



**REPORT of
DIRECTOR OF PLACE, PLANNING AND GROWTH**

**to
STRATEGY AND RESOURCES COMMITTEE
11 JUNE 2026**

**ESSEX COAST RECREATIONAL DISTURBANCE AVOIDANCE MITIGATION
STRATEGY REVIEW**

1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to provide an update on the review of the Essex Coast Recreational disturbance Avoidance Mitigation Strategy (RAMS) and recommend the final Strategy (**APPENDIX 1**) for approval. It is also recommended to revoke the existing Supplementary Planning Document and replace it with an updated Technical Advice Note.
- 1.2 RAMS was first adopted by the Council in 2020 (paragraph 3.2.1). The current report reflects a review of the strategy that was directed to be undertaken by Natural England (Dec 2023 – paragraph 3.4.1) in part to ensure that baseline data for the strategy, originally compiled in 2010/11, was kept up to date.

2. RECOMMENDATIONS

To the Council:

- (i) that the revised and updated Essex Coast Recreational disturbance Avoidance Mitigation Strategy (RAMS) 2026 and tariff (**APPENDIX 1**) be approved, superseding the current RAMS 2018-2038;
- (ii) that the new RAMS tariff of £500 per new dwelling or qualifying unit (index linked and inclusive of a 5% admin fee) be applied to new development from 1 August 2026;
- Note: the current fee is £175.55 and benchmarks as low compared to tariffs nationally, while the new fee is mid-range, The new fee includes increased expectations of eligible housing units, and is considered not just for the implementation period, but also for the maintenance period.
- (iii) that the adopted Essex Coast RAMS Supplementary Planning Document (SPD) be revoked, noting that its content is no longer aligned with the updated RAMS;
- (iv) that Members agree in principle to replace the Essex Coast RAMS SPD with an Essex Coast RAMS Technical Advice Note (TAN), recognising that this will provide a consistent mechanism to guide decision-making for local authorities within the RAMS partnership area;
- (v) that authority be delegated to the Director of Place, Planning and Growth, in consultation with Planning Policy Working Group to agree and publish the TAN once drafting is complete.

3. SUMMARY OF KEY ISSUES

3.1 Background

- 3.1.1 The majority of the Essex coastline is covered by internationally important nature conservation sites that support significant bird populations through a range of designations including a Special Area of Conservation¹ (SAC), Special Protection Areas² (SPAs) and Ramsar³ sites that afford strict legal protection.
- 3.1.2 There are ten protected habitat sites along the Essex coast. Four are within the Maldon district; Essex Estuaries SAC, Blackwater Estuary SPA & Ramsar, Dengie SPA & Ramsar, and Crouch & Roach Estuaries SPA and Ramsar. A map of these sites is provided on page 10, Map 1 of the RAMS at **APPENDIX 1**.
- 3.1.3 As more homes are built in Essex, more people will live and work near the coast, leading to an increase in coastal visitors and demand for recreation such as walking, dog walking, cycling and water-based activities. This brings important social and economic benefits, including improved wellbeing and access to nature. However, higher visitor numbers can place pressure on sensitive coastal habitats, through increased recreational activities causing disturbance to birds and damage to areas such as saltmarsh and mudflats.
- 3.1.4 The Essex Coast RAMS 2018-2038 sets out how to protect the unique bird populations of the Essex coastline while allowing new homes to come forward. It ensures compliance with The Conservation of Habitats and Species Regulations 2017 (as amended), known as the 'Habitats Regulations'. This is UK legislation that protects internationally important habitats and species.
- 3.1.5 Under the Habitats Regulations, local authorities are Competent Authorities, who have a legal duty to ensure that development does not adversely affect the integrity of protected sites. Where a risk of harm is identified, effective mitigation must be secured before development can be permitted.
- 3.1.6 The RAMS is a co-ordinated approach between twelve Essex Local Planning Authorities (LPAs)⁴ which aims to mitigate the recreational impacts of new residential development on protected coastal habitats and bird populations. It ensures that planned housing growth across Essex can take place in a lawful and sustainable way, while safeguarding sensitive species and habitats protected by international nature conservation designations. The Essex Coast RAMS is one of eleven strategic solutions nationally, of which seven are related to coastal habitats.
- 3.1.7 The strategic RAMS approach enables developers to contribute towards a coordinated mitigation package (referred to in the RAMS as the Strategic Access Management and Monitoring (SAMM)) delivered across a wide area, rather than being required to provide bespoke mitigation on a site-by-site basis for individual planning applications. This approach is widely used nationally and has been repeatedly demonstrated to be effective, efficient and legally robust through the planning process. Developers can also choose to provide their own bespoke

