufficient submissions to meet this increased need.

Question 88: Alternatively, would you support us withdrawing the criteria and relying on the existing legal tests to underpin future use of intervention powers?

No, the Council would not support this, there needs to be clear policy criteria so that reasons for intervention are clear to everyone.

Question 89: Do you agree with the proposal to increase householder application fees to meet cost recovery?

Yes, the Council supports this proposal but is this full cost recovery? What if a planning department is staffed by more costly consultants and you cannot recruit full time planners? It is a moot point Maldon District Council cannot recruit qualified development management planners despite numerous efforts to do so.

Question 90: If no, do you support increasing the fee by a smaller amount (at a level less than full cost recovery) and if so, what should the fee increase be? For example, a 50% increase to the householder fee would increase the application fee from £258 to £387.

The Council supports an increase in householder application fees to meet cost recovery.

If Yes, please explain in the text box what you consider an appropriate fee increase would be.

Question 91: If we proceed to increase householder fees to meet cost recovery, we have estimated that to meet cost-recovery, the householder application fee should be increased to £528. Do you agree with this estimate?

Yes

No – it should be higher than £528

No – it should be lower than £528

no - there should be no fee increase

Don't know.

There are already a range of permitted development rights available to homeowners that allow significant alterations to their property without having to apply for planning permission and thus don't attract a fee. However above and beyond this, the homeowner is likely to be realising an uplift in their property value by carrying out larger extensions and alterations. It seems reasonable that the general taxpayer should not be burdened with the cost of allowing another individual to increase the value of their property. Therefore £528 does not seem unreasonable. However, homeowners are already faced with Architect/Agent fees, building regulations fees, and other costs of development. Therefore, the level of supporting information required with a householder planning application should perhaps be clarified and limited, so as to reduce the overall burden on residents wanting to improve their homes. The

cost recovery amount should be set locally because different councils have different costs and £528 may not cover all costs in all councils, some councils will actually make money on the amount, and some will lose out.

If No, please explain in the text box below and provide evidence to demonstrate what you consider the correct fee should be.

Question 92: Are there any applications for which the current fee is inadequate? Please explain your reasons and provide evidence on what you consider the correct fee should be.

See response to Question 91

Question 93: Are there any application types for which fees are not currently charged but which should require a fee? Please explain your reasons and provide evidence on what you consider the correct fee should be.

No

Question 94: Do you consider that each local planning authority should be able to set its own (non-profit making) planning application fee? Please give your reasons in the text box below.

The Council would not support this. Whilst on the surface it seems like an appropriate way forward it could create disparity between areas in terms of planning fees and this could discourage development in one area favouring another area because of the cost of obtaining planning.

Question 95: What would be your preferred model for localisation of planning fees?

Full Localisation – Placing a mandatory duty on all local planning authorities to set their own fee.

Local Variation – Maintain a nationally-set default fee and giving local planning authorities the option to set all or some fees locally.

Neither

Don't Know

Please give your reasons in the text box below.

Question 96: Do you consider that planning fees should be increased, beyond cost recovery, for planning applications services, to fund wider planning services?

If yes, please explain what you consider an appropriate increase would be and whether this should apply to all applications or, for example, just applications for major development?

Yes. The wider public expects local councils to fully fund both plan making and planning enforcement. Local authority budgets are stretched and particularly enforcement is the one service within planning which suffers from budget constraints. Raising fees beyond cost recovery to help fund both enforcement and plan making would relieve some budgetary pressure within Councils. It would be important to ring fence any additional fee funding to retain it within planning services.

Question 97: What wider planning services, if any, other than planning applications (development management) services, do you consider could be paid for by planning fees?

The wider public expects local councils to fully fund both plan making and planning enforcement. Local authority budgets are stretched and particularly enforcement is a service which is the one service within planning which suffers from budget constraints. Raising fees beyond cost recovery to help fund both enforcement and plan making would relieve some budgetary pressure within Councils. It would be important to ring fence any additional fee funding to retain it within planning services.

Question 98: Do you consider that cost recovery for relevant services provided by local authorities in relation to applications for development consent orders under the Planning Act 2008, payable by applicants, should be introduced?

Yes, it is important that if the local authority is providing a service, then it should be funded by fees.