¹ SACs are protected areas which support high-quality habitats and species.

² SPAs are protected areas which support rare, vulnerable and migratory birds.

³ Ramsar sites are areas of wetland of international importance which are designated under the Convention of Wetlands under the Ramsar Convention 1971.

⁴ Basildon Borough Council, Braintree District Council, Brentwood Borough Council, Castle Point Borough Council, Chelmsford City Council, Colchester City Council, Maldon District Council, Rochford District Council, Southend-on-Sea City Council, Tendring District Council, Thurrock Borough Council and Uttlesford District Council

mitigation rather than pay the RAMS tariff, however this is extremely resource intensive. The RAMS provides a clear and efficient mechanism for complying with the Habitats Regulations, for both developers and LPAs.

3.1.8 There may be some developments that may also have 'alone impacts' due to their intensive use and close proximity to protected habitat sites meaning they may also be required to provide bespoke mitigation. This would be managed during the planning application process through consultation with Natural England.

3.1.9 If an LPA chooses not to be a part of the strategic RAMS solution, they would still have a legal obligation to comply with the Habitat Regulations and would therefore have to put their own arrangements in place, which would have significant implications for resources by comparison.

3.2 **Current RAMS 2018 - 2038**

3.2.1 It is important to note that the RAMS was originally drafted in 2018, adopted by the Council in 2020 and has been used successfully in the determination of planning applications since. Alongside this, an SPD was also produced and adopted to summarise the RAMS into a concise guide for developers demonstrating why mitigation is needed. The SPD also sets out the process for how they must comply with the RAMS and formalises the arrangements for securing the developer contribution of £175.55 per net new dwelling or qualifying unit of development (2026 fee).

3.2.2 The entirety of Maldon district is within the Zone of Influence (Zoi) of the protected habitat sites (page 50, Map 5 of **APPENDIX 1**). The Zoi was established in the RAMS adopted in 2020. Since adoption of the RAMS and SPD, every planning application for net new dwellings and other eligible residential development⁵ has paid the tariff upfront prior to the grant of planning permission or signed a legal agreement to ensure the tariff is paid prior to commencing the development. If a payment or legal agreement is not received or agreed, this constitutes a reason to refuse the application.

3.2.3 Upon adoption of the existing RAMS in 2020, it was agreed by the twelve LPAs that Chelmsford City Council (CCC) would be the Accountable Body. This means that they manage the tariff across Essex and deliver the mitigation measures. The LPAs collect the tariff as part of planning applications and transfer it to CCC to fund mitigation measures. The measures are delivered through the Bird Aware Essex branding which includes a RAMS Delivery Manager, a Lead Coastal Ranger and three Coastal Rangers who cover the Essex coastline. The governance structure of RAMS is set out on page 56, Figure 3 of **APPENDIX 1**.

3.2.4 As of 1 April 2026, the total collected across Essex Councils and transferred to the Accountable Body is £2,715,389. The total transferred by Maldon District Council (MDC) is £40,065.

⁵ Net new dwellings, Houses in Multiple Occupation (HMOs), Gypsy and Traveller pitches, caravan parks, Residential Institutions such as schools and care homes (on a case-by-case basis)

3.3 Mitigation measures undertaken within the Maldon district

3.3.1 The Bird Aware Essex team provide the mitigation for the in-combination effects of increased recreational disturbance and pressure as a result of housing growth across Essex.

3.3.2 A core part of the mitigation measures is engaging with coastal visitors, informing them of the protected nature of the coast and how they can enjoy the coast responsibly without disturbing the over-wintering and breeding birds and their habitats. A significant proportion of engagement is related to being considerate while dog walking, as dogs have been identified as a main disturbance to ground nesting coastal birds.

3.3.3 A flat rate tariff is collected for all new homes in the Zol across Essex, however, as the Maldon District is a coastal authority with four protected habitat sites along the coastline, a significant proportion of the tariff collected is spent within the district. Proportionately, a higher level of the tariff is spent in the district than the money collected by the Council, benefitting birds within the protected habitats on the district coastline. A large proportion of the Bird Aware Essex team's activity is on and around the Blackwater Estuary, with its own dedicated resource. Coastal Rangers also cover the Dengie and Crouch Estuaries, focussing on engagement with residents, local groups and visitors to promote awareness of coastal birds and habitats and the disturbance they face from recreational pressure on the coastline. A summary of activities undertaken within Maldon District is set out below:

- To date, rangers have undertaken approximately 486 site visits within the Maldon district, in and around the Blackwater and Dengie Peninsula, including sites such as Maldon Promenade Park, Heybridge, Goldhanger, Osea, Tollesbury, Maylandsea, St Lawrence, Steeple and Bradwell and includes coastal paths between and around these sites.
- Rangers have spent over 1,442 hours on site around the Maldon District Area undertaking engagement, patrols and monitoring activities.
- There is a dedicated ranger assigned to cover the Blackwater Estuary, this is proposed to increase in the updated strategy.
- The team attend events and work with stakeholders in the area to deliver the mitigation.
- They have supported and attended the Maldon U-Fest and led walks as part of the Saltmarsh Coast Walking Festival.
- They have delivered talks and presentations across the district to parish councils, community groups and sailing clubs and led guided walks in partnership with local farmers. This has led to them engaging with over 4,454 people just within the Maldon district area. This has included communities around the Dengie and Bradwell such as the Othona community and Tillingham Parish Council.
- The team are also represented at the Blackwater Partnership to support projects to improve the Blackwater estuary environment, collaborating with multiple partners.
- They collaborate with different partners, landowners and projects such as the Share Our Shores Project, protecting beach nesting birds such as Little Tern and Ringed Plover.

- Bird Aware Leaflet boxes have been installed around the coast including in Tollesbury, Wicke Farm and Goldhanger Creek to disseminate information about the protected sites and project.
- The Blackwater Estuary coastal ranger undertakes Wetland Bird Surveys in Mayland and continues to gather records which are submitted to the British Trust for Ornithology about this area, so that long term trends to bird numbers can be monitored in this location.
- The team maintains static people counter data in Lawling Creek, Mayland to monitor footfall on the coastal path in this location.
- Bird Aware Essex have launched the Great Coastal Birdwatch for the past three years from Maldon Promenade Park.