Question 99: If yes, please explain any particular issues that the Government may want to consider, in particular which local planning authorities should be able to recover costs and the relevant services which they should be able to recover costs for, and whether host authorities should be able to waive fees where planning performance agreements are made.

Not applicable (N/A).

Question 100: What limitations, if any, should be set in regulations or through guidance in relation to local authorities' ability to recover costs?

It is important that any cost recovery is ring fenced to the planning service within a local authority.

Question 101: Please provide any further information on the impacts of full or partial cost recovery are likely to be for local planning authorities and applicants. We would particularly welcome evidence of the costs associated with work undertaken by local authorities in relation to applications for development consent.

N/A

Question 102: Do you have any other suggestions relating to the proposals in this chapter?

None.

Question 103: Do you agree with the proposed transitional arrangements? Are there any alternatives you think we should consider?

The transitional arrangements will not affect Maldon District Council as we have to yet reached Reg 19 consultation.

Question 104: Do you agree with the proposed transitional arrangements?

No comment.

Question 105: Do you have any other suggestions relating to the proposals in this chapter?

None.

Question 106: Do you have any views on the impacts of the above proposals for you, or the group or business you represent and on anyone with a relevant protected characteristic? If so, please explain who, which groups, including those with protected characteristics, or which businesses may be impacted and how. Is there anything that could be done to mitigate any impact identified?

The changes to the standard method will negatively impact on every resident within Maldon District, by opening the flood gates to a free-for-all of unwanted development, reducing their Council's ability to properly plan and manage development in their District and by placing further pressure on infrastructure which is already either at capacity or over capacity. The one thing that the Government can do is pause these changes from going ahead whilst it accurately assesses the social, environmental, and economic impacts of them across the whole country. Whilst this might delay plan making, a delay is preferred to the potential catastrophic effects the proposed changes could have, which will be difficult to reverse.

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REPORT of DIRECTOR OF SERVICE DELIVERY

**to
COUNCIL
12 SEPTEMBER 2024**

RESPONSE TO ESSEX TRANSPORT STRATEGY PUBLIC CONSULTATION

1. PURPOSE OF THE REPORT

- 1.1 To present to Council for approval the Maldon District Council recommended consultation response to the draft Essex Transport Strategy.

2. RECOMMENDATION

That Council approves the consultation response to the Essex Transport Strategy (**APPENDIX 1**) and submits the response online by the deadline.

3. SUMMARY OF KEY ISSUES

- 3.1 Essex County Council (ECC) launched the Essex Transport Strategy public consultation on 5 August 2024 for six weeks to 22 September 2024. The Essex Transport Strategy is ECC's Statutory Plan also known as their Local Transport Plan (LTP). This will be their Local Transport Plan 4 (LTP4) replacing the current LTP3 published in 2011.
- 3.2 This public consultation seeks a response on 'Part 1' only that is the 'Framework' of the draft Essex Transport Strategy. This Framework focusses on the 'Themes', 'Outcomes' and 'Activities', and ECC's new 'Place and Movement Approach' to road hierarchy. The consultation response is to ECC's accompanying online consultation questionnaire. The draft response to 'Part 1 – the Framework' is set out in **APPENDIX 1**.
- 3.3 The recommended consultation response is due to be presented to the Planning Policy Working Group for discussion and input on 10 September 2024. The Council will be informed of any feedback not covered by the recommended response in a Members' Update to this report.
- 3.4 'Part 2' of the Essex Transport Strategy public consultation will be early in 2025 setting out 'Area Plans' with a full programme of planned investment on these 'Part 1' ideas in specific areas of Essex.
- 3.5 ECC's Strategy, as a statutory plan, will be approved by the Secretary of State for Transport at the Department of Transport (DfT). The Essex Strategy will underpin regional strategy set out in Transport East Strategy 2023. ECC and Maldon District Council (MDC) as subscribing members of Transport East are represented at regional level for transport matters of challenge and opportunity. The four priorities of the Transport East Strategy to 2050 are: Decarbonising Transport, Connecting growing places, Energised coastal and rural communities, and Global gateways.