3.4 The RAMS Review

- 3.4.1 In December 2023, Natural England wrote to the Essex Coast RAMS Partnership, which the Council is part of, formally advising of the need to undertake a review and update the RAMS mitigation package. In line with established best practice, strategic mitigation solutions should be reviewed approximately every five years.
- 3.4.2 Under the Habitat Regulations⁶ mitigation measures must be secured and effective for as long as the plan or project has the potential to affect the protected site. In practice, this requires mitigation to be provided in perpetuity for the lifetime of the development. The original RAMS package was costed only to the end of the Local Plan period and not for the duration of the impact, which was identified by Natural England as a fundamental matter that needed to be addressed. A review was required to ensure that mitigation measures are fully funded and secured for the duration of the impact of development, i.e. in perpetuity.
- 3.4.3 In addition, the original visitor surveys undertaken in 2011-2013 had become dated and therefore an update to this evidence base was required. It was also noted that predicted housing growth across Essex had increased significantly since the creation of the original RAMS. Consultants Footprint Ecology were therefore commissioned to produce an updated RAMS.
- 3.4.4 The review of the RAMS began in summer 2024. A RAMS Review Steering Group was set up to manage the review process, including engagement with Footprint Ecology. There is also a general RAMS Steering Group who meet every 4-6 weeks, which at least one representative from each LPA attends. The RAMS Review Steering Group regularly updated the main steering group throughout the review. Progress has also been regularly reported and agreed by the Essex Planning Officers Association (EPOA) Chief Officers Forum, which operates as the RAMS Project Board.
- 3.4.5 Natural England has endorsed the approach to the review and final RAMS documentation (**APPENDIX 4**). The final RAMS has also been endorsed by the Steering Group on Tuesday 21 April 2026 and by EPOA Chief Officers on Thursday 30 April 2026. Final approval of the RAMS and the revised tariff rests with the Council.

⁶ Regulation 63 (Appropriate Assessment) and Regulation 64 (Derogations)

3.5 Key differences between the current and updated RAMS

3.5.1 The key updates from the existing RAMS are:

1. An updated mitigation package, taking into account increased housing growth and in-perpetuity mitigation for the lifetime of development.
2. Updated tariff fee.
3. Amended development types eligible to pay the tariff.

3.5.2 Updated mitigation package and tariff

- 3.5.2.1 The National Planning Policy Framework (NPPF) published in December 2024 changed the standard methodology for calculating housing numbers. This has led to the significant increase in the numbers of new homes which need to be built in the Zol, since the adoption of the current RAMS.
- 3.5.2.2 Projections indicate approximately 148,309 new dwellings within the Zol over the next 20 years. It is noted that this is a predicted figure agreed by LPAs in 2025 in order to agree a baseline for the RAMS review. Future reviews of the RAMS will take into account changes to proposed predicted housing growth.
- 3.5.2.3 With an estimated 609,786 existing dwellings in the Zol in 2025, this represents a 24% increase in the housing stock within the Zol. This growth will result in a commensurate increase in recreational visits to designated coastal sites, requiring an enhanced mitigation response.
- 3.5.2.4 Updated visitor surveys undertaken by Footprint Ecology in winter and summer 2025 (**APPENDIX 2**) demonstrated that increased recreational pressure remains a key impact. It was therefore concluded that an enhanced mitigation package is necessary to ensure compliance with the Habitats Regulations.
- 3.5.2.5 The updated package builds on the original adopted measures and introduces enhanced interventions where necessary to reflect increased housing growth, changes in recreational patterns and visitor behaviour and the requirement to deliver mitigation effectively for the lifetime of the development. It was developed through workshops and engagement with key stakeholders and subsequently refined in discussion with LPAs and Natural England. The outcome is a robust and proportionate mitigation package capable of ensuring that the recreational pressure arising from new development, in-combination, will not lead to adverse effects on the integrity of protected sites.
- 3.5.2.6 The updated RAMS accounts for approximately double the amount of housing growth, 148,309 new homes, in comparison to that in the current RAMS, 72,907 new homes. This has resulted in the baseline cost of the mitigation package being doubled, prior to including an in-perpetuity cost to account for mitigation for the lifetime of the development.
- 3.5.2.7 The original mitigation package was not costed in perpetuity i.e. it did not take into account the lifetime of the development. This omission was a primary reason why the RAMS tariff remained significantly lower than tariffs for comparable strategic schemes elsewhere in the country, despite the scale and sensitivity of the Essex coastline. A summary of tariffs in comparable strategies nationally is set out in paragraph 3.5.5.5 below.
- 3.5.2.8 Natural England identified this as a key matter that needed to be addressed as part of the RAMS review. Had the original mitigation package in the current RAMS been

costed in-perpetuity from the outset, the baseline tariff would have been £489 per dwelling, rising with inflation to approximately £660 at 2025 values. As the current RAMS does not include an in-perpetuity cost, the current 2026 tariff stands at £175.55.

3.5.2.9 The updated RAMS now fully aligns with the requirement for mitigation to be effective for the lifetime of the development. An 80-year period has been adopted to account for in-perpetuity mitigation, which is consistent with national practice for other strategic mitigation solutions. The total cost of delivering the updated mitigation package in perpetuity is £72,594,500. Full details of what is included in the mitigation package can be found on pages 88 - 89 of **APPENDIX 1**. An overview of the mitigation package cost is set out below.

Mitigation	One-off / capital cost	Rolling cost	Multiplier for rolling cost	Total cost
Delivery Manager		£69,800	80	£5,584,000
Ranger team leaders (two posts)		£104,500	80	£8,360,000
Rangers (six full-time, three seasonal)		£341,250	80	£27,300,000
Vehicles and other resources for rangers		£55,000	80	£4,400,000
Dog project staffing costs		£52,250	80	£4,180,000
Dog project resources		£8,000	80	£640,000
Communications Officer staffing costs		£31,350	80	£2,508,000
Communications costs		£11,000	80	£880,000
Production of monitoring strategy and monitoring support	£17,500		80	£17,500
Monitoring and data staffing costs		£28,625	80	£2,290,000
Monitoring resources		£15,000	80	£1,200,000
Visitor surveys		£35,000	16	£560,000
Education / community engagement officer		£52,250	80	£4,180,000
Resources for schools and events		£6,000	80	£480,000
Engagement material for holiday parks etc.	£15,000			£15,000
Site-specific projects		£125,000	80	£10,000,000
Total mitigation package				£72,594,500

3.5.2.10 The mitigation package includes £10,000,000 allocated for 'site specific projects'. These are set out in the project list on page 65 of **APPENDIX 1**. Potential opportunities for site-specific projects were identified in a series of workshops hosted in September 2025. The opportunities listed are not intended to be exhaustive. Many are suggestions and are not firm commitments at this stage. However, they provide opportunities where further mitigation work can be identified by partners such as Natural England and Bird Aware Essex.

3.5.2.11 It is important that, whilst collecting a significant level of money through the tariff, the Council maintains appropriate oversight and plays an active role in shaping the scope and direction of the mitigation measures within the Maldon district. Ongoing

engagement and collaborative input will be facilitated through the Environmental and Sustainability Working Group.

3.5.2.12 Examples of the type of mitigation in the Maldon District funded by the current mitigation package can be found in paragraph 3.3.3 above.

3.5.3 Tariff Apportionment

3.5.3.1 The current RAMS tariff operates as a flat rate across the Zol. As part of the RAMS review, alternative approaches to apportioning the tariff were considered using data from updated visitor surveys.

3.5.3.2 All alternative approaches to apportionment were found to introduce significant complexity, large disparities in tariffs (with some rates exceeding £1,500–£1,900 per dwelling), challenges arising from Local Government Reorganisation (LGR), and practical difficulties in implementation. A summary of each approach that was considered is set out below.