- 3.6 Transport East published 'Rural Connections: *Transport challenges and opportunities for communities in the East*' in March 2024 setting out the challenges faced by a region with a large rural and rural coastal population for: access to health and essential services, access to education and training, access to employment, social isolation, wellbeing, and social mobility. The Council contributed to the evidence gathering that highlights barriers faced by transport users, operational challenges as well as the impact on the visitor economy and achieving decarbonisation targets for transport. Regional strategy overarches county strategy.

3.7 Relationship to Draft Maldon District Future Transport Strategy

- 3.7.1 The Council will be aware of the partnership working with ECC, as the Highway Authority, preparing the draft Maldon District Future Transport Strategy (dMDFTS). This is the first District-wide transport strategy prepared in Essex.
- 3.7.2 An All-Member Briefing took place on the dMDFTS on 2 September 2024 led by Councillor Tom Cunningham, Cabinet Member for Highways, Infrastructure and Sustainable Transport with the ECC Project Team. The Briefing set out the importance of the dMDFTS as an 'Area Plan' overarched by an Essex Transport Strategy. As referenced in paragraph 3.4. above 'Area Plans' will form the basis of a full programme of planned investment in specific areas of Essex within 'Part 2' of the Essex Transport Strategy preparation and further consultation by early 2025.
- 3.7.3 The baseline data from Office for National Statistics (ONS) and the 2021 Census has informed the travel behaviours identified, challenges and issues in the District highlighting high dependency on car use, the poor connections to strategic road (A12) and strategic rail (Great Eastern Mainline) networks and the lack of alternatives to car use with poor public transport, especially bus services in the rural, coastal areas to access health, education, shopping and employment.
- 3.7.4 The response has taken account of the known differences in transport services and connections to and from our rural, coastal District when compared to those in urban centres in Essex like the Colchester and Chelmsford cities and large towns like Braintree and Basildon plus the regional connections by strategic road and strategic rail networks to ports and airports supporting our businesses.

4. CONCLUSION

- 4.1 The recommended response to the Essex Transport Strategy consultation is representative of the significant transport challenges and needs in the District set out in evidence in local, county and regional strategy and the opportunity through the local dMDFTS, county-wide Essex Transport Strategy and regional Transport East Strategy for future significant transport improvements in the District as a rural, coastal authority.

- 4.2 The Essex Transport Strategy '*seeks to:*

- *understand travel needs in Essex*
- *raise awareness of travel choices*
- *enable sustainable travel choices*

It looks at the opportunities and challenges we face for future investment in transport, working with Central Government and other partners to determine which transport schemes are priority and unlock funding for them. The 3 Themes will deliver the transport network Essex needs with the Outcomes being:

- *Transport Choice*
- *Increased Safety*
- *Strong resilient Network*
- *Supporting residents and businesses*

4.3 This consultation on the Essex Transport Strategy 'Framework' coincides with proposed changes to the National planning Policy Framework (NPPF) consultation. The response to the proposed NPPF changes has its own report on this same agenda.

5. IMPACT ON PRIORITIES AS SET OUT IN THE CORPORATE PLAN 2023 - 2027

5.1 Enhancing and connecting our place

5.1.1 Responding to the Essex Transport Strategy will ensure the Council can influence county strategy for setting transport priorities in Essex, which will impact the District's connectedness.

5.2 Helping the economy to thrive

5.2.1 Responding to the Essex Transport Strategy will ensure the Council can influence county strategy for setting transport priorities in Essex, which will impact the District, including tackling issues of congestion, facilitating freight movement which impact local businesses and visitors reaching historic towns, the coast and countryside to support the local tourism economy.

5.3 A greener future

5.3.1 Responding to the Essex Transport Strategy will ensure the Council has the opportunity to influence county strategy for setting sustainable transport priorities in Essex, which will mitigate climate change by reducing GGEs (Greenhouse Gas Emissions) to decarbonise transport, including tackling issues of EV (Electric Vehicles) charging, good public transport provision, as well as walking and cycling improvements.

6. IMPLICATIONS

- (i) **Impact on Customers** – The connectedness of the District affects residents, businesses, and visitors. Investment is needed to ensure rural, coastal, and urban areas within the District are better connected, as well as connected to places outside the District for shopping, education, and health.
- (ii) **Impact on Equalities** – The consultation response highlights where there are inequalities between urban and rural communities in the District to improve access to services, economic and social connections.
- (iii) **Impact on Risk (including Fraud implications)** – The ability to influence change in the District's connectedness, movement and congested areas provides risks and opportunities to other council projects including the Local Development Plan and its review.
- (iv) **Impact on Resources (financial)** – None.