Apportionment Approach	Explanation	Impact for Maldon district
Uniform approach (current approach)	Flat Rate Tariff across Essex where all new housing within the Zol pays the same regardless of location or size of dwelling.	This is a simple and transparent approach, which is current practice in Essex.
Local Authority split based on visitor percentage from visitor survey data	This would be impacted by LGR and would have large variations in tariff cost across the Zol, up to approximately £1,554 per dwelling for some authorities.	As a coastal authority, this approach would have resulted in a higher tariff for developments within Maldon district.
Using visit rate per Local Authority area	Complicated to implement and would have large variations in tariff up to approximately £1,939 per dwelling for some authorities.	As a coastal authority, this approach would have resulted in a higher tariff for developments within Maldon district.
Different tariff payment zones based on proximity of housing to coast i.e. higher tariff cost for housing near to protected habitat sites	Complicated tariff model to implement, would give multiple tariffs within single LPA areas, would require understanding of housing growth per zone, would require a change to the Zol, not commonly used elsewhere.	As a coastal authority, this approach would have resulted in a higher tariff for developments within Maldon district.
Hybrid approach for each Local Authority based on visitor impact (percentage of new houses compared to existing houses)	Complicated and would give a significantly different tariff rate, up to £1,600 per dwelling in some areas.	As a coastal authority, this approach would have resulted in a higher tariff for developments within Maldon district.

3.5.3.3 Following consideration by the RAMS Steering Group and endorsement by Chief Officers via EPOA, it was agreed that retaining a single, flat tariff across Essex

provides the most transparent, fair and administratively efficient approach. This remains consistent with current practice in Essex.

3.5.3.4 All other approaches to tariff apportionment would have resulted in a higher tariff for new dwellings in Maldon district, due to the closer proximity of new development within the district to the protected habitat sites along the coastline.

3.5.4 RAMS Tariff

3.5.4.1 CCC, as the Accountable Body, already holds £2,043,416 of RAMS monies collected through the tariff by Essex Councils. This money will contribute towards the cost of the total mitigation package. Therefore, to calculate the tariff per net new dwelling, the existing monies have been taken off the total mitigation cost. The resultant figure has then been divided by the predicted number of new dwellings over the 20-year period of the updated RAMS. This equates to a tariff cost of £476 per new dwelling or qualifying unit (rounded to the nearest pound). The new tariff is in line with tariffs nationally, as set out in the table in paragraph 3.5.5.5 below.

3.5.4.2 It is proposed to include a 5% admin fee for MDC to account for the costs of collecting and processing the tariff payment. This would result in the 2026 tariff for MDC costing £500 per net new dwelling or qualifying unit of development.

3.5.4.3 A summary of the mitigation and tariff costs are set out below.

Mitigation	Cost
Total mitigation package in perpetuity	£72,594,500
Existing RAMS monies held by the Accountable Body	£2,043,416
Total mitigation less existing monies	£72,594,500 - £2,043,416 = 70,551,083
Estimated number of new homes in the Zol needing mitigation over 20 years	148,309
Total mitigation cost divided by estimated housing growth	£72,594,500 / 148,309 = 475.70
Tariff per new dwelling (rounded to the nearest pound)	£476
MDC 5% admin fee	£23.8
Total MDC tariff (rounded)	£500 per net new dwelling or qualifying unit of development

3.5.4.4 The tariff will be further adjusted on an annual basis to take into account Retail Price Index linked inflation. Housing growth will also be monitored and taken into account as part of future reviews.

3.5.4.5 A benchmarking exercise was undertaken comparing the Essex Coast RAMS with other strategic mitigation solutions nationally. The current tariff of £175.55 is significantly lower than tariffs from comparable strategic mitigation solutions elsewhere in the country which typically range from £300 to over £1000, with an average cost of £500. The updated tariff is therefore in line with comparable tariffs nationally. A summary of the tariff costs of other strategic solutions nationally is set out below.

Area / Strategic Solution	Current Tariff Cost (2025 or 2026 cost depending on when each website was updated)
Essex Coast RAMS - Current RAMS	£175.55 per dwelling
Essex Coast RAMS - If an 'in-perpetuity' cost had been included originally	£660 per dwelling
Essex Coast RAMS - Updated tariff	£ 476 per dwelling
South East Devon	£852 - £977 per dwelling
North Kent Coast – Birdwise NK	£337.49 per dwelling Canterbury - £174.91 - £848 per dwelling
East Kent Cost - Birdwise EK	£268 - £1,074 per dwelling
Northumberland Coast - Space for Shorebirds	£320 - £600 per dwelling
Bird Aware Solent	£465 - £1,207 per dwelling
Wildlife Wise Suffolk Coast	£145.90 (zone A) and £384.51 (zone B) About to increase pending current review
Severn Estuary SAMMS	£521.95 per dwelling
Dorset Heaths	Flats £269 - £277, Houses £394 - £406
New Forest SAMM	Introducing a new tariff per authority area ranging from £100 - £2,700 per new dwelling
Thames Basin Heaths	Ranging between £606 (1 bedroom dwelling) - £1772 (5 bedroom dwelling)

3.5.4.6 A transitional period for implementing the updated tariff has been agreed with Natural England (**APPENDIX 4**):

- For planning applications submitted between 1 April and 31 July 2026, the tariff applicable is the current tariff of £175.55.
- Where planning applications are still awaiting final determination on 31 July 2026, the tariff applicable is the rate in force at the time of submission of the planning application to the LPA.
- Where permission is granted at appeal and RAMS has not been paid, the tariff applicable is the rate in force on the date of the appeal being allowed.
- For planning applications submitted on or after 1 August 2026, the new RAMS tariff applies. For MDC, this is £500 including a 5% admin fee.

3.5.5 Updated table of developments required to pay the tariff

3.5.5.1 The tariff will be applied to all net new dwellings, Houses in Multiple Occupation (HMOs), Gypsy and Traveller pitches and caravan sites. It will be applied to residential institutions on a case-by-case basis dependent on the nature of the use. This is consistent with the current RAMS, the only difference being it now relates to all caravan sites including holiday parks, whereas this was previously excluded. This is set out on page 47, Table 4 of **APPENDIX 1**.

3.5.5.2 Whilst residential development represents the main source of recreational pressure, other land uses can also create significant impacts on designated habitat sites, particularly those including overnight accommodation, high visitor turnover or public recreational use. It is accepted that there may be instances of development types outside the scope of RAMS that require bespoke mitigation. This would be dealt with through planning applications, in consultation with Natural England.

3.6 Revoking and replacing the SPD with a Technical Advice Note (TAN)

- 3.6.1 The current RAMS was adopted by MDC in 2020, alongside an SPD that sets out how the RAMS should be implemented within the Planning System.
- 3.6.2 As part of the national plan-making reforms⁷, the ability to create and adopt new SPDs has been removed. Current SPDs will remain in force until MDC has adopted a Local Plan in the new system. It is noted that the content of the current RAMS SPD is no longer fully aligned with the updated RAMS 2026. It would therefore need to be reviewed and updated as it will be outdated when the updated RAMS is adopted.
- 3.6.3 As part of the transitional arrangements for the planning reforms, the government have set a deadline for adopting new SPDs of the 30 June 2026. This means that reviewing, updating and adopting a new RAMS SPD will not be possible before the June deadline.
- 3.6.4 Through discussions with the RAMS Steering Group, Natural England and Chief Planning Officers across Essex, it has been agreed a TAN will be produced in place of an SPD to provide guidance to developers and Planners on how to implement RAMS in practice. This will be agreed by the RAMS Steering Group, Natural England and Chief Planning Officers.
- 3.6.5 Given that the current RAMS SPD is no longer fully aligned with the updated RAMS, it is recommended that it is revoked.
- 3.6.6 The TAN will not be introducing new requirements; it will provide guidance on RAMS implementation. Therefore, it is recommended that authority is delegated to the Director of Place, Planning and Growth to agree and publish the TAN, in consultation with Planning Policy Working Group.