(v) **Impact on Resources (human)** – None.

Background Papers:

Transport East Strategy, March 2023 [Transport Strategy - Transport East](#)

Rural Connections: *Transport challenges and opportunities for communities in the East*,

Transport East, March 2024 [JFG6592 TransportEastReport_AW-WEB.pdf](#)

Essex Transport Strategy Part 1 Consultation Document [Essex Transport Strategy - Essex County Council - Citizen Space](#)

Enquiries to: Jackie Longman, Principal Place Officer

DRAFT RESPONSE TO ONLINE CONSULTATION SURVEY, ESSEX TRANSPORT STRATEGY

1. 'Supporting people, health, wellbeing and independence' is a key theme in our emerging Essex Transport Strategy. To what extent do you agree with this theme?

- ☐ Strongly agree
☒ Agree
☐ Disagree
☐ Strongly disagree
☐ No opinion

2. We have identified three outcomes we want to achieve. To what extent do you agree these are the right ones to focus on?

	Strongly agree	Agree	Disagree	Strongly disagree	No opinion
People have inclusive and affordable access to key services.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
People enjoy improved physical and mental health and wellbeing.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The transport network is safe, and feels safe, for all users.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

3. We have identified different types of activities to help us achieve the outcomes. To what extent do you support these?

	Strongly support	Support	Oppose	Strongly oppose	No opinion
Widen travel choice, e.g. more cycling and walking schemes.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Make use of appropriate technology, such as the TravelEssex app, to improve access to services.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Improve access to travel information and awareness of options, such as through new apps.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Understand residents' travel behaviour and how to promote more active travel, such as walking and cycling.	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Use of demand responsive transport in areas with poor access to healthcare and other key services.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Work with community groups to encourage social interaction through travel, such as through bike loan schemes	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Improve access to open spaces for people to enjoy.	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ensure people feel safe while travelling.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Adopt 'Vision Zero', aiming to have zero people killed or seriously injured on our roads.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

4. Do you have any comments about this theme or the outcomes or activities?

Theme 1, Outcomes, Page 7

MDC should not have to compete as a rural, coastal authority in Essex with the more urban towns and cities in Essex for infrastructure needs. The Outcome should state: 'Everyone' rather than 'People'. People is a loose term and MDC feels 'people' in rural areas may miss out to 'people' in urban areas. Changing to 'Everyone' includes rural and urban areas in 'Everyone's Essex', ECC's Corporate focus.

Theme 1 Outcomes 1 and 2 should therefore read:

Everyone has inclusive and affordable access to key services

Everyone enjoys improved physical and mental health and well-being

Theme 1, Examples of key issues, Page 9

MDC acknowledge ECC's identification of high car dependency, poor public transport links in rural areas with long journey times to strategic road and strategic rail networks and long journey times (or non-existent bus services) to GP surgeries and hospitals. This is the reality in the Maldon District.

Theme 1 Outcomes and Activities, Page 10

MDC feel that for the transport network 'to be safe for everyone', walking and cycling safety on the highway network in this rural District must be prioritised. ECC, as the Highway Authority and Active Travel England as a statutory consultee are giving conflicting advice (Tollesbury planning applications) as to the technical requirements for safe cycling and walking on pavements adjacent the vehicle highway.

5. 'Creating sustainable places and communities' is a key theme in our emerging Essex Transport Strategy. To what extent do you agree with this theme?

- ☒ Strongly agree
- ☐ Agree
- ☐ Disagree
- ☐ Strongly disagree
- ☐ No opinion

6. We have identified three outcomes we want to achieve. To what extent do you agree these are the right ones to focus on?

	Strongly agree	Agree	Disagree	Strongly disagree	No opinion
All places support the transport needs of all residents.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
New developments are designed to be sustainable from the start.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Transport has a reduced impact on the environment.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

7. We have identified different types of activities to help us achieve the outcomes. To what extent do you support these?

	Strongly support	Support	Oppose	Strongly oppose	No opinion
Introduce a new 'Place and Movement' approach to the management of the transport network.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Deliver walking and cycling improvements that link key destinations to support healthy lifestyles and reduce environmental impacts.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Manage the introduction of electric vehicle infrastructure (or other alternatives) to encourage cleaner travel where cars are needed.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ensure Local Plans consider the location of new homes and jobs to maximise sustainable travel choice.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Prioritise walking and cycling for shorter journeys.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Prioritise bus interventions to improve access to key services with inclusive and easy-to-use ticketing.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Trial, implement and deliver new sustainable transport policy and strategy.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ensure new developments incorporate new technology and innovation.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Reduce the long-term environmental impacts of the transport, including decarbonising transport.

☒ ☐ ☐ ☐ ☐

Improve air quality across the transport network.

☒ ☐ ☐ ☐ ☐

Roll out of ultra-fast broadband infrastructure to reduce the need to travel i.e. support those who can, to work from home.

☐ ☒ ☐ ☐ ☐

Increase the number of trees and landscaped spaces across the transport network to promote a better environment.

☒ ☐ ☐ ☐ ☐

8. Do you have any comments about this theme or the outcomes or activities?

Theme 2, Examples of key issues, Page 12

MDC acknowledge the issue of poor air quality that cars and larger vehicles cause 'on main roads and in urban areas'. However, main roads are also in rural areas. Should 'urban areas' be replaced with 'built up areas' to ensure this catches built up areas in a rural context? 'Urban' does appear to just refer to larger towns and cities'. Equally, emissions from all motorised transport must be improved for the safety of those walking and cycling adjacent to and on the main vehicle highway and in urban areas/built up areas in a rural context. It should be noted that main roads are also in rural areas where cars and larger vehicles also cause poor air quality.

Theme 2, Outcomes and Activities, Page 13

MDC strongly supports that the location of new development in a rural, coastal authority is dependent on access to good transport choice. Furthermore, if these locations do not have good transport choices then they are deemed to require transport infrastructure to make a location for development sustainable and acceptable in planning terms i.e. what transport infrastructure is required. This particularly references the proposed changes to the NPPF, para 62 (tightening refusal on highway grounds 'in all tested scenarios').

9. 'Connecting people, places and businesses' is a key theme in our emerging Essex Transport Strategy. To what extent do you agree with this theme?

- ☒ Strongly agree
- ☐ Agree
- ☐ Disagree
- ☐ Strongly disagree
- ☐ No opinion

10. We have identified three outcomes we want to achieve. To what extent do you agree these are the right ones to focus on?

	Strongly agree	Agree	Disagree	Strongly disagree	No opinion
The business potential of Essex is maximised.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
People have inclusive and affordable access to employment, education and training.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The transport network has a secure and long-term future.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

11. We have identified different types of activities to help us achieve the outcomes. To what extent do you support these?

	Strongly support	Support	Oppose	Strongly oppose	No opinion
Maintain and operate the transport network to ensure it is fit for purpose and efficient to use.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Implement minor improvements to support the safe and efficient operation of the network, such as improving our traffic signals to make them safer and more effective.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Develop a strategy for freight which includes moving freight to rail or sea and liaising with central government on more strategic interventions.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ensure that residents can take advantage of accessing education and skills training, especially by sustainable transport.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Invest in active travel, such as walking and cycling, and promote this in new developments.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Identify opportunities to support wider non-transport outcomes, such as improving health and wellbeing.	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Enable greater use of buses, with targeted improvements where services are poor.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Ensure existing businesses have plans in place to encourage walking and cycling, and encourage businesses to have less polluting vehicles.



Embrace innovation and technology, such as the use of drones to inspect our bridges and road structures.



Undertake longer term planning to ensure the long-term security of the transport network, such as being able to cope with more severe weather.



12. Do you have any comments about this theme or the outcomes or activities?

Theme 3, Examples of key issues, Page 15

MDC agrees with the key issues identified. The MD is remote from all strategic roads, especially the A12, needed for commuting and freight movements, and this is before experiencing 'the significant differences in journey times between peak and off peak times' on all of the strategic routes this strategy has identified.

Both primary and secondary schools are typically less accessible by cycling too as rural roads in the District are deemed unsafe for young people cycling to school because they share the vehicle highway, with soft verges, with all types of motorised vehicle traffic including very large HGVs.