4. CONCLUSION

- 4.1 There is a legal requirement for LPAs to comply with the Habitat Regulations. RAMS is a clear and effective mechanism for compliance through planning applications. It has a proven record of delivering mitigation measures since its adoption in 2020 through Bird Aware Essex, contributing to the protection of designated habitat sites along the Essex coast. Maldon District benefits from the significant level of mitigation (site visits, communication and engagement activities) that takes place along the District coastline.
- 4.2 It is clear that the RAMS need to be reviewed and updated due to increased future housing growth and the subsequent need for increased mitigation. The updated RAMS takes these factors in account and clearly sets out a robust new mitigation package totalling £72,594,500 which equates to a tariff cost of £500 (inclusive of a 5% admin fee for MDC) from the 1 August. It is recommended the current RAMS SPD is revoked as it does not align with the updated RAMS. Further guidance on RAMS implementation will be produced in a TAN later this year. Updating the RAMS is essential to ensure mitigation measures remain robust, up-to-date and responsive to the evolving planning context.

⁷ The Levelling Up and Regeneration Act 2023, The Town and Country Planning (Local Planning) (England) Regulations 2026

5. IMPACT ON PRIORITIES AS SET OUT IN THE CORPORATE PLAN 2025 - 2028

5.1 Investing in our District

- 5.1.1 A significant proportion of the tariff collected from new developments within the Zol in Essex is spent on mitigation measures and community engagement along the Maldon district coastline.

5.2 Protecting our environment

- 5.2.1 RAMS ensures the impact of new development on the natural environment and protected habitats is mitigated. It provides a mechanism for MDC to comply with the Habitat Regulations 2017.

5.3 Delivering good quality services

- 5.3.1 RAMS provides a clear and effective mechanism for developers to comply with the Habitat Regulations 2017 when submitting planning applications.

6. IMPLICATIONS

- (i) **Impact on Customers** – RAMS provides a clear and effective mechanism for developers to comply with the Habitat Regulations 2017 when submitting planning applications.
- (ii) **Impact on Equalities** – An Equality Impact Assessment has been undertaken which concludes the RAMS meets the duties of the Equality Act 2010 (**APPENDIX 3**).
- (iii) **Impact on Risk (including Fraud implications)** – RAMS supports MDC to comply with its legal duties as a Competent Authority under the Habitat Regulations to ensure that plans, projects and developments do not adversely affect the integrity of protected sites. If the updated RAMS is not adopted, this will lead to delays in determining planning applications. Key fraud risks are likely to be in the area of appropriate costing of contributions based on planning applications, and then proper collection of contributions. These will be supported through development of software to help support and manage all developer contributions.
- (iv) **Impact on Resources (financial)** – RAMS includes the collection of the tariff for every eligible planning application. The proposed revised tariff ensures the full cost of mitigation is funded through developer contributions. It is proposed to charge a 5% admin fee to cover costs of managing and monitoring payments. Funds are held by CCC on behalf of the Essex signatory bodies. The revised tariff is based on the revised funding requirement, based on a new estimate of eligible properties in the area (approximately 2 x the previous estimate) and an extension of the applicable duration of the funding.
- (v) **Impact on Resources (human)** – RAMS provides a simple, clear and effective mechanism for Planners to ensure compliance with the Habitat Regulations through the determination of planning applications.
- (vi) **Impact on Devolution / Local Government Reorganisation** - RAMS supports collaborative working and positions MDC for alignment with

emerging governance arrangements. It is likely the next RAMS review will be undertaken by future unitary authorities.

Background Papers:

- Essex Coast Recreational disturbance Avoidance Mitigation Strategy - [Essex Coast RAMS SPD | Maldon District Council](#)
- Essex Coast Recreational disturbance Avoidance Mitigation Strategy SPD - [Essex Coast RAMS SPD | Maldon District Council](#)
- Bird Aware Essex - [Home - Bird Aware Essex](#)

Appendices:

APPENDIX 1 – Essex Coast Recreational disturbance Avoidance Mitigation Strategy 2026

APPENDIX 2 – Essex Visitor Survey Report Final

APPENDIX 3 – MDC RAMS Equality Impact Assessment

APPENDIX 4 – Natural England letter to LPAs 2026

Enquiries to: Louise Staplehurst, Planning Policy Manager.