Theme 3, Outcomes

Similarly to Theme 1, Outcome 2 to Theme 3 should replace 'People' with 'Everyone' to read: Everyone has inclusive and affordable access to employment, education, and training.

Theme 3, Outcome 2

MDC welcomes the Activity to 'target improvements where bus services are poor.

Theme 3, Activities

As a rural, coastal authority, MDC supports developing a strategy to move freight to rail or sea. MDC feels that ECC should 'lobby' Central Government (in support of Transport East) rather than 'liaise'. Essex has the longest coastline of any County in England and the Transport East region has the most ports, including 2 Freeports, along its coastline. Developing such a strategy makes sense for short sea shipping.

As a rural, coastal authority, MDC does not have much in the way of signalised traffic management at junctions and roundabouts. This activity clear focusses on larger towns and cities. As does the security of the network in severe weather.

13. To what extent do you agree with the need for a flexible approach?

- ☒ Strongly agree
- ☐ Agree
- ☐ Disagree
- ☐ Strongly disagree
- ☐ No opinion

14. The proposed new 'Place and Movement' approach focuses on recognising all different road users. To what extent do you agree with this principle?

- ☒ Strongly agree
- ☐ Agree
- ☐ Disagree
- ☐ Strongly disagree
- ☐ No opinion

15. The 'Place and Movement' approach also focuses on recognising the importance of 'place'. To what extent do you agree with this principle?

- ☒ Strongly agree
- ☐ Agree
- ☐ Disagree
- ☐ Strongly disagree
- ☐ No opinion

16. The 'Place and Movement' approach focuses on putting the safety of all road users first. To what extent do you agree with this principle?

- ☒ Strongly agree
- ☐ Agree
- ☐ Disagree
- ☐ Strongly disagree
- ☐ No opinion

17. Do you have any comments about our proposed 'Place and Movement' approach and how we plan to classify different roads and streets in Essex?

New 'Place and Movement' Approach (aligned with LTP4), page 18

MDC support ECC's new Place and Movement Approach and has actively engaged in assessing and reviewing road hierarchy in the District to the 9 categories of road type and how roads are used. Place based planning should determine how everyone moves around their surroundings and how easy it is to access vital facilities and services and by transport choice, including good public transport, cycling and walking links.

MDC acknowledge the new approach as set out that: 'Place – is the feel of an area and what people do when they get there' and 'Movement – moving between, within and around the place and how users are doing it – walking, cycling or driving'. This new approach must treat rural, coastal towns and villages in Essex the same as urban towns and cities in Essex in terms of everyone having the right, and choice of how to move around their surroundings with access to good public transport connections and safe walking and cycling routes.

MDC notes the new Place and Movement Approach 'Will be regularly reviewed to ensure it remains up to date'. MDC would like to see a timeline specified for such 'regular review'.

18. We are proposing a three step approach to improving transport in Essex. To what extent do you agree with this approach?

- ☐ Strongly agree
- ☒ Agree
- ☐ Disagree
- ☐ Strongly disagree
- ☐ No opinion

19. Do you have any comments about our proposed three step approach to improving transport in Essex?

The 3-step approach is logical in maintaining the existing network, staged improvements leading on to more significant interventions. Presumably, the timeline for these steps will be clearer in the 'Part 2' consultation document where 'a full programme and planned funding' will be presented?

MDC has declared a Climate Emergency and like other authorities in Essex, is working to global and national targets to reduce the the impact of transport related Greenhouse Gas Emissions. How will Step 3, Decarbonisation of Transport, achieve the desired reductions in the timeframes (2030 and 2050)? What is the current baseline and how will this be measured? MDC feel that with the highest car dependency in Essex (baseline data in the ECC-led Maldon District Future Transport Strategy), poor public transport and transport connections, it must surely be targeted for 'significant improvements and transformation' (Step 3).

20. Do you have any final comments about our emerging Essex Transport Strategy?

??????

21. We would like a different name for the final version of the Essex Transport Strategy which better captures our vision for transport in Essex. Do you have any suggestions (maximum four words)? The person who suggests the chosen name will win a See.Sense ICON3 rear bike light, kindly donated by See.Sense.

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